



Filing Receipt

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Application for Sale, Transfer, or Merger of a Retail Public Utility

Pursuant to Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239

Sale, Transfer, or Merger (STM) Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, the Applicant should:
- Provide an answer to every question and submit any required attachment applicable to the STM request (i.e., agreements or contracts).
 - Use attachments or additional pages to answer questions as necessary. If you use attachments or additional pages, reference their inclusion in the form.
 - Provide all mapping information as detailed in Part G: Mapping & Affidavits.
- II. **FILE:** Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
- SEND TO:** Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (NOTE: Electronic documents may be sent in advance of the paper copy, however they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records).
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
- DEFICIENT (Administratively Incomplete):** Applicants will be ordered to provide information to cure the deficiencies by a certain date, usually 30 days from ALJ's order. *Application is not accepted for filing.*
 - SUFFICIENT (Administratively Complete):** Applicants will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. *Application is accepted for filing.*
- IV. Once the Applicants issue notice, a copy of the actual notice sent and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may request a hearing on the merits.
- HEARING ON THE MERITS:** An affected party may request a hearing within 30 days of notice. In this event, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
- V. **TRANSACTION TO PROCEED:** at any time following the provision of notice, or prior to 120 days from the last date that proper notice was given, Commission Staff will file a recommendation for the transaction to proceed as proposed or recommend that the STM be referred to SOAH for further investigation. The Applicants will be required to file an update in the docket to the ALJ every 30 days following the approval of the transaction. The transaction must be completed within six (6) months from the ALJ's order (Note: The Applicants may request an extension to the 6 month provision for good cause).
- VI. **FILE:** Seven (7) copies of completed transaction documents and documentation addressing the transfer or disposition of any outstanding deposits. After receiving all required documents from the Applicants, the application will be granted a procedural schedule for final processing. The Applicants are requested to consent in writing to the proposed maps and certificates, or tariff if applicable.
- VII. **FINAL ORDER:** The ALJ will issue a final order issuing or amending the applicable CCNs.

FAQ:

Who can use this form?

Any retail public utility that provides water or wastewater service in Texas.

Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) prior to any STM of a water or sewer system, or utility, or prior to the transfer of a portion of a certificated service area.

Terms

Transferor: Seller

Transferee: Purchaser

CCN: Certificate of Convenience and Necessity

STM: Sale, Transfer, or Merger

IOU: Investor Owned Utility

Application Summary

Transferor: Trinity RCT GP LLC

(selling entity)

CCN No.s: Water CCN # 13241; Sewer CCN # 21090

☒ Sale
 ☐ Transfer
 ☐ Merger
 ☐ Consolidation
 ☐ Lease/Rental

Transferee: Stonetown Royal Coach Utilities, LLC

(acquiring entity)

CCN No.s: _____

☐ Water
 ☐ Sewer
 ☒ All CCN
 ☐ Portion CCN
 ☐ Facilities transfer

County(ies): Harris County

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Please mark the items included in this filing

<input checked="" type="checkbox"/> Contract, Lease, Purchase, or Sale Agreement	Part A: Question 1
<input checked="" type="checkbox"/> Tariff including Rate Schedule	Part B: Question 4
<input type="checkbox"/> List of Customer Deposits	Part B: Question 5
<input checked="" type="checkbox"/> Partnership Agreement LLC Agreement	Part C: Question 7
<input type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part C: Question 7
<input type="checkbox"/> Certificate of Account Status	Part C: Question 7
<input type="checkbox"/> Financial Audit	Part C: Question 10
<input type="checkbox"/> Application Attachment A & B	Part C: Question 10
<input type="checkbox"/> Disclosure of Affiliated Interests	Part C: Question 10
<input checked="" type="checkbox"/> Capital Improvement Plan	Part C: Question 10
<input checked="" type="checkbox"/> List of Assets to be Transferred	Part D: 11.B
<input type="checkbox"/> Developer Contribution Contracts or Agreements	Part D: 11.D
<input type="checkbox"/> Enforcement Action Correspondence	Part E: Question 18 (Part D: Q12)
<input checked="" type="checkbox"/> TCEQ Compliance Correspondence	Part F: Question 22
<input type="checkbox"/> TCEQ Engineering Approvals	Part F: Question 24
<input type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part F: Question 26
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part G: Question 29
<input checked="" type="checkbox"/> General Location (small scale) Map	Part G: Question 29
<input type="checkbox"/> Digital Mapping Data	Part G: Question 29
<input checked="" type="checkbox"/> Signed & Notarized Oath	Page 13-14

Part A: General Information

1. Describe the proposed transaction, including the effect on all CCNs involved, and provide details on the existing or expected land use in the area affected by the proposed transaction. Attach all supporting documentation, such as a contract, a lease, or proposed purchase agreements:

Stonetown Royal Coach Utilities, LLC will purchase all utility assets owned by Trinity RCT GP LLC ("Trinity RCT") for purposes of operating its water system under CCN No. 13241 and wastewater system under CCN No. 21090 as identified in confidential Attachment A, which is a copy of the utility asset purchase agreement between Stonetown Royal Coach Utilities, LLC ("Stonetown RCT") and Trinity RCT.

2. The proposed transaction will require (check all applicable):

For **Transferee** (Purchaser) CCN:

For **Transferor** (Seller) CCN:

- ☒ Obtaining a NEW CCN for Purchaser
☐ Transfer all CCN into Purchaser's CCN (Merger)
☐ Transfer Portion of CCN into Purchaser's CCN
☐ Transfer all CCN to Purchaser and retain Seller CCN
☐ Uncertificated area added to Purchaser's CCN

- ☒ Cancellation of Seller's CCN
☐ Transfer of a Portion of Seller's CCN to Purchaser
☐ Only Transfer of Facilities, No CCN or Customers
☐ Only Transfer of Customers, No CCN or Facilities
☐ Only Transfer CCN Area, No Customers or Facilities

Part B: Transferor Information

Questions 3 through 5 apply only to the *transferor* (current service provider or seller)

3. A. Name: Trinity RCT GP LLC
(individual, corporation, or other legal entity)
☐ Individual ☐ Corporation ☐ WSC ☒ Other: Limited Liability Company

B. Mailing Address: 14003-14011 W. Hardy Rd Houston, TX 77060

Phone: (713) 446-9886

Email: dc@trinadllc.com

- C. Contact Person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Donald G Clements Jr.

Title: General Partner

Mailing Address: 76 Elk Haven Lane McCall, ID 83638

Phone: (713) 446-9886

Email: dc@trinadllc.com

4. If the utility to be transferred is an Investor Owned Utility (IOU), for the most recent rate change, attach a copy of the current tariff and complete A through B:

A. Effective date for most recent rates: August 10, 2016

- B. Was notice of this increase provided to the Public Utility Commission of Texas (Commission) or a predecessor regulatory authority?

☐ No ☒ Yes Application or Docket Number: PUC Docket No. 43587

If the transferor is a Water Supply or Sewer Service Corporation, provide a copy of the current tariff.

5. For the customers that will be transferred following the approval of the proposed transaction, check all that apply:

☐ There are no customers that will be transferred

☒ # of customers without deposits held by the transferor 118

☐ # of customers with deposits held by the transferor*

*Attach a list of all customers affected by the proposed transaction that have deposits held, and include a customer indicator (name or account number), date of each deposit, amount of each deposit, and any unpaid interest on each deposit.

Part C: Transferee Information

Questions 6 through 10 apply only to the transferee (purchaser or proposed service provider)

6. A. Name: Stonetown Royal Coach Utilities, LLC
(individual, corporation, or other legal entity)
☐ Individual ☐ Corporation ☐ WSC ☒ Other: Limited Liability Company

B. Mailing Address: 211 E. 7th Street, Suite 620 Austin Texas 78701-3218

Phone: (303) 407-3009 Email: mk@stonetowncapital.com

C. **Contact Person.** Provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Heath Armstrong Title: local legal counsel

Address: Jackson Walker LLC 100 Congress Avenue, Suite 1100 Austin Texas 78701

Phone: (512) 236-2098 Email: harmstrong@jw.com

D. If the transferee is someone other than a municipality, is the transferee current on the Regulatory Assessment Fees (RAF) with the Texas Commission on Environmental Quality (TCEQ)?

☐ No ☒ Yes ☐ N/A

E. If the transferee is an IOU, is the transferee current on the Annual Report filings with the Commission?

☐ No ☒ Yes ☐ N/A

7. The legal status of the transferee is:

☐ Individual or sole proprietorship

☐ Partnership or limited partnership (*attach* Partnership agreement)

☐ Corporation |
Charter number (as recorded with the Texas Secretary of State):

☐ Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]
Charter number (as recorded with the Texas Secretary of State):
☐ Articles of Incorporation and By-Laws established (*attach*)

☐ Municipally-owned utility

☐ District (MUD, SUD, WCID, FWSD, etc.)

- ☐ County
- ☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)
- ☒ Other (please explain): limited liability company. A copy of the LLC operating agreement is attached as Attachment B

8. If the transferee operates under any d/b/a, provide the name below:

Name: The transferee does not operate under a d/b/a.

9. If the transferee's legal status is anything other than an individual, provide the following information regarding the officers, members, or partners of the legal entity applying for the transfer:

Name: Stonetown MRE Texas, LLC

Position: Member

Ownership % (if applicable): 100.00%

Address: 251 Little Falls Drive Wilmington DE 19808

Phone: (303) 407-3009

Email: mk@stonetowncapital.com

Name: _____

Position: _____

Ownership % (if applicable): 0.00%

Address: _____

Phone: _____

Email: _____

Name: _____

Position: _____

Ownership % (if applicable): 0.00%

Address: _____

Phone: _____

Email: _____

Name: _____

Position: _____

Ownership % (if applicable): 0.00%

Address: _____

Phone: _____

Email: _____

10. **Financial Information**

The transferee Applicant must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection taking the historical information of the transferor Applicant into consideration when establishing the projections. **See Attachment D-1 and D-2.**

Historical Financial Information may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:

1. Completed Appendix A;
2. Documentation that includes all of the information required in Appendix A in a concise format; or
3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

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

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

Part D: Proposed Transaction Details

11. A. Proposed Purchase Price: See Attachment A

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

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

☐ No ☒ Yes ☐ N/A

Total Original Cost of Plant in Service: \$ 720,223.00

Accumulated Depreciation: \$ 234,150.00

Net Book Value: \$ 486,073.00

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

☒ No ☐ Yes

Total Customer CIAC: \$ 0.00

Accumulated Amortization: \$ 0.00

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

☒ No ☐ Yes

Total developer CIAC: \$ 0.00

Accumulated Amortization: \$ 0.00

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

☒ No ☐ Yes

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

To Transferee's knowledge, no construction or improvements to the system are required at this time. To the extent that it is determined that improvements need to be made to the system, equity financing will be provided from Stonetown MRE Texas, LLC. If system improvements are identified in the future, the exact timeline for construction of any improvements has yet to be determined as TCEQ approval will be required as necessary following the approval of this acquisition. However, it is the intent of Stonetown RCT to move as quickly as possible to address any issues identified with the system upon closing of the utility asset acquisition.

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

The customers of the system would benefit from the acquisition as the transferee intends to quickly address any needed improvements to the system that have not been identified and as a result the acquisition promotes the public interest by benefiting the existing utility customers through reliable, continuous, and adequate service at the same rates currently charged by the transferor.

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

Utility Plant in Service:	\$ _____	See Attachment K
Accumulated Depreciation of Plant:	\$ _____	
Cash:	\$ _____	
Notes Payable:	\$ _____	
Mortgage Payable:	\$ _____	
(Proposed) Acquisition Adjustment*:	\$ _____	
		* Acquisition Adjustments will be subject to review under 16 TAC § 24.41(d) and (e)
Other (NARUC account name & No.):	_____	
Other (NARUC account name & No.):	_____	

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

Stonetown RCT intends to continue charging the current rates for service. Therefore, no billing change is proposed to take place as a result of the acquisition other than billing and collections being performed by Stonetown RCT.

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

Transferee does not intend to file an application to change rates for any of the customers as a result of the transaction within the first year after the acquisition is approved.

Part E: CCN Obtain or Amend Criteria Considerations

16. Describe, in detail, the anticipated impact or changes in the quality of retail public utility service in the requested area as a result of the proposed transaction:

The quality of service will likely increase as a result of the proposed transaction as the transferee intends to employ an experienced operator with instructions to meet or exceed existing operational levels. Stonetown RCT intends to address any service issues that arise promptly and appropriately as they arise.

17. Describe the transferee's experience and qualifications in providing continuous and adequate service. This should include, but is not limited to: other CCN numbers, water and wastewater systems details, and any corresponding compliance history for all operations.

See Attachment F for the status of other water and wastewater systems in Texas operated by Transferee and TCEQ compliance history reports for those systems. Transferee has experience hiring and employing reliable and competent operators for each system and addressing any system improvements identified by regulatory authorities in a prompt and comprehensive manner.

18. Has the transferee been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes? Attach copies of any correspondence with the applicable regulatory agency(ies)

☐

No

☒

Yes

See Attachment F

19. Explain how the environmental integrity or the land will be impacted or disrupted as a result of the proposed transaction:

There will be no change with respect to the environmental integrity of the land as a result of the proposed acquisition. The system will continue to operate as it does presently.

20. How will the proposed transaction serve the public interest?

The customers of the system would benefit from the acquisition as the Transferee intends to quickly address any needed improvements to the system and as a result the acquisition promotes the public interest by benefiting the existing utility customers through reliable, continuous, and adequate service at the same rates currently charged by the transferor. Furthermore, going forward the transferee has sufficient funding and resources to address any issues with the system in a timely and competent manner.

21. List all neighboring water or sewer utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service within two (2) miles from the outer boundary of the requested area affected by the proposed transaction:

See Attachment G.

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

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

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

TCEQ PWS Identification Number: 1010339 (7 digit ID)

Name of PWS: Trinity Royal Coach Trails Mobile Home Park

Date of last TCEQ compliance inspection: July 31, 2019 (attach TCEQ letter)

Subdivisions served: Trinity Royal Coach Trails Mobile Home Park

B. For Sewer service:

TCEQ Water Quality (WQ) Discharge Permit Number: WQ - 0012450001 (8 digit ID)

Name of Wastewater Facility: Trinity Royal Coach Trails Mobile Home Park

Name of Permittee: Trinity RCT GP LLC

Date of last TCEQ compliance inspection: April 30, 2022 (attach TCEQ letter)

Subdivisions served: Trinity Royal Coach Trails Mobile Home Park

Date of application to transfer permit *submitted* to TCEQ: July 20, 2022

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

Water				Sewer	
	Non-metered		2"	118	Residential
	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:			118	Total Sewer Connections:	118

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

☒ No ☐ Yes

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

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:
Transferee is not aware of any required major capital improvements necessary to correct deficiencies to meet TCEQ or PUC standards as of the filing of this application.		

C. Is there a moratorium on new connections?

☒ No ☐ Yes:

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

☒ No ☐ Yes: _____ (name of municipality)

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

Water: _____ Sewer: _____

26. A. Does the system being transferred purchase water or sewer treatment capacity from another source?

☐ No ☒ Yes: If yes, attach a copy of purchase agreement or contract.

Capacity is purchased from: North Harris County Regional Water Authority

Water: yes

Sewer: No

B. Is the PWS required to purchase water to meet capacity requirements or drinking water standards?

☒ No ☐ Yes

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

	Amount in Gallons	Percent of demand
Water:		30.00%
Sewer:		0.00%

D. Will the purchase agreement or contract be transferred to the Transferee?

☐ No ☒ Yes:

27. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☐ No ☒ Yes:

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

Name (as it appears on license)	Class	License No.	Water or Sewer
Flo-Tech Utility LLC		WC0000206	water operations company
Flo-Tech Utility LLC		OC0000216	wastewater operations company

Part G: Mapping & Affidavits

ALL applications require mapping information to be filed in conjunction with the STM application.

Read question 29 A and B to determine what information is required for your application.

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

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

- iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.

- 2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made and natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
 - i. The map must be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made or natural landmarks must be labeled and marked on the map as well.
 - ii. If the application requests an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
 - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
 - iv. The outer boundary of the requested area should not be covered by any labels, roads, city limits or extraterritorial jurisdiction (ETJ) boundaries.

- B. For applications that are requesting to include area not currently within a CCN, or for applications that require a CCN amendment (any change in a CCN boundary), such as the transfer of only a portion of a certificated service area, provide the following mapping information with each of the seven (7) copies of the application:
 - 1. A general location (small scale) map identifying the requested area with enough detail to locate the requested area in reference to the nearest county boundary, city, or town. Please refer to the mapping guidance in part A 1 (above).
 - 2. A detailed (large scale) map identifying the requested area with enough detail to accurately locate the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, or railroads. Please refer to the mapping guidance in part A 2 (above).
 - 3. One of the following identifying the requested area:
 - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part A 2 (above);
 - ii. A recorded plat. If the plat does not provide sufficient detail, Staff may request additional mapping information. Please refer to the mapping guidance in part A 2 (above); or
 - iii. Digital mapping data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The digital mapping data shall include a single, continuous polygon record. The following guidance should be adhered to:
 - a. The digital mapping data must correspond to the same requested area as shown on the general location and detailed maps. The requested area must be clearly labeled as either the water or sewer requested area.
 - b. A shapefile should include six files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj) file).
 - c. The digital mapping data shall be filed on a data disk (CD or USB drive), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

Part H: Notice Information

The following information will be used to generate the proposed notice for the application.

DO NOT provide notice of the application until it is found sufficient and the Applicants are ordered to provide notice.

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

The total acreage of the requested area is approximately: 16.00

Number of customer connections in the requested area: 118

Affected subdivision : Trinity Royal Coach Trails Mobile Home Park

The closest city or town: Houston, Texas

Approximate mileage to closest city or town center: 15

Direction to closest city or town: South

The requested area is generally bounded on the North by: See Attachment J

on the East by: See Attachment J

on the South by: See Attachment J

on the West by: See Attachment J

31. A copy of the proposed map will be available at: 100 Congress Avenue, Austin, Suite 1100 TX 78701

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

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

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

☐ higher monthly bill ☐ lower monthly bill

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

☐ higher monthly bill ☐ lower monthly bill

Oath for Transferor (Transferring Entity)

STATE OF

TEXAS

COUNTY OF

HARRIS

I,

Donald G Clements Jr

being duly sworn, file this application for sale,
transfer,

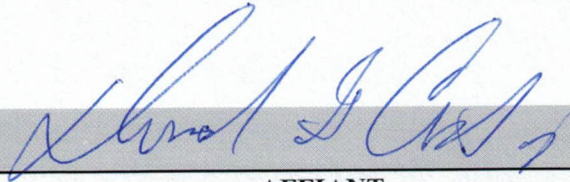
merger, consolidation, acquisition, lease, or
rental, as

General Partner

(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have been provided with a copy of the 16 TAC § 24.239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.



AFFIANT

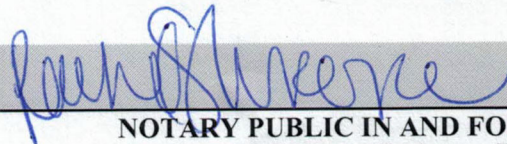
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of ~~Texas~~ IDAHO
this day the 3rd of August, 2022

SEAL

RACHEL SHROPE
COMM. #20210084
NOTARY PUBLIC
STATE OF IDAHO



**NOTARY PUBLIC IN AND FOR THE
STATE OF** ~~TEXAS~~ IDAHO

Rachel Shrope

PRINT OR TYPE NAME OF NOTARY

My commission expires:

9/11/2027

Oath for Transferee (Acquiring Entity)

STATE OF Colorado

COUNTY OF Arapahoe

I, Roy Lapidus being duly sworn, file this application for sale, transfer, merger, consolidation, acquisition, lease, or rental, as Authorized Representative
(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

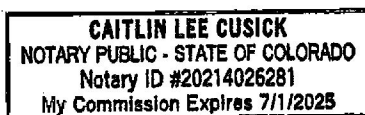
I further state that I have been provided with a copy of the 16 TAC § 24.239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

[Signature]
AFFIANT
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas
this day the 3rd of August, 2022

SEAL



[Signature]
NOTARY PUBLIC IN AND FOR THE
STATE OF ~~TEXAS~~ Colorado *cc.*
Caitlin Cusick
PRINT OR TYPE NAME OF NOTARY

My commission expires: 07/01/2025

ATTACHMENT LIST

Attachment A: Executed Purchase and Sale Agreement (Confidential)
Attachment B: LLC Operating Agreement (Confidential)
Attachment C: Utility Corporate Organizational Chart (Confidential)
Attachment D-1: Balance Sheet (Highly Sensitive Protected Material)
Attachment D-2: 5-year Projected Financial Information (Confidential)
Attachment E: Utility Asset List (Confidential)
Attachment F: List of other Stonetown utilities operated in Texas with TCEQ compliance status
Attachment G: Notice Information
Attachment H: TCEQ compliance
Attachment I: Current Utility Tariff
Attachment J: Large and Small Scale Maps
Attachment K: PUC Annual Report - RCT

**ATTACHMENT A is Confidential and
will be provided pursuant to the
Protective Order**

**ATTACHMENT B is Confidential and
will be provided pursuant to the
Protective Order**

**ATTACHMENT C is Confidential
and will be provided pursuant to the
Protective Order**

**ATTACHMENT D-1 is Highly
Sensitive Protected Material and
will be provided pursuant to the
Protective Order**

**ATTACHMENT D-2 is Confidential
and will be provided pursuant to the
Protective Order**

**ATTACHMENT E is Confidential
and will be provided pursuant to the
Protective Order**

ATTACHMENT F

List of Transferee's Other Facilities

Name of Facility	Location	TCEQ Permit
Benbrook Village Mobile Home Park	Tarrant County	PWS 2200293 WQ0014792001
Pleasant Oaks Mobile Home Park	Johnson County	WQ0014556002
Rocky Point Mobile Home Park	Denton County	WQ0013732001
Telge Manor Mobile Home Park	Harris County	PWS 1011939
Walnut Creek Mobile Home Park	Johnson County	WQ0013868001
Woodgate Mobile Home Park	Harris County	PWS 1011796 WQ0012414001

TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN ▲	Customer Name	Rating	Classification	Date Rated
CN605162411	STONETOWN BENBROOK LLC	1.33	SATISFACTORY	09/01/2021

1-1 of 1 Records

Search Again

Search Criteria

CN: CN605162411

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TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN605564970	STONETOWN WALNUT CREEK LLC	7.00	SATISFACTORY	09/01/2021

1-1 of 1 Records

Search Again

Search Criteria

CN: CN605564970

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TCEQ Compliance History Search

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1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN605366129	STONETOWN ROCKY POINT LLC	1.33	SATISFACTORY	09/01/2021

1-1 of 1 Records

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Search Criteria

CN: CN605366129

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TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN605027507	STONETOWN WOODGATE LLC	0.73	SATISFACTORY	09/01/2021

1-1 of 1 Records

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CN: CN605027507


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TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN605564871	STONETOWN PLEASANT OAKS LLC	8.33	SATISFACTORY	09/01/2021

1-1 of 1 Records

[Search Again](#)

Search Criteria

CN: CN605564871

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TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN605564871	STONETOWN PLEASANT OAKS LLC	8.33	SATISFACTORY	09/01/2021

1-1 of 1 Records

[Search Again](#)

Search Criteria

CN: CN605564871

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 30, 2021

Mr. Adam Minnick, Manager
Stonetown Pleasant Oaks, LLC
720 South Colorado Boulevard, Suite 1150 N
Glendale, Colorado 80246

Re: Notice of Compliance with Commission Order
Stonetown Pleasant Oaks, LLC; RN102095106; Account No. WQ0014556002
Docket No. 2019-0868-MWD-E; Enforcement Case No. 57880

Dear Mr. Minnick:

This letter is to inform you that a review of Texas Commission on Environmental Quality records concerning the above-referenced enforcement matter indicates that Stonetown Pleasant Oaks, LLC has fulfilled the requirements of the Commission Order ("Order") effective on March 24, 2020. Specifically, Stonetown Pleasant Oaks, LLC has fulfilled the technical requirements and 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. Horus Garcia at (512) 239-1813.

Sincerely,

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

Gilbert Angelle, Work Leader
Enforcement Division

THIS CHECK IS VOID WITHOUT A BLUE MICROPRESSURE BACKGROUND AND A WATERMARK REPRODUCED ON THE FRONT OF THE CHECK.

Stonetown 5, LLLP
Community Account
720 S Colorado Blvd
Suite 1150-N
Glendale, CO 80246

JPMORGAN CHASE BANK, NA
23-101/1020

324

Printed: 04/29/2022 01:47:31 pm
DATE: 4/29/2022

PAY **18,971.00**
ONLY **ONE EIGHT THOUSAND NINE HUNDRED AND 00/100 DOLLARS**

\$ 18,971.00

Eighteen Thousand Nine Hundred Seventy-One and 00/100 Dollars

2021-1143-MWD-E

PAY TO THE Texas Commission Environmental Quality
ORDER OF Financial Admin Division MC-214
PO Box 13088
Austin, TX 78711-3088

Valid for 90 days from date of issuance.

Two Signatures Required for Amounts over \$7500

MEMO: 20211143MWDE. Payment to close out violations at

CHECK IS PRINTED ON SECURITY PAPER WHICH INCLUDES A MICROPRINT BORDER & FLUORESCENT FIBERS

⑈000324⑈

5043826810
TX State Comptroller
05/04/2022

ENDORSE HERE
STATE OF TEXAS
COMPTROLLER
2022
5043826810
TX STATE COMPTROLLER
05/04/2022

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 8, 2022

Mr. Adam Minnick, Manager
Stonetown 5 Investors, LLC
720 South Colorado Boulevard, Suite 1150N
Glendale, Colorado 80246

Re: Proposed Agreed Order
Stonetown Walnut Creek, LLC; RN102915691; TPDES Permit No. WQ0013868001
Docket No. 2021-1143-MWD-E; Enforcement Case No. 61233
FOR SETTLEMENT PURPOSES ONLY

Dear Mr. Minnick:

The Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ") is pursuing an enforcement action against Stonetown Walnut Creek, LLC for violations of the Texas Water Code and Commission Rules. These violations were discovered during a record review conducted on March 30, 2021, and documented in a letter dated June 15, 2021, from the TCEQ Compliance Monitoring Team.

Please find enclosed a proposed agreed order which we have prepared in an attempt to expedite this enforcement action. The order assesses an administrative penalty of \$23,713. We are proposing a one-time offer to defer \$4,742 of the administrative penalty if you satisfactorily comply with all the ordering provisions within the time frames listed. Therefore, the administrative penalty to be paid is \$18,971. The order also identifies the violations that we are addressing.

If you have any questions regarding this matter, we are available to discuss them in a conference in Austin or over the telephone. If we reach agreement in a timely manner, the TCEQ will then proceed with the remaining procedural steps to settle this matter. These steps include publishing notice of the proposed order in the *Texas Register* and scheduling the matter for approval by the Commission. We believe that handling this matter expeditiously could save Stonetown Walnut Creek, LLC and the TCEQ a significant amount of time, as well as the expense associated with litigation.

Enclosed for your convenience is a return envelope. If you agree with the order as proposed, please sign and return the original order **and** the penalty payment (check payable to "TCEQ" and referencing Stonetown Walnut Creek, LLC, Docket No. 2021-1143-MWD-E) to:

Mr. Adam Minnick
Page 2
April 8, 2022

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

Should you believe you are unable to pay the proposed administrative penalty, you may claim financial inability to pay part or all of the penalty amount. In order to qualify for financial inability to pay, the penalty must exceed \$3,600 and be greater than 1% of annual gross revenues. If this is the case, please contact us immediately to obtain a list of financial disclosure documents that must be submitted within 30 days of the receipt of this letter. These documents, once properly completed and submitted, will be thoroughly reviewed to determine if we agree with the claim of financial inability. Please be aware that if financial inability is proven to the satisfaction of staff, discussions pertaining to the penalty amount adjustment will focus only on deferral and not on waiver of the penalty amount.

You may be able to perform or contribute to a Supplemental Environmental Project ("SEP"), which is a project that benefits the environment, to offset a portion of your penalty. **If you are interested in performing an SEP, you must agree to the penalty amount and submit an SEP proposal within 30 days of receipt of this proposed order.**

For additional information about the types of SEPs available and eligibility criteria, please go to the TCEQ's web site link at <https://www.tceq.texas.gov/compliance/enforcement/sep> or contact the Enforcement Coordinator listed below.

Please note that any agreements we reach are subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).

If we cannot reach a settlement of this enforcement action or you do not wish to participate in this expedited process, we will proceed with enforcement under the Commission's Enforcement Rules, 30 TEX. ADMIN. CODE ch. 70. Specifically, if the signed order and penalty are not mailed and postmarked within 60 days from the date of this letter, your case will be forwarded to the Litigation Division and this settlement offer, including the penalty deferral, will no longer be available. The enforcement process described in 30 TEX. ADMIN. CODE ch. 70 requires the staff to prepare and issue an Executive Director's Preliminary Report and Petition to the Commission. If you would like to obtain a copy of 30 TEX. ADMIN. CODE ch. 70, or any other TCEQ rules, the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI-032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you

Mr. Adam Minnick
Page 3
April 8, 2022

may call and request one from the Central Office Publications Ordering Team at (512) 239-0028.

For any questions or comments about this matter or to arrange a meeting, please contact Mr. Alejandro Laje of my staff at (512) 239-2547 or alejandro.laje@tceq.texas.gov.

Sincerely,



Kristy Deaver, Manager
Enforcement Division
Texas Commission on Environmental Quality

KD/al

Enclosures: Proposed Agreed Order, Return Envelope, Penalty Calculation Worksheet,
Site Compliance History, Effluent Violation Table

cc: Mr. Aaron Bruce, Director of Utilities, Stonetown Capital Group, 720 South
Colorado Boulevard, Suite 1150N, Glendale, Colorado 80246

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
STONETOWN WALNUT
CREEK, LLC
RN102915691**

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

AGREED ORDER DOCKET NO. 2021-1143-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Stonetown Walnut Creek, LLC (the "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 at 3600 North Cummings Drive in Johnson County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$23,713 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$18,971 of the penalty and \$4,742 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. 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). 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.

6. 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 Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - a. By preparing and submitting the Discharge Monitoring Report ("DMR") for the October 2020 monthly monitoring period by May 27, 2021.
 - b. By determining the cause of noncompliance and making necessary repairs/adjustments to the Facility to achieve compliance with the permitted effluent limitations of Texas Pollutant Discharge Elimination ("TPDES") Permit No. WQ0013868001 by June 1, 2021.

II. ALLEGATIONS

During a record review conducted on March 30, 2021, an investigator documented that the Respondent:

1. Failed to submit effluent monitoring results at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d), and TPDES Permit No. WQ0013868001, Monitoring and Reporting Requirements No. 1. Specifically, the Respondent failed to submit the DMR for the October 2020 monthly monitoring period.
2. Failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0013868001, Effluent Limitations and Monitoring Requirements Nos. 1 and 6, as shown in the effluent violation table below:

Month/ Year	BOD (5-day) Daily Avg. Conc. Limit = 20 mg/L	BOD (5-day) Single Grab Conc. Limit = 65 mg/L	Flow Daily Average Limit = 0.0225 MGD	DO Monthly Min. Conc. Limit = 3 mg/L	TSS Daily Avg. Conc. Limit = 20 mg/L	TSS Single Grab Conc. Limit = 65 mg/L	TSS Daily Avg. Loading Limit = 3.8 lbs/day	<i>E. coli</i> Single Grab Limit = 399 CFU/ 100 mL
January 2020	22	C	C	C	30	C	C	C
February 2020	25	C	C	C	62	130	C	C
March 2020	C	C	0.0227	C	C	C	C	C
April 2020	22	C	C	C	32	C	C	1,120
May 2020	32	C	C	C	50	C	5.6	C
June 2020	52	95	C	C	28	C	C	C
July 2020	37	72	C	2.4	31	C	C	C
August 2020	22	C	C	C	37	C	C	C
September 2020	21	C	C	C	38	C	C	C
October 2020	28	C	C	C	38	C	C	C
November 2020	C	C	0.05926	C	34	C	C	C
December 2020	21	C	C	C	48	C	C	C

BOD = Biochemical Oxygen Demand

Avg. = Average

mg/L = milligrams per liter

lbs/day = pounds per day

C = compliant

CFU/100 mL = colony forming units per 100 milliliters

Conc. = Concentration

Min. = Minimum

E. coli = *Escherichia coli*

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Stonetown Walnut Creek, LLC, Docket No. 2021-1143-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. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this 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 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 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 Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this 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 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. 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

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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

Date

Name (Printed or typed)
Authorized Representative of
Stonetown Walnut Creek, LLC

Title

☐ *If mailing address has changed, please check this box and provide the new address below:*

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

ATTACHMENT G

Attachment G - Royal Coach Trail List of Neighboring
Utilities, etc.

Neighboring Utilities	Address	City	State	Zip
Aldine ISD Raymond Elementary School	14910 Aldine Westfield Rd.	Houston	TX	77032
Aqua Texas Inc.	1106 Clayton Ln Suite 400W	Austin	TX	78723
Blue Bell Manor Utility Co.	10 Blue Bell Rd.	Houston	TX	77038
Galco Utilities	12620 IH-45 N	Houston	TX	77060
Greenwood Place Civic Club Inc.	P. O. Box 1642	Cypress	TX	77410
Greens Road Mobile Home Community	4402 Woodvalley Dr.	Houston	TX	77096
Hooks Mobile Home Park Ltd	P. O. Box 55669	Houston	TX	77255
Midway Water Utilities Inc.	12535 Reed Road	Sugar Land	TX	77478
Municipal Operations LLC	P. O. Box 1689	Spring	TX	77383
UIC 13 LLC	P. O. Box 279	New Waverly	TX	77538
Undine Texas LLC	17681 Telge RD	Undine	TX	77429
Westfield Mobile Home Park	520 Gulf Bank Rd. #13	Houston	TX	77037
West Road WSC	950 Corbindale Suite 255	Houston	TX	77022

Districts	Address	City	State	Zip
Aldine PUD	2727 Allen Parkway Suite 1100	Houston	TX	77019
	Smith Murdaugh Little & Bonham LLP			
Harris County MUD 182	2727 Allen Parkway Suite 1100	Houston	TX	77019
	Smith Murdaugh Little & Bonham LLP			
Harris County MUD 182	P. O. Box 890466	Houston	TX	77289
Harris County MUD 321	3200 Southwest Freeway Suite 2600	Houston	TX	77027
	Allen Boone Humphries Robinson LLP			
Harris County MUD 321	3200 Southwest Freeway Suite 2600	Houston	TX	77027
	Allen Boone Humphries Robinson LLP			
North Belt Utility District	2727 Allen Parkway Suite 1100	Houston	TX	77019
	Smith Murdaugh Little & Bonham LLP			
North Belt Utility District	P. O. Box 890466	Houston	TX	77289
Sunbelt FWSD	410 W Gulf Bank Rd.	Houston	TX	77037

Cities/County	Address	City	State	Zip
Harris County Judge Lina Hidalgo	1001 Preston, Suite 911	Houston	TX	77002
City of Houston, Mayor Sylvester Turner	P. O. Box 1562	Houston	TX	77251

Attachment G - Royal Coach Trail List of Neighboring
Utilities, etc.


Water/River Authority	Address	City	State	Zip
North Harris County Regional Water Authority	3648 Cypress Creek Parkway, Suite 110	Houston	TX	77068
San Jacinto River Authority	1577 Dam Site Road	Conroe	TX	77304

ATTACHMENT H

TCEQ Compliance History Search

Your search returned 1 records. The Customer's overall compliance history is displayed below.

1-1 of 1 Records

CN 	Customer Name	Rating	Classification	Date Rated
CN603600289	TRINITY RCT GP LLC	0.00	HIGH	09/01/2021

1-1 of 1 Records

[Search Again](#)

Search Criteria

CN: CN603600289

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Texas Commission on Environmental Quality Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Trinity Rct LP
Customer Number: CN603662396

Regulated Entity Name: ROYAL COACH TRAILS MOBILE HOME PARK

Regulated Entity Number: RN101263754

Investigation # 1582672

Investigator: THUY CHAU

Conducted: 07/31/2019 -- 07/31/2019

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Additional ID(s): 1010339

Incident Numbers

Site Classification GW 51-250 CONNECTION

NAIC Code: 221320

SIC Code: 4952

SIC Code: 6515

Location: KEY MAP 413B

Address: 14003 W HARDY RD,
HOUSTON, TX , 77060

Local Unit: REGION 12 - HOUSTON

Activity Type(s): PWSCCICMOD - A modified investigation (sanitary survey) of a community system to determine compliance with applicable regulations. This activity code should only be used at management direction for fulfilling the federal requirements during periods with declared disas

Principal(s):

Role	Name
RESPONDENT	TRINITY RCT LP

Contact(s):

Role	Title	Name	Phone
PARTICIPATED IN	OPERATOR	MR TRACY RAGSDALE	Cell (713) 823-3653 Work (281) 359-3062
REGULATED ENTITY MAIL CONTACT	DIRECTOR	MR DONALD G CLEMENTS	Cell (713) 446-9886
NOTIFIED	OPERATOR	MR TRACY RAGSDALE	Work (281) 359-3062 Cell (713) 823-3653
REGULATED ENTITY CONTACT	OPERATOR	MR TRACY RAGSDALE	Work (281) 359-3062 Cell (713) 823-3653

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Other Staff Member(s):

Role	Name
Investigator	CONNER YOWELL
QA Reviewer	ANTOINETTE RANDLE
Supervisor	NICHOLE NUNES

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PWS INVESTIGATION - EQUIPMENT	EQUIPMENT
MONITORING AND SAMPLING revised 06/2013	
PWS GENERIC VIOLATIONS (35 ITEMS)	VIOLATIONS
PWS MODIFIED CCI	MOD CCI

Investigation Comments:

\\TCEINTRODUCTION

A Modified Comprehensive Compliance Investigation (Mod CCI) was conducted at Royal Coach Trails Mobile Home Park Public Water Supply (PWS) ID 1010339, on July 31, 2019, by Texas Commission on Environmental Quality (TCEQ) Environmental Investigators (EIs) Thuy Chau and Conner Yowell, to determine compliance with applicable PWS regulations. The Mod CCI was coordinated with Mr. Tracy Ragsdale, Operator with Aqua Industries, on July 26, 2019 via telephone.

The investigation was conducted with Mr. Ragsdale.

The exit interview was conducted on July 31, 2019, and the TCEQ Exit Interview Form was emailed to Mr. Ragsdale on July 31, 2019 (Attachment No. 1).

The investigation included portions of the source water, treatment, distribution system, finished water storage, pumps, monitoring and reporting, management and operations, and operator compliance.

A Notice of Enforcement letter was mailed to the water system. A detailed description of the violations listed in the exit interview form can be found in the Alleged Violations section of the Summary of Investigation Findings.

GENERAL FACILITY AND PROCESS INFORMATION

Royal Coach Trails Mobile Home Park is a community PWS. The water system maintains two water plants which supplies water to one pressure plane. This system serves 125 total connections, with an estimated population of 375 (total connection and population data provided by the operator). The water plant serves a mobile home park. The facility is not required to have an emergency power source. For a detailed description of the water plants, see the Water System Schematic (Attachment No. 2).

As of the site visit on July 31, 2019, the system does not meet the minimum capacity requirements for systems with 50 to 250 connections. At the time of the investigation, the regulated entity had 125 total connections. Pursuant to 30 TAC §290.45(b)(1)(C), system with 50 to 250 connections must provide a well capacity of 0.6 gpm per connection, a total storage capacity of 200 gallons per connection, two or more pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane. For systems which provide an elevated storage capacity of 200 gallons per connection, two service pumps with a minimum combined capacity of 0.6 gpm per connection are required at each pump station or pressure plane. The system provided a total production capacity of 18.5 gpm and did not have ground storage tanks or service pumps. The Regulated entity does not have interconnects with other water systems at this time. For more detailed information see the Drinking Water Watch Summary Sheet and the water system capacity calculations spreadsheet (Attachment Nos. 3 and 4).

The water system employs the following operator:

Mr. Tracy L. Ragsdale has a C – ground water license, license number WG0005153, which expires on July 6, 2020.

The operator has the appropriate level of certifications for the system.

Emergency Preparedness Plan (EPP):

The regulated entity has implemented their approved EPP of having copies of negotiated leasing and contract agreements for emergency power equipment and any necessary fuel. The facility is compliant with the emergency power requirements.

Field Monitoring Activities:

At the time of the field investigation, the disinfectant residual concentration and distribution pressure were monitored from a hose bibb at Unit 50. The location had a 0.80 milligrams per Liter (mg/L) free chlorine residual concentration and a pressure of 34 pounds per square inch (psi). This will be a noted and resolved violation. A free chlorine residual was collected at the entry point and results indicated a 0.90 mg/L concentration. The chlorine readings were compliant; however, the pressure reading was not compliant

BACKGROUND

The previous CCI was conducted on September 15, 2015. See Investigation No. 1282219 for more information. No violations were noted as a result of the investigation.

Royal Coach Trails Mobile Home Park has not had a complaint in the five years preceding this investigation.

ADDITIONAL INFORMATION

A record request was noted on the Exit Interview Form for the well completion data which included 36-hour pump test, results of the microbiological and chemical analysis, a legible copy of the sanitary control easement/recorded deed for all real property within 150-feet of the well, legible copy of USGS topographic quadrangle map showing the well location and a map demonstrating the well location in relation to surrounding property boundaries.

Seven alleged violations were noted on the Exit Interview Form for failure to:

- Provide a minimum pressure of 35 psi throughout the distribution system
- Provide well capacity of 0.6 gpm per connection
- Provide a total storage capacity of 200 gallons per connection
- Provide two or more pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane
- Provide the well casing vent that is covered with 16-mesh or finer corrosion resistant screen at Well No. 1, Source ID No. G1010339A, and Well No. 2, Source ID No. G1010339B (Attachment No. 5, Photograph 1 & 2)
- Maintain the plant and pressure tanks free of vegetation at the location of Well No. 2, Source ID No. G1010339B (Attachment No. 5, Photograph 3)
- Maintain the concrete sealing block at the location of Well No. 2, Source ID No. G1010339B (Attachment No. 5, Photograph 4)

On August 1, 2019, photographs were submitted by email showing the distribution pressure was at 59 psi (Attachment No. 6).

On September 13, 2019, the Houston Region Office received a letter from the regulated entity requesting an emergency authorization to construct a new water well. The request was made due to a damaged casing in Well A that prevents a new pump from being installed in that well.

On September 17, 2019, Investigator Chau confirmed the emergency with the Drinking Water Plan Review Team in Austin, and on September 19, 2019, an approval to construct an emergency well was mailed to the regulated entity.

On September 27, 2019, Investigator Chau spoke with Mr. Ragsdale inquiring the status of the emergency well. Mr. Ragsdale stated the emergency well has not been drilled. The system is currently waiting on approvals from the Harris-Galveston Subsidence District. Investigator Chau also spoke with Mr. D. Ray Young, Engineer with Water Engineers to verify the location of the well that is having issues with its casing. Mr. Ragsdale stated that Well No. 2, Source ID No. 1010339B located south of the office was having issues with the well casing. However, per the letter to Ms. LaTrichia Spikes, dated September 13, 2019, it was noted that Well A has a damaged casing preventing a new pump from being installed. Mr. Young stated that his knowledge of the well is second hand. He believes that Mr. Ragsdale is personally knowledgeable and will accept that the failed well is the more southerly well (Attachment No. 7).

NOE Date: 9/30/2019

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

Track Number: 728938 **Compliance Due Date:** To Be Determined
Violation Start Date: Unknown

30 TAC Chapter 290.45(b)(1)(C)(i)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum well capacity of 0.6 gallons per minute per connection.

At the time of the inspection, the facility had a total of 125 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). The wells produced a total of 18.5 gpm and is short a total of 56.5 gpm.

This is calculated in the following manner:

Required 0.6 gpm /conn X 125 conn. = 75 gpm Total
Short 75 gpm Required - 18.5 gpm Produced = 56.5 gpm Total Short

On September 13, 2019, the Houston Region Office received a letter from the regulated entity requesting an emergency authorization to construct a new water well. The request was made due to a damaged casing in Well A that prevents a new pump from being installed in that well.

On September 17, 2019, Investigator Chau confirmed the emergency with the Drinking Water Plan Review Team in Austin, and on September 19, 2019, an approval to construct an emergency well was mailed to the regulated entity.

On September 27, 2019, Investigator Chau spoke with Mr. Ragsdale inquiring the status of the emergency well. Mr. Ragsdale stated the emergency well has not been drilled. Therefore, this violation remains outstanding.

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 728939 **Compliance Due Date:** To Be Determined
Violation Start Date: Unknown

30 TAC Chapter 290.45(b)(1)(C)(ii)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum total storage capacity of 200 gallons per connection.

At the time of the inspection, the facility had a total of 125 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. The total ground storage tank capacity is 0 gallons and is currently short a total of 25000 gallons (Gal.). The system did not have a ground storage tank at the time of the investigation.

This is calculated in the following manner:

Required 200 Gal. /conn X 125 conn. = 25000 Total Gallons

Short 25000 Gallons Required - 0 Gallons Provided = 25000 Gallons

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 728940

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

30 TAC Chapter 290.45(b)(1)(C)(iii)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum of two or more service pumps with a capacity of 2.0 gallon per minute per unit.

At the time of the inspection, the facility had a total of 125 connections and is required to provide 2.0 gallon per minute (gpm) per unit. The service pump produced a total of 0 gpm and is short a total of 250 gpm. The system did not have any service pumps at the time of the investigation.

This is calculated in the following manner:

Required 2.0 gpm/unit X 100 units = 250 gpm Total

Short 250 gpm Required - 0 gpm Produced = 250 gpm Total Short

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone:

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(512) 239-4691

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 728941

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

30 TAC Chapter 290.41(c)(3)(K)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide the well casing vent that is covered with 16-mesh or finer corrosion resistant screen at Well No. 1, Source ID No. G1010339A, and Well No. 2, Source ID No. G1010339B.

Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 728942

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to maintain the plant, concrete sealing block and pressure tanks at the location of Well No. 2, Source ID No. G1010339B.

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

At the time of the investigation, the plant and pressure tanks at the location of Well No. 2, Source ID No. G1010339B, were covered in vegetation which prevented the investigator from inspecting the full exterior. The concrete sealing block was partially split and covered in vegetation.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 728943

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

30 TAC Chapter 290.46(n)(3)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to maintain the well completion data as defined in 30 TAC §290.41(c)(3)(A) shall be kept on file for as long as the well remains in service. Per 30 TAC §290.41(c)(3)(A) the well completion data includes the following items:

- State of Texas Well Report;
- Material setting and cementing data;
- 36-hour pumping test results;
- Executed and recorded sanitary control easement;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Three bacteriological sampling results showing no coliform contamination
- Chemical analysis results

At the time of the investigation, the regulated entity failed to provide the 36-hour pump test, results of the microbiological and chemical analysis, a legible copy of the sanitary control easement/recorded deed for all real property within 150-feet of the well, legible copy of USGS topographic quadrangle map showing the well location and a map demonstrating the well location in relation to surrounding property boundaries for Well No. 1, Source ID No. 1010339A and Well No. 2, Source ID No. G1010339B.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

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

Track Number: 728937

Resolution Status Date: 9/30/2019

Violation Start Date: Unknown

Violation End Date: 8/1/2019

30 TAC Chapter 290.46(r)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum pressure of 35 psi throughout the distribution system.

All public water systems shall be operated to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum pressure of 20 psi during emergencies such as firefighting. As soon as safe and practicable following the occurrence of a natural disaster, a public water system that is an affected utility shall maintain a minimum of 35 psi throughout the distribution system during an extended power outage.

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At the time of the investigation, the distribution system pressure at Unit 50 was 34 psi.

Recommended Corrective Action: Submit compliance documentation to TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Resolution: This alleged violation was resolved on August 1, 2019 based on documentation submitted by email to the TCEQ Houston Region Office which indicated that the pressure reading was at 59 psi at Unit 50.

Signed



Environmental Investigator

Date

9/30/19

Signed



Supervisor

Date

9/30/19

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ ☒ Letter to Facility (specify type) : NOE

___ Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

___ ☒ Other (specify) :

See attachment page guide

See note: Who Fills out the EAR? u

Enforcement Action Referral Rev. 3/18/2002	Inv. #	1582672	Initiated by: Region, LP, Central:	Region
	Enf Case		Name of Initiating Office:	REGION 12 - HOUSTON
	Media Code:	PWS		

Section 1: Respondent

ID	CN603662396		Role	RESP PARTY
Name	TRINITY RCT LP			
Mailing Address	Street/PO Box	31203 EDGEWATER DR		
	City/State/Zip	MAGNOLIA, TX 77354		
	Phone	(713) 446-9886	Fax	

Primary Contact (NOE Contact)			
Name	TRACY RAGSDALE	Organization	AQUA INDUSTRIES
Title	Operator	Phone	(281) 359-3062
		Fax	

Section 2: Respondent's Facility/Operation (F/O)

F/O ID	RN101263754		
F/O Name	ROYAL COACH TRAILS MOBILE HOME PARK		
F/O Physical Address	14003 W HARDY RD		
Location City	HOUSTON	Location Zip	77060
Location County	HARRIS	Operational Status	Active
Primary Business Activity	Public Water System	Type of Small Entity	Small Business
SNC or HPV?	N/A	SIC Code	4952
Potentially Affected Area	Royal Coach Trails Mobile Home Park has 125 total connections and a population of 375	Complaints Closed	0
List any NOV's? Orders for same or similar violations at this F/O in the past 5 years.	N/A		
Additional IDs	1010339		

Section 3: Summary of Violations

See note: Inclusion of Resolved or Verbal Violations u

Viol Num	Requirements Cited Violation Description	Violation Dates Start End		Investigation/ File Review	Date of... NOV NOE		CAT
728938	30 TAC Chapter 290.45(b)(1)(C) (i)	Unknown	Unknown	07/31/2019		09/30/2019	A
Failure to provide a minimum well capacity of 0.6 gpm per connection							
728939	30 TAC Chapter 290.45(b)(1)(C) (ii)	Unknown	Unknown	07/31/2019		09/30/2019	A
Failure to provide a minimum total storage capacity of 200 gallons per connection.							
728940	30 TAC Chapter 290.45(b)(1)(C) (iii)	Unknown	Unknown	07/31/2019		09/30/2019	A
Failure to provide a minimum of two or more pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane.							
728941	30 TAC Chapter 290.41(c)(3)(K)	Unknown	Unknown	07/31/2019		09/30/2019	C
Failure to provide the well casing vent that is covered with 16-mesh or finer corrosion resistant screen at Well No. 1, Source ID No. G1010339A and Well No. 2, Source ID No. G1010339B.							
728942	30 TAC Chapter 290.46(m)	Unknown	Unknown	07/31/2019		09/30/2019	C
Failure to maintain the plant, concrete sealing block and pressure tanks at the location of Well No. 2, Source ID No. G1010339B.							
728943	30 TAC Chapter 290.46(n)(3)	Unknown	Unknown	07/31/2019		09/30/2019	C
Failure to maintain the well completion data as defined in 30 TAC §290.41(c)(3)(A) shall be kept on file for as long as the well remains in service.							

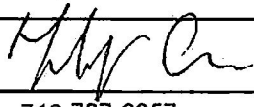
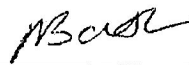
Section 4: Additional Discussion

Formal enforcement action is warranted due to meeting the enforcement initiation criteria revision 16 A12(d) (8) (Track Nos. 728938, 728939, and 728940).

Section 5: Additional Issues

N/A

Section 6: Information About Initiating Office

	Name	Thuy Chau	Date	9/30/19
	Signature		E-Mail	Thuy.Chau@tceq.texas.gov
	Phone	713-767-3657		
	Name	Nichole Nunes	Date	9/30/19
	Signature		E-Mail	Nichole.Nunes@tceq.texas.gov
	Phone	713/767-3638		

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
0041750000167

Tax Year: 2019



Owner and Property Information										
Owner Name & Mailing Address: TRINITY RCT LP 31203 EDGEWATER DR MAGNOLIA TX 77354-6238					Legal Description: TRS 167 167A & 168 ALDINE GARDENS SEC 2 Property Address: 14011 W HARDY RD # 118 HOUSTON TX 77060					
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map ^{1/4}
F1 -- Real, Commercial	8002 -- Land Neighborhood Section 2	E	118	663,859 SF	2,216	0	9326.02	5004 -- Inner North	5364D	413B

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	04/24/2019	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2018 Rate	2019 Rate
None	009	ALDINE ISD		Certified: 08/02/2019	1.435888	
	040	HARRIS COUNTY		Certified: 08/02/2019	0.418580	
	041	HARRIS CO FLOOD CNTRL		Certified: 08/02/2019	0.028770	
	042	PORT OF HOUSTON AUTHY		Certified: 08/02/2019	0.011550	
	043	HARRIS CO HOSP DIST		Certified: 08/02/2019	0.171080	
	044	HARRIS CO EDUC DEPT		Certified: 08/02/2019	0.005190	
	045	LONE STAR COLLEGE SYS		Certified: 08/02/2019	0.107800	
	647	HC EMERG SRV DIST 17		Certified: 08/02/2019	0.100000	
	671	HC EMERG SRV DIST 1		Certified: 08/02/2019	0.100000	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at HCAD's information center at 13013 NW Freeway.

Valuations					
Value as of January 1, 2018			Value as of January 1, 2019		
	Market	Appraised		Market	Appraised
Land	711,786		Land	975,873	
Improvement	300,000		Improvement	300,000	
Total	1,011,786	1,011,786	Total	1,275,873	1,275,873

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8002 -- Land Neighborhood Section 2	4213	SF	531,088	1.00	1.00	1.00	--	1.00	1.50	1.50	796,632.00
2	8002 -- Land Neighborhood Section 2	4213	SF	132,771	1.00	1.00	0.90	Floodway	0.90	1.50	1.35	179,241.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
2	1956	Mobile Home Park	Single-Family Residence	Low	2,216	Displayed
3	1978	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
4	1972	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
5	1980	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
6	1977	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
7	1977	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
8	1973	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View

9	1970	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
10	1981	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
11	1986	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
12	1983	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
13	1978	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
14	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
15	1974	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
16	1992	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
17	1981	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
18	1984	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
19	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
20	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
21	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
22	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
23	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View
24	1985	Mobile Home Park	Single Wide Commercial Mobile Home	Low	0	View

Building Details (2)

Building Data	
Element	Detail
Cooling Type	Central / Forced
Functional Utility	Poor
Heating Type	Hot Air
Partition Type	Normal
Physical Condition	Poor
Plumbing Type	Adequate
Sprinkler Type	None
Exterior Wall	Concr Block
Economic Obsolescence	Poor
Element	Units
Wall Height	8
Interior Finish Percent	100

Building Areas	
Description	Area
UTIL BLDG - MTL -C	1,000
UTIL BLDG - MTL -C	1,000
GREENHOUSE ECO -C	120
BASE AREA PRI	440
GARAGE - ATT MAS -C	440
CNPY ONLY -C	400
BASE AREA PRI	1,776

Extra Features

Line	Description	Quality	Condition	Units	Year Built
1	Mobile Home Space Low Cost	Average	Average	118.00	1975
2	Carport - Commercial	Poor	Poor	240.00	1940
3	Detached Frame Garage	Poor	Poor	400.00	1940
4	Detached Masonry Garage	Poor	Poor	768.00	1932
5	UTILITY BLDG - FRAME	Poor	Poor	240.00	1950
7	Mobile Home Space Low Cost	Average	Fair	18.00	1975
8	Water & Sewer System	Fair	Fair	104.00	1975
9	GREENHOUSE ECONOMY	Poor	Poor	120.00	1956
10	CANOPY ONLY	Poor	Poor	400.00	1960
11	UTILITY BLDG - METAL	Poor	Poor	1,000.00	1960
12	Shed, Finished Metal	Poor	Poor	1,000.00	1970

TEXAS SECRETARY of STATE
RUTH R. HUGHS

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 801181243
Original Date of Filing: October 12, 2009
Formation Date: N/A
Tax ID: 32040476312
Duration: Perpetual
Entity Type: Domestic Limited Partnership (LP)
Entity Status: In existence
FEIN:
Name: TRINITY RCT, L.P.
Address: 8809 Croes
Houston, TX 77055 USA

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>
Last Update October 13, 2009	Name TRINITY RCT GP, L.L.C.	Title General Partner	Address 8809 Croes Houston, TX 77055 USA		

[Order](#) [Return to Search](#)

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 30, 2019

CERTIFIED MAIL # 91 7199 9991 7038 7382 3331
ELECTRONIC RECEIPT REQUESTED

Mr. Donald Clements
Director
Trinity RCT LP
31203 Edgewater Drive
Magnolia, Texas, 77354-6238

Re: Notice of Enforcement for Modified Comprehensive Compliance Investigation at:
Trinity Royal Coach Mobile Home, 14003 West Hardy Road, Houston, Harris County,
Texas
Regulated Entity No.: 101263754 TCEQ ID No.: 1010339 Investigation No.: 1582672

Dear Mr. Clements:

On July 31, 2019, Ms. Thuy Chau and Mr. Conner Yowell of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. 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.texas.gov> 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 Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

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.

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.

TCEQ Region 12 • 5425 Polk St., Ste. H • Houston, Texas 77023-1452 • 713-767-3500 • Fax 713-767-3520

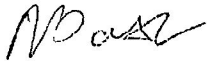
Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customer/survey
printed on recycled paper

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, Drinking 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. Thuy Chau in the Houston Region Office at (713) 767-3657.

Sincerely,



Nichole Batista Nunes
Team Leader
Public Water Supply
Houston Region Office

NBN/TC/es

cc: Harris County Public Health and Environmental Services
101 South Richey Street, Suite G
Pasadena, Texas 77506-1023

Mr. Tracy Ragsdale, Operator
Aqua Industries
153 Lake Side Lane
Trinity, Texas 75862-6447

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

ROYAL COACH TRAILS MOBILE HOME PARK

14003 W HARDY RD
HOUSTON, HARRIS COUNTY, TX 77060

Investigation #

1582672
Investigation Date: 07/31/2019

Additional ID(s): 1010339

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

Track No: 728938 Compliance Due Date: To Be Determined

30 TAC Chapter 290.45(b)(1)(C)(i)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum well capacity of 0.6 gallons per minute per connection.

At the time of the inspection, the facility had a total of 125 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). The wells produced a total of 18.5 gpm and is short a total of 56.5 gpm.

This is calculated in the following manner:

Required 0.6 gpm /conn X 125 conn. = 75 gpm Total

Short 75 gpm Required - 18.5 gpm Produced = 56.5 gpm Total Short

On September 13, 2019, the Houston Region Office received a letter from the regulated entity requesting an emergency authorization to construct a new water well. The request was made due to a damaged casing in Well A that prevents a new pump from being installed in that well.

On September 17, 2019, Investigator Chau confirmed the emergency with the Drinking Water Plan Review Team in Austin, and on September 19, 2019, an approval to construct an emergency well was mailed to the regulated entity.

On September 27, 2019, Investigator Chau spoke with Mr. Ragsdale inquiring the status of the emergency well. Mr. Ragsdale stated the emergency well has not been drilled. Therefore, this violation remains outstanding.

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track No: 728939 Compliance Due Date: To Be Determined

30 TAC Chapter 290.45(b)(1)(C)(ii)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum total storage capacity of 200 gallons per connection.

At the time of the inspection, the facility had a total of 125 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. The total ground storage tank capacity is 0 gallons and is currently short a total of 25000 gallons (Gal.). The system did not have a ground storage tank at the time of the investigation.

This is calculated in the following manner.

Required 200 Gal. /conn X 125 conn. = 25000 Total Gallons

Short 25000 Gallons Required - 0 Gallons Provided = 25000 Gallons

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track No: 728940 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.45(b)(1)(C)(iii)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum of two or more service pumps with a capacity of 2.0 gallon per minute per unit.

At the time of the inspection, the facility had a total of 125 connections and is required to provide 2.0 gallon per minute (gpm) per unit. The service pump produced a total of 0 gpm and is short a total of 250 gpm. The system did not have any service pumps at the time of the investigation.

This is calculated in the following manner:

Required 2.0 gpm/unit X 100 units = 250 gpm Total

Short 250 gpm Required - 0 gpm Produced = 250 gpm Total Short

The water system must be modified to meet this requirement to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track No: 728941 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.41(c)(3)(K)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide the well casing vent that is covered with 16-mesh or finer corrosion resistant screen at Well No. 1, Source ID No. G1010339A, and Well No. 2, Source ID No. G1010339B.

Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track No: 728942 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to maintain the plant, concrete sealing block and pressure tanks at the location of Well No. 2, Source ID No. G1010339B.

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

At the time of the investigation, the plant and pressure tanks at the location of Well No. 2, Source ID No. G1010339B, were covered in vegetation which prevented the investigator from inspecting the full exterior. The concrete sealing block was partially split and covered in vegetation.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track No: 728943 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.46(n)(3)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to maintain the well completion data as defined in 30 TAC §290.41(c)(3)(A) shall be kept on file for as long as the well remains in service. Per 30 TAC §290.41(c)(3)(A) the well completion data includes the following items:

- State of Texas Well Report;
- Material setting and cementing data;
- 36-hour pumping test results;
- Executed and recorded sanitary control easement;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Three bacteriological sampling results showing no coliform contamination
- Chemical analysis results

At the time of the investigation, the regulated entity failed to provide the 36-hour pump test, results of the microbiological and chemical analysis, a legible copy of the sanitary control easement/recorded deed for all real property within 150-feet of the well, legible copy of USGS topographic quadrangle map showing the well location and a map demonstrating the well

location in relation to surrounding property boundaries for Well No. 1, Source ID No. 1010339A and Well No. 2, Source ID No. G1010339B.

Public water systems shall submit plans and specifications for the proposed changes upon request. The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Austin Central Office and copy the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

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

Track No: 728937

30 TAC Chapter 290.46(r)

Alleged Violation:

Investigation: 1582672

Comment Date: 09/30/2019

Failure to provide a minimum pressure of 35 psi throughout the distribution system.

All public water systems shall be operated to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum pressure of 20 psi during emergencies such as firefighting. As soon as safe and practicable following the occurrence of a natural disaster, a public water system that is an affected utility shall maintain a minimum of 35 psi throughout the distribution system during an extended power outage.

At the time of the investigation, the distribution system pressure at Unit 50 was 34 psi.

Recommended Corrective Action: Submit compliance documentation to TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Resolution: This alleged violation was resolved on August 1, 2019 based on documentation submitted by email to the TCEQ Houston Region Office which indicated that the pressure reading was at 59 psi at Unit 50.

Royal Coach Trails Mobile Home Park
RN #: 101263754, PWS ID #: 1010339
Investigation No.: 1582672
Investigation Type: Mod CCI

LIST OF ATTACHMENTS

1. Exit Interview Form
2. Water System Schematic
3. Drinking Water Watch Summary Sheet
4. Water System Capacity Calculations Spreadsheet
5. Investigation Photographs
6. Compliance Documentation from the regulated entity submitted on August 1, 2019
7. Correspondence with the regulated entity on September 27, 2019

Attachment 1

Thuy Chau

From: Thuy Chau
Sent: Tuesday, September 10, 2019 1:27 PM
To: Thuy Chau
Subject: RE: Royal Coach Trails Mobile Home Park Exit Interview

From: Thuy Chau
Sent: Wednesday, July 31, 2019 4:14 PM
To: [REDACTED]
Subject: Royal Coach Trails Mobile Home Park Exit Interview

Mr. Ragsdale,

The Exit Interview Form is being provided as an attachment to this email to ensure that the issues were communicated clearly. The investigation is considered on-going until the final approval letter is delivered to you. Having mentioned that, anything that is found by reviewing all the paperwork will be noted on the investigation report. The Exit Interview Form is not final.

If there are any questions about the information contained in the form, or if a meeting at the TCEQ regional office is requested to discuss the contents of the Exit Interview Form, contact me as soon as possible. Please reply to this email, with the attachment, to indicate your receipt.

Thank you,



Thuy Chau

Environmental Investigator
Region 12 • Public Water Supply
5425 Polk Street • Suite H • Houston TX 77023
Phone: 713-767-3657

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Request

Regulated Entity/Site Name	Royal Coach Trails Mobile Home Park	TCEQ Add. ID No. RN No (optional)	1010339
Investigation Type	Mod CCI Contact Made In-House (Y/N) Y	Purpose of Investigation	Compliance Investigation
Regulated Entity Contact	Tracy Ragsdale	Telephone No.	Date Contacted 7/31/2019
Title	Operator	FAX #/Email address	FAX/Email date 7/31/2019

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type ¹	Rule Citation (if known)	Description of Issue
1	AV		Failure to provide a minimum pressure of 35 psi throughout the distribution system. Please provide a photograph that the issue has been resolved by 12PM on 8/1/2019.
2	AV		Failure to provide well capacity of 0.6 gpm per connection
3	AV		Failure to provide a total storage capacity of 200 gallons per connection
4	AV		Failure to provide two or more pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane.
5	AV		Failure to provide the well casing vent that is covered with 16-mesh or finer corrosion-resistant screen at Well No. 1 and Well No. 2. At the time of the investigation, the vent was not covered with a screen.
6	AV		Failure to maintain the plant and pressure tanks free of vegetation. At the time of the investigation, the vegetation covered that pressure tank at the location of Well No. 2.
7	AV		Failure to have a concrete sealing block extending at least three feet from the well casing in all directions. At the time of the investigation, the sealing block was partially covered in vegetation and there was a crack noted.
8	RR		Well Completion data: 36-hour pump test, results of the microbiological and chemical analysis, a legible copy of sanitary control easement/recorded deed for all real property within 150 feet of the well, legible copy of USGS topographic quadrangle showing the well location and a map demonstrating the well location in relation to surrounding property boundaries.

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Please contact the agency's public information officer with any requests, questions, or comments on access to records or information at 512-239-0800.

White Copy: Regulated Entity Representative Yellow Copy: TCEQ

(Note: use additional pages as necessary) Page 1 of 2

Document Acknowledgment. Signature on this document establishes only that the regulated entity (RE) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, the document will be sent via FAX or Email to RE; therefore, the RE signature is not required.

Thuy Chau	7/31/2019		
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date

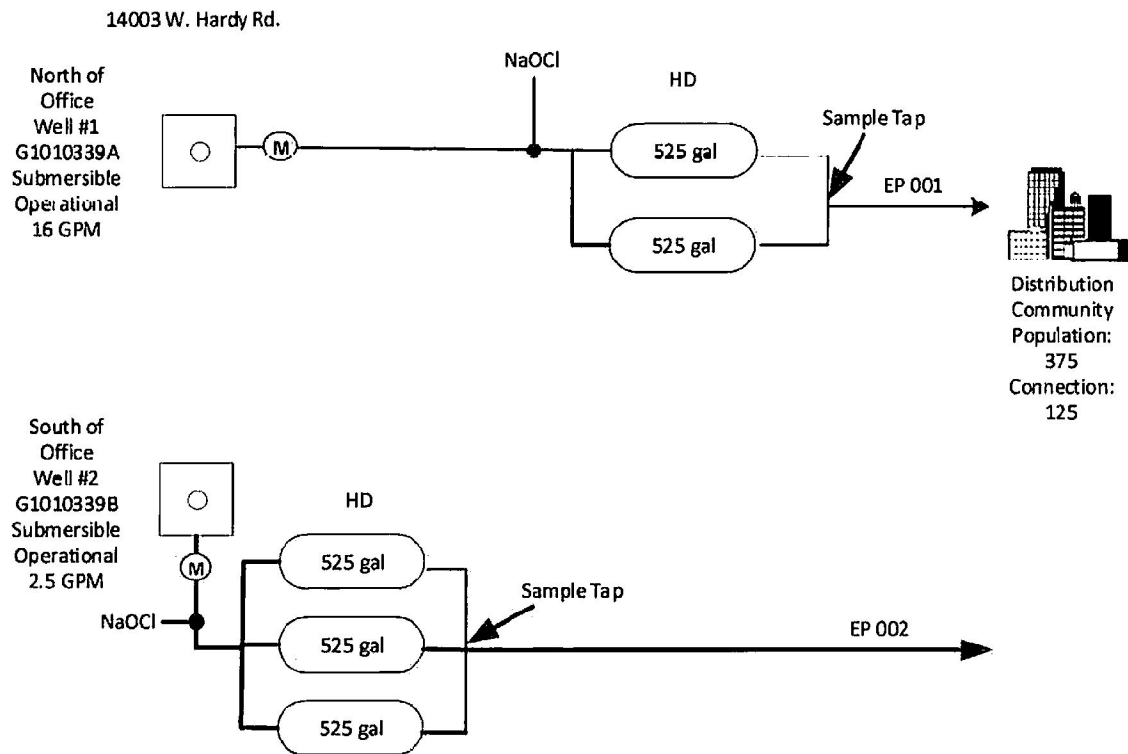
If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Please contact the agency's public information officer with any requests, questions, or comments on access to records or information at 512-239-0800.

Attachment 2

PWS - SYSTEM FLOW DIAGRAM

Name of System:	Royal Coach Trails Mobile Home Park		Additional ID:	1010339
Investigation #:	1582672	Investigation Date:	7/31/2019	
Description of Sources, Treatment, Entry Points and Distribution Labeling: owners source names and TCEQ wtrsrc code designation, types of treatment and chemicals, entry points to distribution, entry point sample taps, booster disinfection, distribution connections and layout (if possible).				



Attachment 3

Trinity RCT LP	31203 Edgewater Dr	77354-6238
Trinity RCT LP	Water System Contact	07/20/2019

06/12/2019
04:06:20

Texas Commission on Environmental Quality
DWW Water System Summary Sheet

PWS ID	PWS Name	Central Registry RN
TX1010339	TRINITY ROYAL COACH TRAILS MOBILE HOME	RN101263754

Organization/Customer *	Central Registry CN
TRINITY RCT LP	CN603662396

*Regulatory mail will be addressed to this organization/person

All Water System Contacts			
Type	Contact	Communication	
AC - Administrative Contact - DIRECTOR	CLEMENTS, DONALD, G ✓ 31203 EDGEWATER DR MAGNOLIA, TX 77354-6238	Electronic Type	Value
		Phone Type	Value
		MOB - Mobile	713-446-9886
EC - Emergency Contact - DIRECTOR	CLEMENTS, DONALD, G ✓ 31203 EDGEWATER DR MAGNOLIA, TX 77354-6238	Electronic Type	Value
		Phone Type	Value
		MOB - Mobile	713-446-9886
ECS - Emergency Contact - Secondary - MANAGER	NICHOLSON, ART ✓ 6111 NUECES PARK RD OFC HUMBLE, TX 77396-4491	Electronic Type	Value
		Phone Type	Value
		MOB - Mobile	281-802-0268
OW - Owner	TRINITY RCT LP	MOB - Mobile	713-320-3400
PWS - Public Water System Contact - OPERATOR	RAGSDALE, TRACY, L ✓ 153 LAKE SIDE LN TRINITY, TX 75862-6447	Electronic Type	Value
		Phone Type	Value
		BUS - Business	281-359-3062
		MOB - Mobile	713-823-3653

Operator Grade	Number
----------------	--------

Water Operator Licenses		
License Holder:	IGNATOWICZ, PATRICK E	
EXPIRED	Class: C - GROUND WATER TREATMENT OPERATOR	WG0012482

Owner Type	Owner Type Options: COUNTY, DISTRICT, FEDERAL GOVERNMENT, INVESTOR OWNED, MUNICIPALITY, NATIVE AMERICAN, PRIVATE, STATE GOVERNMENT, WATER SUPPLY CORPORATION
Private	

System Type	System Type Options: COMMUNITY, TRANSIENT/NON-COMMUNITY, NON-PUBLIC, NON-TRANSIENT/NON-COMMUNITY
C - Community	

Population Type	Population Served	# of Connect	# I/C w/other PWS
Residential	147 300	49 100	0

Total Product (MGD)	Average Daily Consump.	Max Daily Demand (MGD)	Total Storage (MG)	Elev. Storage (MG)	Service Pump Cap.	Max.Purchase Cap. (MGD/GPM)	Pressure Tank Cap. (MG)

Activity Status	Inactivation Date
A - ACTIVE	

Last Survey Date	Surveyor	Survey Type	Region	County
09/15/2015	VERNON CRANDLE	Sanitary Survey	HOUSTON	HARRIS
02/12/2013	ELAINE JACKSON	Sanitary Survey	HOUSTON	HARRIS
06/11/2009	CEDRIC FLEMMING	Sanitary Survey	HOUSTON	HARRIS

7/31/19

Thuy Chau

(((())

(Treatment Plant)							
Entry Point	EP Name/Source Summation (Activity Status)	Plant Name (Activity Status)	Plant Num	Chemical Mon Type	Chem Sample Point	Distribution Mon Type	Dist Sample Point
EP002	TRT-TAP / Ground Water(A)	PLANT - SOUTH(A)	TP5552		NO		NO

Train:	Unnamed			
(Treatments)				
Disinfection Zone	Treatment Sequence	Objective	Process	Treatment

null	null	D	423	HYPOCHLORINATION, PRE
------	------	---	-----	-----------------------

(Active Sources)						
Source Number	Source Name (Activity Status)	Operational Status	Source Type	Depth	Tested GPM	Rated GPM
G1010339B	2 - S OF OFFICE (A)	P	G	370	30 GPM	37 GPM
Drill Date		Source Summary				
02/04/1974		CHICOT				
GPS Latitude (decimal)	GPS Longitude (decimal)	GPS Elevation	GPS Date	Seller		
29.918133	-95.377606	80	01/16/2014	Not Purchasing		

(Inactive/Offline Sources)			
SourceNumber	Name	Status	Depth

(Treatment Plant)							
Entry Point	FP Name/Source Summation (Activity Status)	Plant Name (Activity Status)	Plant Num	Chemical Mon Type	Chem Sample Point	Distribution Mon Type	Dist Sample Point
EP001	TRT-TAP / Ground Water(A)	PLANT - NORTH(A)	TP5553		NO		NO

Train:	Unnamed			
(Treatments)				
Disinfection Zone	Treatment Sequence	Objective	Process	Treatment
null	null	D	423	HYPOCHLORINATION, PRE

(Active Sources)						
Source Number	Source Name (Activity Status)	Operational Status	Source Type	Depth	Tested GPM	Rated GPM
G1010339A	1 - 14003 HARDY RD / N OF OFFICE (A)	P	G	347	35 GPM	36 GPM
Drill Date		Source Summary				
11/21/1969		CHICOT				
GPS Latitude (decimal)	GPS Longitude (decimal)	GPS Elevation	GPS Date	Seller		
29.918819	-95.377483	80	01/16/2014	Not Purchasing		

(Inactive/Offline Sources)			
SourceNumber	Name	Status	Depth

Code Explanations
Monitoring Type Codes: (GW) GROUNDWATER , (GUP) GROUNDWATER UNDER THE INFLUENCE - PURCHASED , (SWP) SURFACE WATER - PURCHASED , (GU) GROUNDWATER UNDER THE INFLUENCE OF SURFACE WATER , (N) NO SOURCES , (SW) SURFACE WATER
Activity Status Codes: (A) ACTIVE , (D) DELETED/DISSOLVED , (I) INACTIVE , (P) PROPOSED ,
Operational Status Codes: (E) EMERGENCY , (I) INTERIM/PEAK (O) OTHER , (P) PERMANENT , (S) SEASONAL
Source Types: (G) GROUND WATER , (S) SURFACE WATER , (U) GROUND WATER UNDER THE INFLUENCE

- End of Report -

At the time of your query this data was the most current information available from our database, which is in real time. Every effort was made to retrieve it according to your query. Thank-you for using DWW.

Attachment 4

Capacity Calculations Worksheet

Community Systems (Groundwater)**Fill in green cells only****System Name:** Royal Coach Trails Mobile Home Park

PWS ID: 1010339

Inv. No.: 1582672

Community (Y/N) **Y**
 MHP (≥ 8 units/ac) or Apts? (Y/N) **Y**
 CCN? (Y/N) **N**

Number of Connections **125**
 Population **375**

Maximum Daily Demand (MDD): MGD
 Average Daily Demand (ADD): 290.38(43)

MDD Date (mm/dd/yyyy):
 ADD Dates (mm/dd/yyyy): to

	Rate	Units	Conn.	Required	Units	Provided	85% Rule	% Short	Sufficient?(Y/N)
Prod. Capacity:	0.6	gpm/conn	125	75	gpm	18.5	N/A	75%	N
Production ACR:		gpm/conn							
Pressure Storage (HD):	20	gal/conn	125	0.0025	MG	0.002625	N/A	N/A	Y
HD ACR:		gal/conn							
Elevated Storage (EL):	0	gal/conn	125	0	MG		N/A	N/A	Meets HD req.
EL ACR:	0	gal/conn							
Ground Storage (GR):									
Total Storage*:	200	gal/conn	125	0.025	MG	0	N/A	100%	N
Tot. Storage ACR:		gal/conn							
*Total Storage = GR + EL + ST									
SP Capacity:	2	gpm/conn	125	250	gpm		N/A	100%	N
SP ACR:		gpm/conn							
SP Capacity:	(w/largest pump out of service)				gpm				
SP Peaking Factor:	N/A	-	125	0	gph	0	N/A		N/A

Bacti Samples:

Wholesale Contract? (Y/N) **N**
 Maximum Purchase Rate? **N/A** MGD

	Required	Submitted
Distribution	1	1
Raw	0	0

Capacity Calculations Worksheet

System Name: Royal Coach Trails Mobile Home Park

PWS ID: 1010339

Inv. No.: 1582672

Additional Comments:

--

Attachment 5

Investigation Photographs

Royal Coach Trails Mobile Home
14003 West Hardy Road
Houston (Harris County), Texas
Regulated Entity No: 101263754
TCEQ PWS ID No: 1010339
Investigation Date: July 31, 2019



PHOTOGRAPH #1

Description: The well casing vent did not have a 16-mesh or finer corrosion-resistant screen at Well No. 1, Source ID No. G1010339A.

Investigation Photographs

**Royal Coach Trails Mobile Home
14003 West Hardy Road
Houston (Harris County), Texas
Regulated Entity No: 101263754
TCEQ PWS ID No: 1010339
Investigation Date: July 31, 2019**



PHOTOGRAPH #2

Description: The well casing vent did not have a 16-mesh or finer corrosion-resistant screen at Well No. 2, Source ID No. G1010339B.

Investigation Photographs

**Royal Coach Trails Mobile Home
14003 West Hardy Road
Houston (Harris County), Texas
Regulated Entity No: 101263754
TCEQ PWS ID No: 1010339
Investigation Date: July 31, 2019**



PHOTOGRAPH #3

Description: The plant and pressure tanks at the location of Well No. 2, Source ID No. G1010339B, were covered in vegetation which prevented the investigator from inspecting the full exterior.

Investigation Photographs

**Royal Coach Trails Mobile Home
14003 West Hardy Road
Houston (Harris County), Texas
Regulated Entity No: 101263754
TCEQ PWS ID No: 1010339
Investigation Date: July 31, 2019**



PHOTOGRAPH #4

Description: The concrete sealing block was partially split and covered in vegetation at the location of Well No. 2, Source ID No. G1010339B.

Attachment 6

Thuy Chau

From: Thuy Chau
Sent: Tuesday, September 10, 2019 1:28 PM
To: Thuy Chau
Subject: RE: Royal Coach Trails Mobile Home Park Exit Interview

From: ~~Thuy Chau~~ <[REDACTED]>
Sent: Thursday, August 1, 2019 9:25 AM
To: Thuy Chau <Thuy.Chau@tceq.texas.gov>
Subject: Re: Royal Coach Trails Mobile Home Park Exit Interview

Ms Chau

Here is the pressure reading this morning. It shows 59 psi

Tracy

-----Original Message-----

From: Thuy Chau <Thuy.Chau@tceq.texas.gov>
To: [REDACTED]
Sent: Wed, Jul 31, 2019 4:13 pm
Subject: Royal Coach Trails Mobile Home Park Exit Interview

Mr. Ragsdale,

The Exit Interview Form is being provided as an attachment to this email to ensure that the issues were communicated clearly. The investigation is considered on-going until the final approval letter is delivered to you. Having mentioned that, anything that is found by reviewing all the paperwork will be noted on the investigation report. The Exit Interview Form is not final.

If there are any questions about the information contained in the form, or if a meeting at the TCEQ regional office is requested to discuss the contents of the Exit Interview Form, contact me as soon as possible. Please reply to this email, with the attachment, to indicate your receipt.

Thank you,



Thuy Chau

Environmental Investigator
Region 12 • Public Water Supply
5425 Polk Street • Suite H • Houston TX 77023
Phone: 713-767-3657

50

BEWARE
of DOG



Royal Coach Trails Mobile Home

PWS ID 1010339

Inv. #: 1582672

Pressure reading was taken at unit 50



Royal Coach Trails Mobile Home

PWS ID 1010339

Inv. #: 1582672

Close up of the pressure guage
that shows pressure above 35psi

Attachment 7

Thuy Chau

From: Thuy Chau
Sent: Monday, September 30, 2019 9:30 AM
To: Thuy Chau
Subject: RE: Royal Coach Trails Mobile Home Park

From: D. Ray Young <[REDACTED]>
Sent: Friday, September 27, 2019 3:24 PM
To: Thuy Chau <Thuy.Chau@tceq.texas.gov>
Subject: Re: Royal Coach Trails Mobile Home Park

Thuy,
My knowledge of the Wells is second hand. I believe that Mr. Ragsdale is personally knowledgeable and will accept that the failed well is the more southerly well.

Regards,
Ray

Sent from my iPhone

On Sep 27, 2019, at 9:03 AM, Thuy Chau <Thuy.Chau@tceq.texas.gov> wrote:

Good morning Mr. Young,

I recently spoke with Mr. Tracy Ragsdale regarding the wells for Royal Coach Trails Mobile Home Park. He stated that Well No. 2, Source ID No. 1010339B located south of the office was having issues with the well casing. However, per your letter to Ms. LaTrichia Spikes, dated September 13, 2019, it was noted that Well A has a damaged casing preventing a new pump from being installed. Please verify the location of the well that is having issues with its casing.

Thank you,

<image001.png>

Thuy Chau

Environmental Investigator
Region 12 • Public Water Supply
5425 Polk Street • Suite H • Houston TX 77023
Phone: 713-767-3657

For WQ0012450001, the TCEQ Records show an inspection was completed on April 30, 2022. We have searched TCEQ Records and filed an Open Record Request for compliance documents and have not been able to locate or receive any inspection report.

ATTACHMENT I



WATER UTILITY TARIFF
Docket Number 43587

Trinity RTC GP, LLC
(Utility Name)

4783 County Road 302
(Business Address)

Navasota, Texas 77358
(City, State, Zip Code)

713-446-9886
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

13241

This tariff is effective in the following county(ies):

Harris

This tariff is effective in the following cities or unincorporated towns (if any):

n/a

This tariff is effective in the following subdivisions or systems:

Royal Coach Mobile Home Village (PWS #1010339)

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 – RATE SCHEDULE.....	2
SECTION 2.0 – SERVICE RULES AND POLICIES.....	7
SECTION 2.12 – SPECIFIC SERVICE RULES AND POLICIES	11
SECTION 3.0 – EXTENSION POLICY	15
SECTION 3.02 – SPECIFIC EXTENSION POLICY	16
SECTION 4.0 – DROUGHT CONTINGENCY PLAN	21

APPENDIX A – SAMPLE SERVICE AGREEMENT

APPENDIX B – APPLICATION FOR SERVICE

APPENDIX C – AGREEMENT FOR TEMPORARY WATER SERVICE

Trinity RTC GP, LLC.

Water Utility Tariff Page No. 2

SECTION 1.0 – RATE SCHEDULE**Section 1.01 - Rates**

<u>Meter Size</u>	<u>Monthly Minimum Charge</u> (includes 0 gallons all meters)	<u>Gallage Charge</u>
5/8" or 3/4"	<u>\$20.00</u>	<u>\$2.00</u> per 1,000 gallons
1"	<u>\$50.00</u>	
1 1/4"	<u>\$100.00</u>	
2"	<u>\$160.00</u>	
3"	<u>\$300.00</u>	
4"	<u>\$500.00</u>	

North Harris County Regional Water Authority Fee:

Pass Through Fee Applied to Gallage Charge \$2.06 per 1,000 gallons

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash ☐, Check ☒, Money Order ☒, MasterCard ☒, Visa ☒, Electronic Fund Transfer ☐

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

REGULATORY ASSESSMENT 1.0%

PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ).

SECTION 1.0 – RATE SCHEDULE (CONTINUED)**Section 1.02 – Miscellaneous Fees**

TAP FEE **\$650.00**

TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" METER PLUS UNIQUE COSTS AS PERMITTED BY PUC RULE AT COST.

TAP FEE (Unique costs) **Actual Cost**
FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

LARGE METER TAP FEE **Actual Cost**

TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 5/8" METERS.

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

a) Non-payment of bill (Maximum \$25.00) **\$25.00**

b) Customer's request **\$50.00**

or other reasons listed under Section 2.0 of this tariff.

TRANSFER FEE **\$35.00**

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

LATE CHARGE **10%**

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE **\$30.00**

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) **\$50.00**

COMMERCIAL AND NON-RESIDENTIAL DEPOSIT **1/6TH EST. ANNUAL BILL**

METER TEST FEE (actual cost of testing the meter up to) **\$25.00**

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY.

METER RELOCATION FEE **Actual Relocation Cost**

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

METER CONVERSION FEE **Actual Cost to Convert Meter**

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS CHANGE OF SIZE OF AN EXISTING METER OR CHANGE IS REQUIRED BY MATERIAL CHANGE IN CUSTOMERS SERVICE DEMAND.

SEASONAL RECONNECTION FEE:

BASE RATE FOR METER SIZE TIMES NUMBER OF MONTHS OFF THE SYSTEM NOT TO EXCEED SIX MONTHS WHEN LEAVE AND RETURN WITHIN A TWELVE MONTH PERIOD.

Trinity RTC GP, LLC

Water Utility Tariff Page No. 4

SECTION 1.0 – RATE SCHEDULE (CONTINUED)**Section 1.02 – Miscellaneous Fees (Continued)****LINE EXTENSION AND CONSTRUCTION CHARGES:**

REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.02 UTILITY SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:

INCREASES IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE UNDER THE TERMS AND CONDITIONS OF 16 TAC 24.21(k)(2) AFTER NOTICE TO CUSTOMERS AND UPON WRITTEN APPROVAL BY THE PUC.

SUPPLEMENTAL EMERGENCY SERVICE FEE

APPLICABLE TO NONRESIDENTIAL WATER SERVICE CUSTOMERS WHO REQUIRE SUPPLEMENTAL SERVICE OVER AND ABOVE THEIR EXISTING WATER SERVICE FROM TIME TO TIME. USAGE IS TO BE DETERMINED BY CUSTOMER. THE MINIMUM DIAMETER FOR SUPPLEMENTAL SERVICE METER SHALL BE 2 INCHES.

METER TAMPERING, DAMAGE OR DIVERSION FEE:

ONE TIME PENALTY PER OCCURRENCE FOR TAMPERING WITH OR DAMAGING A WATER METER OR ANY APPURTENANCE THERETO INCLUDING LOCKS AND METER BOXES OR SERVICE DIVERSION OF ONE HUNDRED DOLLARS (\$100.00).

SECTION 1.0 -- RATE SCHEDULE (CONTINUED)**Section 1.02 -- Miscellaneous Fees (Continued)****TEMPORARY WATER RATE:**

Unless otherwise superseded by PUC order or rule, if the Utility is ordered by a court or governmental body of competent jurisdiction to reduce its pumpage, production or water sales, the Utility shall be authorized to increase its approved gallonage charge according to the formula:

$$TGC = cgc + \frac{(pr)(cgc)(r)}{(1.0-r)}$$

Where:

- TGC = temporary gallonage charge
- cgc = current gallonage charge
- r = water use reduction expressed as a decimal fraction (the pumping restriction)
- pr = percentage of revenues to be recovered expressed as a decimal fraction; for this tariff pr shall equal 0.5

To implement the Temporary Water Rate, the utility must comply with all notice and other requirements of 16 TAC 24.21(i).

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE - ALL WATER SUBJECT TO FEE:

Changes in fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through as an adjustment to the water gallonage charge according to the following formula:

$$AG = G + B/(1-L)$$

Where:

- AG = adjusted gallonage charge, rounded to the nearest one cent;
- G = approved gallonage charge (per 1,000 gallons);
- B = change in purchased water/district gallonage charge (per 1,000 gallons);
- L = system average line loss for preceding 12 months not to exceed 0.15