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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

December 17, 2018

Mr. R.C. Collins, P.E.
Southwest Engineers
307 St. Lawrence Street
Gonzales, Texas 78629

Re: CLWSC Canyon Lake Shores - PWS ID No. 0460019
Exception Request to Ground Storage Tank (GST) Setback Requirements
Comal County, Texas

RN: 101226678 | CN: 602969396

Dear Mr. Collins,

On September 12, 2018, the Texas Commission on Environmental Quality (TCEQ) received your letter requesting an exception to the requirement in Title 30 of the Texas administrative Code (30 TAC) §290.43(b)(1) which states that no public water supply ground storage tank shall be located within 500 feet of any municipal or industrial sewage treatment plant or any land which is spray irrigated with treated sewage effluent or sludge disposal. This request was made on behalf of the CLWSC Canyon Lake Shores public water system (PWS). As part of the Lantana Ridge Plant improvements at the PWS, the system has received approval from the TCEQ Plan Review Team (PRT) to construct a 46,000-gallon American Water Works Association (AWWA) Standard D100 welded steel ground storage tank (GST) which is currently under construction (TCEQ Plan Review Log No. P-06062017-039). According to your letter, you have requested an exception to 30 TAC §290.43(b)(1) because the location of the new 46,000-gallon welded steel GST is within approximately 38 to 54 feet from two (2) privately owned on-site sewage treatment facilities (OSSFs) with spray irrigation. Based on our review of your submitted materials we are **granting your request** for an exception to 30 TAC §290.43(b)(1) as described in the remainder of this letter.

Condition of the Granted Exception to the 500-foot Setback Distance Between a GST and Lands Irrigated with Sewage Effluent

As specified in 30 TAC §290.39(l), when it is not possible for a PWS to meet the requirements in 30 TAC Chapter 290, Subchapter D, a PWS has the option of proposing an alternative method to meet the requirements of a certain rule, by requesting an exception. The TCEQ review of the exception request must determine that the alternative method or methods proposed are equally protective of public health as the original rule.

Therefore, the TCEQ will require one of the following two options as a condition of approval of the granted exception to the 500-foot setback distance between a GST and lands irrigated with sewage effluent:

Condition 1:

- The PWS must select and implement one of the following protective measures to construct and operate a GST at the location shown in your submittal (*Enclosure 1*).

Option 1:

- The PWS must equip the vent of the 46,000-gallon welded steel GST with a 3-micron aerosol filter to prevent the intrusion of particulates into the finished water. The GST vent must be designed accordingly and be properly sized to ensure proper operation of the tank with the aerosol filter in place. The filter must be maintained and replaced in accordance with the manufacturer's specifications.

Option 2:

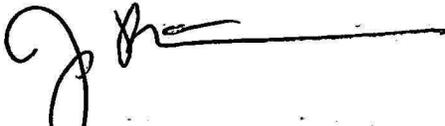
- The PWS must equip the 46,000-gallon welded steel GST with an online disinfectant residual analyzer with an audible and visual alarm for operators that indicates a condition of low residual in the finished water. The setpoints for the high and low water levels in the GST, as well as the location of inlet(s) and outlet piping, must be designed and configured to ensure proper mixing within the tank so that the disinfectant residual analyzer provides accurate readings.

A copy of this letter and all related monitoring data must be maintained with the water system's records for as long as this exception is in effect. These records must be made available to TCEQ staff upon request.

All exceptions are subject to periodic review and may be revoked or amended if warranted as specified in 30 TAC §290.39(l)(2) or evidence is found that granting of an exception results in a degradation of water quality or water supply. Noncompliance with any condition stated in this exception letter may result in enforcement action as specified in 30 TAC §290.39(l)(5). This exception is not intended to waive compliance with any other TCEQ requirement in 30 TAC Chapter 290. This exception cannot be used as a defense in any enforcement action resulting from noncompliance with any other requirement of 30 TAC Chapter 290.

If you have questions concerning this letter, or if we can be of additional assistance, please contact Mark M. Mikol, P.E., by email at mark.mikol@tceq.texas.gov, by telephone at (512) 239-6187, or by correspondence to Mail Code 159 (MC 159) at the letterhead address.

Sincerely,



Joel Klumpp, Manager
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

JPK/mm

Enclosure 1: GST Location Map Provided by Southwest Engineers

Cc: Mr. Thomas Hodge, CLWSC Canyon Lake Shores, P.O. Box 1742, Canyon Lake, TX, 78133

Mr. R.C. Collins, P.E.
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Bcc: TCEQ San Antonio Regional Office - R13