



## **Filing Receipt**

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 22, 2023

Mr. Robert Neaves  
155 Deats Farm Ct  
Azle, Texas, 76020

Re: Investigation Request at:  
Hills of Briar Oaks, Cedar Drive, Azle, Wise County, Texas  
Investigation No.: 1929726  
Incident No.: 406842

Dear Mr. Neaves:

The Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Region Office has completed a final investigation in response to your concern regarding the low water pressure at the above-referenced facility. Enclosed is a copy of the investigation report.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 406842, you may refer to our website: <https://www.tceq.texas.gov/compliance/complaints>.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Samantha Montes Mojica at (817) 588-5834 or at [samantha.mojica@tceq.texas.gov](mailto:samantha.mojica@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Crystal D. Watkins".

Crystal Watkins  
Team Leader, Public Water Supply Program  
D/FW Region Office

CW/smm

Enclosure: Investigation Report No. 1929726 (w/o attachments)

**PWS\_2490049\_CP\_20230926\_INVESTIGATION**  
**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](mailto:oce@tceq.texas.gov)

**Customer: Patterson Water Supply, LLC**  
**Customer Number: CN604518878**

**Regulated Entity Name: HILLS OF BRIAR OAKS PWS**

**Regulated Entity Number: RN102692274**

<b>Investigation #</b> 1929726 <b>Investigator:</b> SAMANTHA MOJICA <b>Conducted:</b> 08/10/2023 -- 09/26/2023 <b>Program(s):</b> PUBLIC WATER SYSTEM/SUPPLY <b>Investigation Type:</b> Compliance Investigation <b>Additional ID(s):</b> 2490049	<b>Incident Numbers</b> 406842                      407940 <b>Site Classification</b> GW 51-250 CONNECTION <b>SIC Code:</b> 4941  <b>Location:</b> BRIAR RD (CR 4869) 1/2 MI E OF FM 730 5 1/2 MI SW OF RHOME
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<b>Address:</b> , , ,	<b>Local Unit:</b> REGION 04 - DFW METROPLEX <b>Activity Type(s):</b> PWSRECON - PWS Recon- Reconnaissance investigation for surface water and groundwater facilities. PWSCMPL - PWS Complaint
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**Principal(s):**

<b>Role</b>	<b>Name</b>
RESPONDENT	PATTERSON WATER SUPPLY LLC

**Contact(s):**

Role	Title	Name	Phone	
PARTICIPATED IN	OPERATOR	MR MARK STONE	Work	(806) 470-5601
PARTICIPATED IN	OPERATOR	MR Seth Mitchell	Office	(903) 429-3008
PARTICIPATED IN	DISTRIBUTION SUPERVISOR	MR Brent C Cormier	Phone	(940) 372-8235
PARTICIPATED IN	COMPLIANCE MANAGER	MR MIKE COLORADO-RIVAS	Office	(903) 429-3008
REGULATED ENTITY MAIL CONTACT	PRESIDENT	MR MARK D PATTERSON	Work	(903) 429-3008
REGULATED ENTITY CONTACT	TEXAS REGIONAL MANAGER	MR KARL STEPHENS	Office	(832) 626-3570

**Other Staff Member(s):**

<b>Role</b>	<b>Name</b>
Supervisor	CRYSTAL WATKINS
Investigator	JOSEPH MARTINEZ
Investigator	STEVEN DYER
QA Reviewer	STEVEN DYER
Investigator	AILA PAXTON

**Associated Check List**

<b><u>Checklist Name</u></b>	<b><u>Unit Name</u></b>
WATER EQUIPMENT	EQUIP 2200117
PWS COMPLAINT INVESTIGATION	CMPL 2200117

**Investigation Comments:****INTRODUCTION**

On July 28 and August 8, 2023, two complaints concerning low water pressure and a gasoline scent in the water, respectively, in the area served by Hills of Briar Oaks ("Briar Oaks") were received at the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office. The complaints, identified as Incident Numbers (Nos.) 406842 and 407940, were assigned to TCEQ Environmental Investigator, Ms. Samantha Montes Mojica, for investigation on July 31, 2023 and August 8, 2023.

From August 10 through September 26, 2023, Ms. Montes Mojica, along with TCEQ Environmental Investigators Ms. Aila Paxton, Mr. Joseph Martinez, and Mr. Steven Dyer, conducted an unannounced on site complaint and reconnaissance investigation at Briar Oaks. One violation was alleged and one Additional Issue was noted as a result of the investigation and a Notice of Violation letter and a copy of the investigation report will be mailed to the water system. A copy of the investigation report will be provided to the complainant.

**GENERAL FACILITY AND PROCESS INFORMATION**

Briar Oaks is a community groundwater system located in Wise County, Texas. The water system serves 152 connections with an approximate population of 456 people, based on three people per connection. The water system operates four groundwater wells through one water plant on one pressure plane. Briar Oaks holds a memorandum of understanding with Cooley Point that states Briar Oaks will provide a maximum of 10 gallons per minute (gpm) of water to Cooley Point, PWS ID No. 2200117.

For additional facility and process information, see Investigation No. 1888016.

**BACKGROUND**

The most recent Comprehensive Compliance Investigation (CCI), Investigation No. 1888022, was conducted on March 28, 2023. One alleged violation was noted during the CCI, and a Notice of Enforcement letter was mailed to the water system.

No complaints have been received against the water system in the last five years.

**ADDITIONAL INFORMATION**

On July 28, 2023, a complaint concerning low water pressure in the area served by Briar Oaks was received at the TCEQ D/FW Regional Office.

On August 2, 2023, the investigator contacted the complainant to inform them that the complaint had been received and was going to be investigated as to well as discuss the complaint allegations. The complainant indicated that they had reached out to the water system about the pressure issues, but the water system was not

doing anything to address the issue. They stated that the pressure dropped when the water system transitioned from Patterson Water Group to Central States Water Resources (CSWR). They also stated that the pressure that morning had been 16 or 18 pounds per square inch (psi).

On August 8, 2023, an additional complainant contacted the TCEQ D/FW Regional Office alleging that their water smelled like gasoline. The investigators attempted to contact the complainant on August 9, 2023, and left a voicemail to let them know that their complaint would be investigated by TCEQ.

On August 10, 2023, Ms. Montes Mojica went on-site and installed a pressure recorder on a house on Deats Farm Court. While onsite, the investigator noted the following:

- disinfectant residual of 2.5 milligrams per liter free chlorine (mg/L) and a pressure of 56 pounds per square inch (psi).

On August 17, 2023, the investigator returned to the resident's house to recover the pressure recorder. While onsite, the investigator noted the following:

- disinfectant residual of 2.1 mg/L free chlorine and a pressure of 64 psi.

The pressure recorder monitored the water pressure from August 10 to 17, 2023. The water pressure was measured below 35 psi during ten periods. These ten periods were during the high usage hours: 6 to 9 AM and 7 to 10 PM. During the five-minute increment readings, a sum of 93 readings were measured below 35 psi. The lowest recorded pressure reading was 21 psi at approximately 8:15 PM on August 16, 2023. The highest recorded pressure reading was 79 psi at approximately 4:30 AM on August 16, 2023.

Later that day, the investigator met with Mr. Seth Mitchell, Operator, at the pump station to discuss the low pressure findings. Ms. Montes Mojica explained the nature of the complaint and requested to place the pressure recorder on a flush valve or fire hydrant. Mr. Mitchell stated that the water system did not have any fire hydrants and that the flush valve they did have was not easily accessible. The investigator then contacted Mr. Brent Cormier, Distribution Supervisor, for more information. Mr. Cormier stated that there had been several leaks found that could have caused low pressure, but that they had been resolved. Mr. Cormier also added that the water system did not have an adequate location to place the pressure recorder. The investigator then requested the water system to build a sampling tap to place the pressure recorder on.

On August 22, 2023, Mr. Dyer, Ms. Paxton, and Mr. Martinez, arrived on-site to monitor for general water quality parameters, disinfectant residual, and pressure from the outside spigot at a house on Briar Oaks Lane. The following results were recorded:

- Disinfectant residual of 1.4 mg/L free chlorine and a pressure of 61 psi. The water did not appear to have any odors and no discoloration was noted.

On September 12, 2023, Mr. Cormier called Ms. Montes Mojica to let her know that the sampling tap at the end of Deats Farm Court had been constructed. Although the investigator and operator were set to meet onsite on September 13, 2023 to place the pressure recorder, it was postponed due to inclement weather. Since the sampling tap was underground in a meter box, the pressure recorder would have been in danger of being submerged underwater.

On September 19, 2023, the investigator met with Mr. Mark Stone, Operator, to set up the pressure recorder on the sampling tap that connects directly into the main line. While onsite, the investigator noted the following: disinfectant residual of 1.3 mg/L free chlorine and a pressure of 60 psi.

On September 26, 2023, Ms. Montes Mojica and Mr. Dyer, met with Mr. Mike Colorado, Compliance Manager, to pick up the pressure recorder from the sampling tap. While onsite, the investigators noted the following: disinfectant residual of 2.1 mg/L free chlorine and a pressure of 64 psi.

The pressure recorder monitored the water pressure from September 19 to 26, 2023. The water pressure was not measured below 35 psi at all during the week. The lowest recorded pressure reading was 44 psi at approximately 12:45 PM and 1:45 PM on September 20, 2023. The highest recorded pressure reading was 110 psi at approximately 1:30 AM on September 20, 2023.

30 Texas Administrative Code 290.46(r) states 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.

The water pressure did not drop below 35 psi at the main distribution line; however, the pressure was noted below 35 psi multiple times. An Additional Issue was noted for low pressure on the customer's spigot on Deats Farm Court.

On October 10, 2023, the investigator emailed a record request requesting the following documents:

- Monthly Operating Reports that include chemical usage, disinfectant residual, and water usage
- Flushing Logs
- Distribution Map
- Complaint records

On October 18, 2023, the water system submitted the requested documentation. However, the documentation submitted was missing important information, so the investigator asked for the necessary documents.

On October 26, 2023, the investigator received the remaining documentation from the water system. The complaint records indicate that the water system does receive low pressure and water outage complaints. During these complaints, the water system checks for leaks in the system, and resolve any maintenance issues they might encounter that could be causing the pressure to be affected. For example, when the ground storage tanks have been unbalanced, the water system adjusts valves to restore balance. When a service pump trips, the water system restarts the pump. There was only one water quality complaint, and it regarded air in water. The water system instructed the complainant to flush the lines for a while to get rid of the air.

No noncompliances were noted while reviewing the Monthly Operating Reports, chemical usage records, and disinfectant residual records appeared to be in compliance. During the months of August and September 2023, the water system flushed the same three consistent locations every month.

The distribution map was reviewed next. It was noted that Deats Farm Court has a 2-inch water line. Using satellite imagery, it was estimated that about 19 connections are on Deats Farm Court. It was also noted that Eagle Point has a 2-inch water line. It is estimated that Eagle Point has 13 connections. On the western side of County Road (CR) 4869, the houses are being provided water through a 4-inch line, and the eastern side of the road is being provided by a 2-inch line. This means that the two connections on Briar Road, nineteen connections on Deats Farm, and thirteen connections on Eagle Point are all being served by a 2-inch line. The 2-inch water line is providing for approximately 34 cumulative connections, either directly connected or connected through downstream lines.

30 TAC 290.44(c) states: Minimum water line sizes. The minimum water line sizes are for domestic flows only and do not consider fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary. It should be noted that the required sizes are based strictly on the number of customers to be served and not on the distances between connections or differences in elevation or the type of pipe. No new water line less than two inches in diameter will be allowed to be installed in a public water system distribution system. These minimum line sizes do not apply to individual customer service lines.

Figure 30 TAC 290.44(c) states:

Maximum Number of Connections	Minimum Line Size (inches)
10	2
25	2.5
50	3
100	4
150	5
250	6
>250	8 and larger

An alleged violation was noted for failure to meet the minimum water line size requirements based on the number

of connections served.

On October 27, 2023, an Exit Interview Form (EIF) was sent to the water system stating the alleged violation.

#### Investigation Findings

During the complaint investigation, it was determined that the complainant's pressure concerns were able to be partially substantiated, and the water quality allegations were unable to be substantiated. The pressure recorder measured low pressure various times at a resident's house. However, when the pressure recorder was placed on the main line, the pressure was maintained above 40 psi. After reviewing the distribution map, it was noted that a 2-inch line was providing water to approximately 34 connections. No noncompliances were found regarding the water quality during the onsite investigation. One alleged violation and one Additional Issue were noted as a result of the complaint investigation.

#### Attachments:

- 1) Water System Documentation
- 2) Exit Interview Form
- 3) Pressure graphs

**NOV Date** 11/15/2023 **Method** WRITTEN

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

**Track Number:** 859864

**Compliance Due Date:** 01/10/2024

**Violation Start Date:** 8/10/2023

**30 TAC Chapter 290.44(c)**

#### Alleged Violation:

**Investigation:** 1929726

**Comment Date:** 10/29/2023

Failure to meet the minimum water line size requirements based on the number of connections served.

During the complaint investigation, it was noted that a few of Briar Oaks' distribution water lines are undersized for the number of connections served.

**Location:** Deats Farm Court

**Approximate connections:** 19

**Noted line size:** 2-inch

**Minimum line size required:** 2.5-inch

**Location:** Eagle Point

**Approximate connections:** 13

**Noted line size:** 2-inch

**Minimum line size required:** 2.5-inch

Title 30 Texas Administrative Code (30 TAC) 290.44(c) states: Minimum water line sizes. The minimum water line sizes are for domestic flows only and do not consider fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary. It should be noted that the required sizes are based strictly on the number of customers to be served and not on the distances between connections or differences in elevation or the type of pipe. No new water line less than two inches in diameter will be allowed to be installed in a public water system distribution system. These minimum line sizes do not apply to individual customer service lines.

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Maximum Number of Connections	Minimum Line Size (inches)
10	2
25	2.5
50	3
100	4
150	5
250	6
>250	8 and larger

**Recommended Corrective Action:** Ensure that no more than 10 connections are being served by the 2-inch lines in the distribution system. Develop a corrective action plan to achieve compliance with 30 TAC 290.44(c) and Figure 30 TAC 290.44(c). When repairs are made to the waterlines in the distribution system, the water system shall replace the waterlines to meet the minimum size requirement. Provide documentation including, but not limited to, photographs, work orders, and invoices/receipts to the TCEQ D/FW Regional Office demonstrating that the alleged violation has been corrected.

### Additional Issues

**Description**      Item 2

#### Additional Comments

An Additional Issue was noted for finding pressure below 35 pounds per square inch (psi) at a customer's house. Please ensure that the pressure remains above 35 psi during normal operating conditions.

Signed

Samantha Monka Mojica  
Environmental Investigator

Date 11/13/23

Signed

Crystal D. Watkins  
Supervisor

Date 11/14/23

#### Attachments: (in order of final report submittal)

\_\_\_ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : NOV

Investigation Report

\_\_\_ Sample Analysis Results

\_\_\_ Manifests

\_\_\_ Notice of Registration

\_\_\_ Maps, Plans, Sketches

\_\_\_ Photographs

☒ Correspondence from the facility

\_\_\_ Other (specify) :

Exit Interview Form

Pressure Graphs



**List of Attached files**

Waterline Distribution Map - Briar Oaks LABELED.pdf

Briar Oaks 2309.xlsx

Records Request - Cooley Point.pdf

Briar Oaks 2308.xlsx

Hills of Briar Oaks CS Complaints July-September 2023.xlsx

Exit Interview Form - Briar Oaks.pdf

pressure graph - main dist. line.JPG

pressure graph - resident's house.JPG

## PUC DOCKET NO. 57386

## RATEPAYER COMMENTS/REQUESTS TO INTERVENE

If you wish to PROTEST the proposed rate change, you must complete this form and file it electronically using the PUC Interchange Filer (<http://www.puc.texas.gov/industry/filings/E-FilingInstructions.pdf>) or mail the original to:

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

No hearing will be held and the rates will be effective as proposed unless protests are received from at least 10% of ratepayers or from any affected municipality, or the Commission Staff requests a hearing.

## CUSTOMER INFORMATION (please provide all of the requested information)

First Name: Robert Last Name: Neaves  
Phone Number: 480-452-9094 Fax Number: N/A  
Email Address: 46AVFONICS@GMAIL.COM  
Address, City, State: 155 DEATS FARM CT, AZLE, TX 76020  
Location where service is received: SAME AS ABOVE  
(if different from the mailing address)

Please fill out the following:

## I wish to PROTEST the following proposed rate action/s:

☒ I wish to be a COMMENTER. I understand that: I am NOT a party to this case; my comments are not considered evidence in this case; and I have no further obligation to participate in the proceeding. Public comments may help inform the PUCT of the public concerns and identify issues to be explored. Please provide comments below. Attach a separate page, if necessary.

☐ I am requesting to INTERVENE in this proceeding. As an INTERVENOR, I understand that: I am a party to the case; I am required to respond to all discovery requests from other parties; I may be required to attend hearings, and if I file testimony, I may be cross-examined in the hearing; if I file any documents in the case, I must provide a copy to every other party in the case; and I acknowledge that I am bound by the Procedural Rules of the PUCT and the State Office of Administrative Hearings (SOAH).

Signature of Ratepayer:

Robert T. Neaves Date: 23 Jan, 2025

Si desea informacion en Espanol, puede llamar al  
1-888-782-8477

Hearing- and speech-impaired individuals with text telephones may contact the PUCT's Customer Assistance Hotline  
at  
512-936-7136

Updated: September 29, 2021