



0000-0000-0026-6595

Document Control Sheet

Sheet Title:	PWS - AR
Box ID:	8603
Control Sheet ID:	0000-0000-0026-6595
Record Series Name:	WS / Public Water Supply
Record Series:	PWS
Primary ID:	0700064
Secondary ID:	
Doc Type:	Compliance
Security:	Public
Date:	1/22/2019 12:00AM
Title:	Investigation
Tertiary ID	

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 22, 2019

E SIGNATURE CONFIRMATION #9134 9690 0935 0020 5446 65

Mr. Walter Carroll
Walter J. Carroll Water Company Inc.
513 Winding Creek Trail
Red Oak, Texas 75154-3965

RECEIVED
FEB 06 2019
TCEQ
CENTRAL FILE ROOM

Re: Notice of Enforcement for Complaint Investigation at:
Spanish Grant Subdivision, 3370 Hidalgo Rd., Waxahatchie, Ellis County, Texas
Regulated Entity No.: 102681970, TCEQ ID No.: 0700064
Investigation No.: 1525441, Incident No.: 294745 and 295981

Dear Mr. Carroll:

From October 23, 2018 to October 30, 2018, Mr. Colby Maron of the Texas Commission on Environmental Quality (TCEQ) Dallas Fort Worth (D/FW) Region Office conducted an investigation of the above referenced facility 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.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the D/FW Regional Office at (817) 588-5800 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 violation may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

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

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

Mr. Walter Carroll

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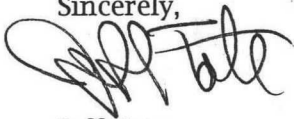
January 22, 2019

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

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

If you or members of your staff have any questions, please feel free to contact Mr. Colby Maron in the D/FW Region Office at 817-588-5891.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Tate", is written over the word "Sincerely,".

Jeff Tate
Water Section Manager
D/FW Region Office

JT/cm

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

SPANISH GRANT SUBDIVISION

, ELLIS COUNTY,

Additional ID(s): 0700064

Investigation #

1525441
Investigation Date: 10/23/2018

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

Track No: 688819

Compliance Due Date: 10/01/2018

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1511608

Comment Date: 08/21/2018

Failure to provide requested records.

During the complaint investigation, a records request was made to the water system with a 14-day deadline. After the 14 days were up, the water system had not submitted a copy of the requested records.

30 TAC 290.46(f)(2) The public water system's operating records must be accessible for review during inspections and be available to the executive director upon request.

Investigation: 1525441

Comment Date: 01/18/2019

The water system failed to provide the requested records by the compliance due date.

Specifically, on July 6, 2018, an Exit Interview Form was provided to Mr. Carroll requesting monthly operating reports, flushing logs, and repair logs for June 1 through July 6, 2018. To date, these records have not been submitted.

Recommended Corrective Action: The water system should maintain a copy of the requested records and the requested records should be available for review. Submit a copy of the requested records to the TCEQ Region 4 Office to document that the alleged violation has been corrected.

Track No: 701782

Compliance Due Date: To Be Determined

30 TAC Chapter 290.122(a)(2)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to issue a Boil Water Notice (BWN) as directed by TCEQ staff.

On October 26, 2018, the water system was directed to issue a BWN due to the confirmation of leaks and inadequate free chlorine residual in the distribution system. Mandatory language was provided to TCEQ but was not provided with posted signs.

30 TAC 290.122(a)(2) The initial Tier 1 acute public notice and/or boil water notice required by this subsection shall be issued as soon as possible, but in no case later than 24 hours after the violation or situation is identified. The initial public notice for an acute violation or situation shall be issued in one or more of the following manners that are reasonably calculated to reach persons served by the public water system within the required time period.

Failure to issue a Boil Water Notice (BWN) as directed by TCEQ staff.

On October 26, 2018, the water system was directed to issue a BWN due to the confirmation of leaks and inadequate free chlorine residual in the distribution system. Mandatory language was provided to TCEQ but was not provided with posted signs.

30 TAC 290.122(a)(2) The initial Tier 1 acute public notice and/or boil water notice required by this subsection shall be issued as soon as possible, but in no case later than 24 hours after the violation or situation is identified. The initial public notice for an acute violation or situation shall be issued in one or more of the following manners that are reasonably calculated to reach persons served by the public water system within the required time period.

Recommended Corrective Action: Provide a written protocol of how the system will notify customers when conditions require a Boil Water Notice, copies of the Boil Water Notice mandatory language templates for the system, photographs of signs that clearly note the status of the Boil Water Notice, and a list of residents that require additional methods of notification so that the manners can be evaluated for being reasonably calculated to reach persons served by the public water system within the required time period.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Track No: 701794 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to maintain water lines in a watertight condition.

During the investigation, leaks on Mesa Road alleged by complainants were confirmed.

Specifically, new leaks near 322 and 553 Mesa Road and the continuation of a leak at the intersection of Vaca and Mesa Roads.

On November 1, 2018, the investigator confirmed that the leak at the intersection of Vaca and Mesa Roads were repaired.

On November 2, 2018, the investigator confirmed that the leak near 322 Mesa Rd. had been repaired.

On January 9, 2019, the investigator confirmed that the leak near 553 Mesa Rd. was active after Mr. Carroll reported that the leak was no longer active on December 6, 2018.

30 TAC 290.46(m)(4) All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Recommended Corrective Action: Provide receipts, invoices, completed work orders or other documentation describing what actions were taken to repair the leak at 553 Mesa Road.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Track No: 702342 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to provide the public water system's operating records upon request.

During the investigation, a field copy of the distribution map was requested for Mesa Road to aid in locating and repairing leaks. A copy was not provided.

290.46(f)(2) The public water system's operating records must be accessible for review during inspections and be available to the executive director upon request.

Recommended Corrective Action: Provide a copy of the distribution map.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

**ALLEGED VIOLATION(S) NOTED AND RESOLVED
ASSOCIATED TO A NOTICE OF ENFORCEMENT****Track No:** 701783**30 TAC Chapter 290.110(b)(4)****30 TAC Chapter 290.46(d)(2)(A)****Alleged Violation:**

Investigation: 1525441

Comment Date: 01/11/2019

Failure to maintain a chlorine residual of 0.2 milligrams per liter (mg/L).

During the investigation, the water system had a free chlorine residual of 0.1 mg/L on October 26, 2018.

290.110(b)(4) The residual disinfectant concentration in the water within the distribution system shall be at least 0.2 mg/L free chlorine or 0.5 mg/L chloramine (measured as total chlorine).

290.46(d)(2)(A) a free chlorine residual of 0.2 milligrams per liter (mg/L).

Recommended Corrective Action: Provide receipts, invoices, completed work orders or other documentation describing what actions were taken to correct the chlorine residual.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Resolution: On October 30, 2018, the investigator noted a disinfectant residual of 1.83 mg/L free chlorine in the distribution system.

PWS_0700064_CP_201801023_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

Customer: Walter J. Carroll Water Company, Inc.
Customer Number: CN600666507

Regulated Entity Name: SPANISH GRANT SUBDIVISION

Regulated Entity Number: RN102681970

Investigation # 1525441

Incident Numbers

295981

294745

Investigator: COLBY MARON

Site Classification GW 51-250 CONNECTION

Conducted: 10/23/2018 -- 10/30/2018

SIC Code: 4941

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Location: 11.4 MI W OF I35 ON FM 1446

Additional ID(s): 0700064

Address: ,
, ,

Local Unit: REGION 04 - DFW METROPLEX

Activity Type(s): PWSFRR - PWS NOV Record Review
PWSRECON - PWS Recon-
Reconnaissance investigation for
surface water and groundwater
facilities.
PWSCMPL - PWS Complaint

Principal(s):

Role

Name

RESPONDENT

WALTER J CARROLL WATER COMPANY INC

Contact(s):

Role

Title

Name

Phone

REGULATED
ENTITY
CONTACT

OWNER/OPERATOR

MR WALTER J
CARROLL

Work (972) 617-0817

REGULATED
ENTITY MAIL
CONTACT

OWNER/OPERATOR

MR WALTER J
CARROLL

Work (972) 617-0817

PARTICIPATED
IN

OWNER/OPERATOR

MR WALTER J
CARROLL

Work (972) 617-0817

Other Staff Member(s):

Role

Name

QA Reviewer
Supervisor
Supervisor
QA Reviewer

CHARLES MARSHALL
JEFF TATE
CHARLES MARSHALL
ERIC LEIGH

Associated Check List

Checklist Name

PWS COMPLAINT INVESTIGATION

PWS INVESTIGATION - EQUIPMENT

MONITORING AND SAMPLING revised 06/2013

Unit Name

Inv 1525441 CMPL

Inv 1525441 Equipment

Investigation Comments:

INTRODUCTION

On October 20, 2018, a complaint was received by the TCEQ Dallas/Fort Worth (D/FW) Regional Office alleging strong bleach smells after an outage at the Spanish Grant Public Water System (PWS). The complaint was assigned to Environmental Investigator, Mr. Colby Maron, for investigation. The complaint was identified as Incident Number 294745. Additional complaints were received regarding strong bleach odor and a leak; these were identified under Incident Number 295981.

From October 20 through 30, 2018, Mr. Maron conducted multiple on-site investigations. Four violations were noted and a Notice of Enforcement (NOE) letter was issued to the public water system as a result of the investigation. A copy of the investigation report was mailed to each complainant.

GENERAL FACILITY AND PROCESS INFORMATION

Spanish Grant is a community water system that serves a total of 140 connections and an approximate population of 420 individuals. The water system consists of two groundwater wells which serve one pump station and one pressure plane.

For additional facility and process information, see Investigation Number 1365121.

BACKGROUND

Comprehensive Compliance Investigation

The most recent comprehensive compliance investigation, Investigation Number 1365121, was conducted on September 23, 2016. Several alleged violations were noted and have since been resolved. A Notice of Violation letter was mailed to the water system on November 23, 2016.

Multiple complaint investigations have been conducted at the water system in the past five years.

Incident Number 299339 was received on December 20, 2018, alleging that a leak that had previously been repaired by the water system was pooling and leaking water again. Investigation Number 1537369 was conducted on December 21, 2018. The investigation report is pending.

Incident Numbers 299162 and 299341 were received on December 12 and 20, 2018, alleging a strong chlorine odor and an improperly issued BWN rescind was received. Investigation Number 1537022 was conducted on December 18 and 21, 2018. The investigation report is pending.

Incident Numbers 298281, 298283, 298408, 298409 and 298410 were received from November 30, through December 7, 2018, alleging Mr. Carroll of parking his tractor near the well at the plant, water outages, not receiving notification from the water system following an outage, and dissatisfaction the residents continue to be on a Boil Water Notice. Investigation Number 1532499 was conducted on December 3, 2018. The investigation report is pending.

Incident Number 297669 was received on November 20, 2018, alleging a strong chlorine odor. No alleged violations were noted during the subsequent complaint investigation, Investigation Number 1532500.

Incident Number 295982 was received on November 1, 2018, alleging leak repairs being done incorrectly. The subsequent complaint investigation has been conducted. Investigation Report 1537166 is pending.

SPANISH GRANT SUBDIVISION -

10/23/2018 to 10/30/2018 Inv. # - 1525441

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Incident Numbers 293506, 293503, 291907, 293468, 294243, 291980, 293798, 293956 were received from September 7, 2018 through October 12, 2018 alleging water outages, water quality concerns and incorrect boil water notices. Four alleged violations and one addition issue were noted during the subsequent complaint investigation, Investigation Number 1517141.

Incident Numbers 290143, 290715, 290897, and 291035 were received from August 10, 2018 through August 26, 2018, regarding water quality at Spanish Grant damaging appliances and leaks near 135 Mesa Rd. One additional issue was noted during the subsequent complaint investigation, Investigation Number 1517239, due to the violation being cited in Investigation 1517141.

Incident Numbers 289525 and 289451, received on July 24, 2018, were regarding a water main break causing outages and low pressure. Two violations were noted during the subsequent complaint investigation, Investigation Number 1517237.

Incident Number 288408, received on July 15, 2018, was regarding water quality. One violation was noted during the subsequent complaint investigation, Investigation Number 1504396.

Incident Number 287779, received on July 5, 2018, was regarding low water pressure. One violation was noted during the subsequent complaint investigation, Investigation Number 1511608.

Incident Number 287777, received on July 5, 2018, was regarding the water tasting like chlorine. One violation was noted during the subsequent complaint investigation, Investigation Number 1511408.

Incident Number 286302, received on June 13, 2018, was regarding water outages, water quality, leaks not being fixed, dirty water and ineffective boil water notices. Multiple violations were noted during the subsequent complaint investigation, Investigation Number 1498235.

Incident Number 278718, received on February 13, 2018, was regarding a high chlorine odor. No violations were noted during the subsequent complaint investigation, Investigation Number 1482280.

Incident Number 271552, received on October 30, 2017, was regarding operator licensing. No violations were noted during the subsequent complaint investigation, Investigation Number 1455313.

ADDITIONAL INFORMATION

On October 20, 2018, a complaint was received by TCEQ D/FW Regional Office alleging strong bleach smells after an outage at the Spanish Grant PWS. The complaint was assigned to Mr. Maron. The complaint was identified as Incident Number 294745.

On October 22, 2018, two complaints were received alleging strong chlorine odors in the water and a leak on Mesa Rd causing a school bus to turn around. These were identified as Incident Number 295981.

On October 23, 2018, the investigator conducted an unannounced on-site complaint investigation. A wet spot of buckling road located in the road near 322 Mesa Rd was noted. The leak near Vaca and Mesa Roads was also noted as continuing and a trace chlorine residual was detected in the water. The investigator met with Ms. Prichard at the system while Boil Water Rescind notices were being delivered and informed her of the findings.

On October 25, 2018, the investigator contacted Ms. Patty Hilton, Office Manager for Carroll Water Company, to request field personnel to be on-site to evaluate the leak and to provide a copy of the distribution map.

On October 26, 2018, the investigator conducted a follow-up investigation at the system. Distribution monitoring was conducted, and the disinfectant residual was found to be non-compliant. After conducting distribution monitoring, the investigator met with Mr. Carroll and field personnel. The leaks were confirmed and the system was directed both verbally and with a written Exit Interview Form to restore the disinfectant residual and issue a BWN within 24 hours and to repair the leaks within 14 days. The investigator also noted that Carroll Water would need to coordinate with local officials that maintain roads being disturbed by repairs. A copy of BWN mandatory language was received at the TCEQ D/FW region office by fax.

On October 29, 2018, an Exit Interview Form was emailed to Mr. Carroll and Ms. Hilton noting two alleged

SPANISH GRANT SUBDIVISION -

10/23/2018 to 10/30/2018 Inv. # - 1525441

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violations for failing to maintain distribution lines and for failing to provide a copy of the distribution map. A copy of BWN mandatory language and Certificate of Delivery was received at the TCEQ D/FW region office indicating the BWN was issued on October 26, 2018 via continuously posted notices in conspicuous places.

On October 30, 2018, the investigator conducted a follow-up investigation at the system. Distribution monitoring indicated the chlorine residual had been restored. The investigator met Mr. Carroll at the leak located near 322 Mesa Rd. where a chlorine residual was detected in water pooling near the leak. Additionally, the leak located at Vaca and Mesa Roads was ongoing and a third potential leak near 553 Mesa Rd. was noted. Mr. Carroll indicated that the distribution map was in the water system main office and not available for field use. An Exit Interview Form was emailed to Mr. Carroll noting two alleged violations for failing to maintain the distribution in a watertight condition and for failing to provide the mandatory language to customers in the BWN that was issued. Additionally, Mr. Carroll was directed to coordinate line repairs in roadways with local officials in Ellis County Precinct 3 for scheduling road repairs.

On November 1, 2018, photographs were received indicating that the leak near 322 Mesa Rd. had been repaired.

On November 2, 2018, photographs were received indicating that the leak at the intersection of Mesa and Vaca Roads had been repaired.

On December 6, 2018, the investigator received a phone call from Mr. Carroll indicating that the leak at 553 Mesa was no longer active. Compliance documentation was not received to confirm the status.

On January 9, 2019, Environmental Investigator, Mr. Eric Leigh, noted that the leak located near 553 Mesa Rd. was still active and that a trace total chlorine residual was detected where the water ran across the road while conducting Investigation Number 1537369.

Investigation Findings

During the complaint investigation, the complainants' claims of leaks were confirmed. Allegations of strong chlorine could not be confirmed. The disinfectant residuals and water pressure were monitored at locations in the distribution system. The disinfectant residual was found to be non-compliant. Additionally, the system was directed to issue a Boil Water Notice but failed to utilize the mandatory language.

Attachments

- 1) Photographs
- 2) Exit Interview Forms

NOE Date: 1/22/2019

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

Track Number: 688819

Compliance Due Date: 10/01/2018

Violation Start Date: 7/6/2018

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1511608

Comment Date: 08/21/2018

Failure to provide requested records.

During the complaint investigation, a records request was made to the water system with a 14-day deadline. After the 14 days were up, the water system had not submitted a copy of the requested records.

SPANISH GRANT SUBDIVISION -

10/23/2018 to 10/30/2018 Inv. # - 1525441

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30 TAC 290.46(f)(2) The public water system's operating records must be accessible for review during inspections and be available to the executive director upon request.

Investigation: 1525441

Comment Date: 01/18/2019

The water system failed to provide the requested records by the compliance due date.

Specifically, on July 6, 2018, an Exit Interview Form was provided to Mr. Carroll requesting monthly operating reports, flushing logs, and repair logs for June 1 through July 6, 2018. To date, these records have not been submitted.

Recommended Corrective Action: The water system should maintain a copy of the requested records and the requested records should be available for review. Submit a copy of the requested records to the TCEQ Region 4 Office to document that the alleged violation has been corrected.

Track Number: 701782

Compliance Due Date: To Be Determined

Violation Start Date: 10/26/2018

30 TAC Chapter 290.122(a)(2)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to issue a Boil Water Notice (BWN) as directed by TCEQ staff.

On October 26, 2018, the water system was directed to issue a BWN due to the confirmation of leaks and inadequate free chlorine residual in the distribution system. Mandatory language was provided to TCEQ but was not provided with posted signs.

30 TAC 290.122(a)(2) The initial Tier 1 acute public notice and/or boil water notice required by this subsection shall be issued as soon as possible, but in no case later than 24 hours after the violation or situation is identified. The initial public notice for an acute violation or situation shall be issued in one or more of the following manners that are reasonably calculated to reach persons served by the public water system within the required time period.

Failure to issue a Boil Water Notice (BWN) as directed by TCEQ staff.

On October 26, 2018, the water system was directed to issue a BWN due to the confirmation of leaks and inadequate free chlorine residual in the distribution system. Mandatory language was provided to TCEQ but was not provided with posted signs.

30 TAC 290.122(a)(2) The initial Tier 1 acute public notice and/or boil water notice required by this subsection shall be issued as soon as possible, but in no case later than 24 hours after the violation or situation is identified. The initial public notice for an acute violation or situation shall be issued in one or more of the following manners that are reasonably calculated to reach persons served by the public water system within the required time period.

Recommended Corrective Action: Provide a written protocol of how the system will notify customers when conditions require a Boil Water Notice, copies of the Boil Water Notice mandatory language templates for the system, photographs of signs that clearly note the status of the Boil Water Notice, and a list of residents that require additional methods of notification so that the manners can be evaluated for being reasonably calculated to reach persons served by the public water system within the required time period.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Track Number: 701794

Compliance Due Date: To Be Determined

Violation Start Date: 10/23/2018

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to maintain water lines in a watertight condition.

During the investigation, leaks on Mesa Road alleged by complainants were confirmed.

Specifically, new leaks near 322 and 553 Mesa Road and the continuation of a leak at the intersection of Vaca and Mesa Roads.

On November 1, 2018, the investigator confirmed that the leak at the intersection of Vaca and Mesa Roads were repaired.

On November 2, 2018, the investigator confirmed that the leak near 322 Mesa Rd. had been repaired.

On January 9, 2019, the investigator confirmed that the leak near 553 Mesa Rd. was active after Mr. Carroll reported that the leak was no longer active on December 6, 2018.

30 TAC 290.46(m)(4) All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Recommended Corrective Action: Provide receipts, invoices, completed work orders or other documentation describing what actions were taken to repair the leak at 553 Mesa Road.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Track Number: 702342

Compliance Due Date: To Be Determined

Violation Start Date: 10/29/2018

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to provide the public water system's operating records upon request.

During the investigation, a field copy of the distribution map was requested for Mesa Road to aid in locating and repairing leaks. A copy was not provided.

290.46(f)(2) The public water system's operating records must be accessible for review during inspections and be available to the executive director upon request.

Recommended Corrective Action: Provide a copy of the distribution map.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

ALLEGED VIOLATION(S) NOTED AND RESOLVED

ASSOCIATED TO A NOTICE OF ENFORCEMENT

SPANISH GRANT SUBDIVISION -

10/23/2018 to 10/30/2018 Inv. # - 1525441

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Track Number: 701783

Resolution Status Date: 1/11/2019

Violation Start Date: 10/26/2018

Violation End Date: 10/30/2018

30 TAC Chapter 290.110(b)(4)

30 TAC Chapter 290.46(d)(2)(A)

Alleged Violation:

Investigation: 1525441

Comment Date: 01/11/2019

Failure to maintain a chlorine residual of 0.2 milligrams per liter (mg/L).

During the investigation, the water system had a free chlorine residual of 0.1 mg/L on October 26, 2018.

290.110(b)(4) The residual disinfectant concentration in the water within the distribution system shall be at least 0.2 mg/L free chlorine or 0.5 mg/L chloramine (measured as total chlorine).

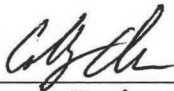
290.46(d)(2)(A) a free chlorine residual of 0.2 milligrams per liter (mg/L).

Recommended Corrective Action: Provide receipts, invoices, completed work orders or other documentation describing what actions were taken to correct the chlorine residual.

Additional compliance documentation may be required by the TCEQ Enforcement Division.

Resolution: On October 30, 2018, the investigator noted a disinfectant residual of 1.83 mg/L free chlorine in the distribution system.

Signed

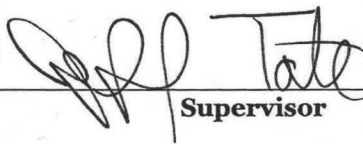


Environmental Investigator

Date

1/18/2019

Signed



Supervisor

Date

1-18-19

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) :

EIF

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441

Location: Spanish Grant

County: Ellis

Investigation & Photograph Date:
10/23/2018-10/30/2018

Investigator/Photographer: Colby Maron



Photo #1

Comments:
10/23/2018

Leak near 322
Mesa Rd



Photo #2

Comments:
10/23/2018

Leak near 322
Mesa Rd, photo
taken facing
north.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441	Location: Spanish Grant	County: Ellis
Investigation & Photograph Date: 10/23/2018-10/30/2018	Investigator/Photographer: Colby Maron	



Photo #3

Comments:
10/23/2018

Photo taken from
Mesa Rd facing
east to Vaca Rd.

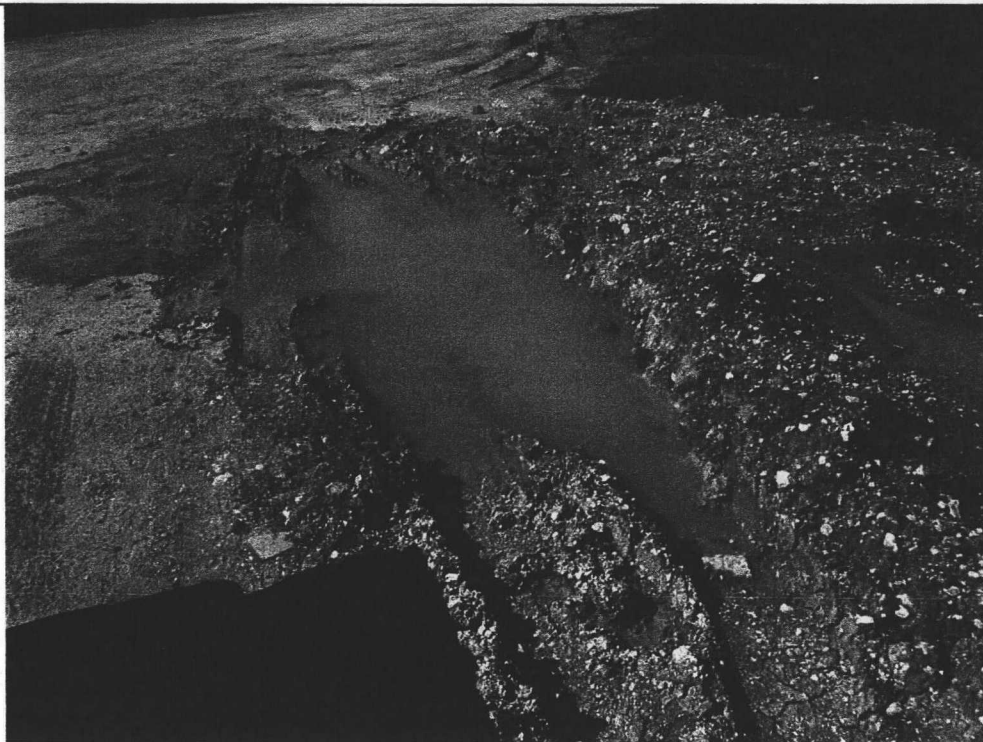


Photo #4

Comments:
10/23/2018

Photo of the deep
puddle at the
intersection of
Vaca and Mesa
Rds.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441

Location: Spanish Grant

County: Ellis

Investigation & Photograph Date:
10/23/2018-10/30/2018

Investigator/Photographer: Colby Maron



Photo #5

Comments:
10/23/2018

Photo taken of a color comparison using total chlorine reagent that indicates the presence of chlorine in the water puddle. Turbidity in the water did not allow the colorimeter to take a total chlorine reading.



Photo #6

Comments:
10/23/2018

Photo of water around water main repairs. Note: water not leaving the pool indicating it is not an active leak.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441	Location: Spanish Grant	County: Ellis
Investigation & Photograph Date: 10/23/2018-10/30/2018		Investigator/Photographer: Colby Maron



Photo #7

Comments:
10/26/2018

Leak near 322
Mesa Rd, photo
taken facing
north.



Photo #8

Comments:
10/26/2018

Leak near 322
Mesa Rd, photo
taken facing east.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441	Location: Spanish Grant	County: Ellis
Investigation & Photograph Date: 10/23/2018-10/30/2018	Investigator/Photographer: Colby Maron	



Photo #9

Comments:
10/30/2018

Leak near 322
Mesa Rd, photo
taken facing
south.



Photo #10

Comments:
10/30/2018

Photo taken from
Mesa Rd facing
east to Vaca Rd.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441	Location: Spanish Grant	County: Ellis
Investigation & Photograph Date: 10/23/2018-10/30/2018	Investigator/Photographer: Colby Maron	



Photo #11

Comments:
10/30/2018

Trace total
chlorine residual
from the leak
near Mesa Rd and
Vaca Rd.



Photo #12

Comments:
10/30/2018

Photo taken from
Mesa Rd near 553
Mesa.

PHOTOGRAPHIC DOCUMENTATION

Investigation: 1525441	Location: Spanish Grant	County: Ellis
Investigation & Photograph Date: 10/23/2018-10/30/2018	Investigator/Photographer: Colby Maron	



Photo #13

Comments:
10/30/2018

Trace total
chlorine residual
from Mesa Rd
near 553 Mesa.



Photo #14

Comments:
10/30/2018

Boil Water Notice
sign at the
Spanish Grant
Plant without
mandatory
language.

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

Regulated Entity/Site Name	Spanish Grant			TCEQ Add. ID No. RN No. (optional)	0700064	
Investigation Type	Compl	Contact Made In-House (Y/N)		Purpose of Investigation	Complaint	
Regulated Entity Contact	Walter Carroll			Telephone No.	972-617-0817	Date Contacted 10/26/2018
Title	President			Fax No.		Date Faxed

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 by telephone 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	30TAC 290.46(4)(4)	Failure to maintain water system distribution lines in a water-tight condition. Specifically near the locations of 266 Mesa Rd + 5000 Albo Rd. Vaca Rd. Repairs must be made within 14 days. Due to repairs impacting county maintained roads, coordination with local officials may be required.
2	AV	290.46(2)(2) 290.110(4)(4) 290.46(2)	Failure to maintain a disinfectant residual of at least 0.2 mg/L Free Chlorine. A disinfectant residual of 0.07 mg/L was noted at 2408 Albo Rd. Residual must be raised and BWA issued within 24 hours.

¹Issue 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?	☐ Yes	☐ No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	☐ Yes	☐ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.			
 Investigator Name (Signed & Printed)	10/26/2018 Date	 Regulated Entity Representative Name (Signed & Printed)	10-26-18 Date

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

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

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

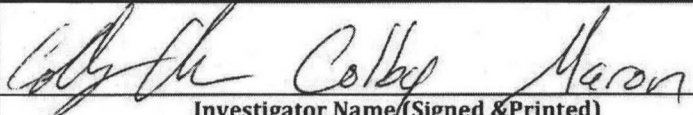
Regulated Entity/Site Name	Spanish Grant Subdivision			TCEQ Add. ID No.	0700064
				RN No (optional)	
Investigation Type	Focus	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Complaint investigation
Regulated Entity Contact	Walter Carroll			Telephone No.	972-617-0817
Title	President	FAX #/Email address			FAX/Email date
					10/29/2018

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 (pv) or alleged violations (av) 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.

No.	Type ¹	Rule Citation Texas Administrative Code	Description of Issue- Notice of Enforcement
1	AV	290.46(m)(1)	Failure to maintain distribution lines in a water tight condition. Specifically, on Friday, October 26, 2018, a DFW Region investigator noted distribution line leaks near 266 Mesa Road and near the intersection of Vaca and Mesa Roads. Both of these distribution line leaks must be properly repaired within 48 hours.
2	AV	290.46(f)(2)	Failure to provide a copy of the distribution map. Specifically, on October 4, 2018, a DFW Region investigator requested a copy of the distribution map via emailed Exit Interview Form. On Thursday, October 25, 2018, the investigator requested a copy of the map again by phone for an arranged meeting with water system representatives the following day to evaluate the status of leaks on Mesa Road. On Friday October 26, 2018, a copy of the map indicating the location of water lines, valves and other pertinent information was not made available.
	O		If after further review additional issues or violations are noted, you will be notified.
	O		Photographs, work orders, invoices, receipts, and applicable records/documents along with written verification are considered acceptable compliance documentation. All compliance documentation must be submitted via fax; 817/588-5701, walk in, or regular mail; 2309 Gravel Drive, Fort Worth, Texas 76118.

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

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?	__ Yes	__ No	__ N/A
Did the investigator advise the regulated entity representative that continued operation is not authorized?	__ Yes	__ No	__ N/A
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.			
 Investigator Name (Signed & Printed)	Date 10/29/2018		
	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.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512/239-3282.

FAX

To: Greg Nagel TCEQ

From: _____

Carroll Water Company, Inc.
513 Winding Creek Trail
Red Oak, Texas 75154

Number of Pages: 4

Date: Aug 3, 2018

Re: _____

Comments: Certificate of Delivery
to Recind Boilwater notice to customers
at Emerald Forest, Grandi Casa, Lakewood.

Had to
mail.

RECEIVED

OCT 24 2018

DFW REGION-4

PWS 0700058 CO ELLIS

Texas Commission on Environmental Quality

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS: Rescind Boil Water Notice

Public Water System (PWS) name: Emerald ForestPWS ID: 0700058 Date Boil Water Notice Issued: July 23, 2018

30 TAC 290.46(q) requires a PWS to notify customers that a boil water notice has been rescinded. A public water system shall not rescind a boil water notice until the public water system has met all the applicable requirements as described in 30 TAC 290.46 (q)(6).

Indicate "☑" for all requirements met and **provide documentation** with submittal:

- ☐ Sufficient water pressures (>20 psi) are consistently maintained per 30 TAC 290.47 (e).
- ☐ Affected area(s) have been thoroughly flushed and adequate chlorine residual (free >0.2mg/L, chloramine >0.5mg/L) is maintained throughout the system.
- ☐ Surface Water Treatment Rule Only - Finished water entering the system has turbidity levels consistently below 1.0 NTU
- ☒ Specific actions required by the Executive Director have been met (describe actions):
Due to the failure of well pump.
- ☐ Microbiological samples, marked "Special", from representative sites in system, are analyzed by an approved lab and all results are negative for coliform organisms.

Please indicate how the PWS provided this rescind notification to customers.

COMMUNITY WATER SYSTEM (perform one or more of the following):

- ☐ Furnish a copy of the Notice to radio and television stations serving the PWS service area
- ☐ Publish Notice in a local newspaper serving the PWS service area
- ☒ Direct delivery of Notice to customers
- ☐ Continuously post Notice in conspicuous places within affected PWS service area
- ☐ Electronic delivery or alert systems (e.g., reverse 911)

NONCOMMUNITY WATER SYSTEM (perform one or more of the following):

- ☒ Direct delivery of Notice to customers
- ☐ Continuously post Notice in conspicuous places within affected PWS service area
- ☐ Electronic delivery or alert systems (e.g., reverse 911)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

NOTE: 30 TAC 290.46(q)(6)(F) requires the PWS to provide documentation to the Executive Director within 10 days.

Date of Delivery to Customers: Aug 2, 2018 Phone: (972) 617-0817
 Certified by: (print name) Deanna Carroll Title: Secretary

Signature: Deanna Carroll Date: Aug 3, 2018

E-mail (PDWS@tceq.texas.gov) or mail a copy of this completed form, AND copies of the Rescind Notice given to your customers to: TCEQ – Water Supply Division MC – 155, Attn: Public Notice. P. O. Box 13087 Austin, TX 78711-3087

FAX

To: Colby Maron TCEQ

From: _____
Carroll Water Company, Inc.
513 Winding Creek Trail
Red Oak, Texas 75154

Number of Pages: 3

Date: 10-26-18

Re: _____

Comments: Boil water notice
for Emerald Forest, Grandefasa,
Spanish Grant

RECEIVED

OCT 26 2018

DFW REGION-4

Boil Water Notice for Community Public Water Systems**10-26-2018**

Due to low chlorine residuals leak in the pressure tank the Texas Commission on Environmental Quality has required the Emerald Forest PWS# (0700058) public water system to notify customers to boil water prior to consumption (e.g., washing hands/face, brushing teeth, drinking, etc.). Children, seniors, and persons with weakened immune systems are particularly vulnerable to harmful bacteria, and all customers should follow these directions.

To ensure destruction of all harmful bacteria and other microbes, water for drinking, cooking, and ice making should be boiled and cooled prior to use for drinking water or human consumption purposes. The water should be brought to a vigorous rolling boil and then boiled for two minutes.

In lieu of boiling, individuals may purchase bottled water or obtain water from some other suitable source for drinking water or human consumption purposes.

When it is no longer necessary to boil water, the public water system officials will notify customers that the water is safe for drinking water notice in a manner similar to this notice.

Please share this information with all the other people who drink this water especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have questions concerning this matter, you may contact Carroll Water Company at 972-617-0817.

PWS 0700064 co Ellis Co B'

RECEIVED

OCT 29 2018

Texas Commission on Environmental Quality

OFW REGION-4

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS: Boil Water Notice

Public Water System (PWS) name: Spanish GrantPWS ID: 0700064 Date Boil Water Notice Issued: 10-26-2018

Reason(s) issued: (indicate "X" all applicable circumstances; 30 TAC 290.46 (q))

- ☐ Low distribution pressures (<20psi)
☐ Water outage
☐ E. coli or fecal positive microbiological sample(s)
☐ Failure to maintain adequate chlorine residuals
☐ Elevated finished water turbidities (Surface Water Treatment Rule)
☒ Line Break
☐ Other: _____

30 TAC 290.46(q)(1) requires that your PWS make an adequate, good-faith effort to reach all consumers served by the system by appropriate methods (check all below that apply):

COMMUNITY WATER SYSTEM (perform one or more of the following):

- ☐ Furnish a copy of the Notice to radio and television stations serving the PWS service area
☐ Publish Notice in a local newspaper serving the PWS service area
☒ Direct delivery of Notice to customers
☒ Continuously post Notice in conspicuous places within affected PWS service area
☐ Electronic delivery or alert systems (e.g., reverse 911)

NONCOMMUNITY WATER SYSTEM (perform one or more of the following):

- ☐ Direct delivery of Notice to customers
☒ Continuously post Notice in conspicuous places within affected PWS service area
☐ Electronic delivery or alert systems (e.g., reverse 911)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

NOTE: 30 TAC 290.46(q)(6)(F) requires the PWS to provide documentation to the Executive Director within 10 days.

Date of Delivery to Customers: 10-26-2018 Phone: (972) 617-0817Certified by: (print name): Tanya Prichard Title: SecretarySignature: Tanya Prichard Date: 10-29-2018

E-mail (PDWS@tceq.texas.gov) or mail a copy of this completed form, **AND** copies of the Boil Water Notice given to your customers to: TCEQ – Water Supply Division MC – 155, Attn: Public Notice. P. O. Box 13087 Austin, TX 78711-3087

Boil Water Notice for Community Public Water Systems

Oct, 26, 18

Due to Leak causing the line to break and a low disinfectant residual, the Texas Commission on Environmental Quality has required the SPANIST GRANT (PWS ID 0700064) public water system to notify customers to boil water prior to consumption (e.g., washing hands/face, brushing teeth, drinking, etc.). Children, seniors, and persons with weakened immune systems are particularly vulnerable to harmful bacteria, and all customers should follow these directions.

To ensure destruction of all harmful bacteria and other microbes, water for drinking, cooking, and ice making should be boiled and cooled prior to use for drinking water or human consumption purposes. The water should be brought to a vigorous rolling boil and then boiled for two minutes.

In lieu of boiling, individuals may purchase bottled water or obtain water from some other suitable source for drinking water or human consumption purposes.

When it is no longer necessary to boil water, the public water system officials will notify customers that the water is safe for drinking water notice in a manner similar to this notice.

Please share this information with all the other people who drink this water especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have questions concerning this matter, you may contact Carroll Water Company at 972-617-0817.