

Texas Commission on Environmental Quality Investigation Report

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Customer: Fort Bend County Municipal Utility District No. 34
Customer Number: CN600738116

Regulated Entity Name: FORT BEND COUNTY MUD 34

Regulated Entity Number: RN108793902

Investigation # 1548263

Incident Numbers

302378

Investigator: CHARLIE THOMAS

Site Classification GW >1K-10K CONNECTION
P >1K-10K CONNECTION

Conducted: 02/19/2019 -- 02/19/2019

No Industry Code Assigned

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Location: NO LOCATION ON FILE

Additional ID(s): 0790200

Address: ,

Local Unit: REGION 12 - HOUSTON

Activity Type(s): PWSCMPL - PWS Complaint

Principal(s):

Role	Name
RESPONDENT	FORT BEND COUNTY MUD 34

Contact(s):

Role	Title	Name	Phone
PARTICIPATED IN	ASSISTANT COMPLIANCE COORDINATOR	MR CAMERON KING	Cell (832) 797-2170 Work (281) 367-5511
NOTIFIED	COMPLIANCE COORDINATOR	MR JOHN T MONTGOMERY	Work (281) 367-5511 Fax (281) 367-5517
REGULATED ENTITY MAIL CONTACT	PRESIDENT	MR BILLY E HAEHNEL	Fax (713) 623-6143 Office (713) 623-4531
REGULATED ENTITY CONTACT	COMPLIANCE COORDINATOR	MR JOHN T MONTGOMERY	Fax (281) 367-5517 Work (281) 367-5511
PARTICIPATED IN	COMPLIANCE COORDINATOR	MR JOHN T MONTGOMERY	Fax (281) 367-5517 Work (281) 367-5511

Other Staff Member(s):

Role	Name
QA Reviewer	MELODY KIRKSEY
Supervisor	LATRICHIA SPIKES
Investigator	LANDRY NASH
Supervisor	DAWN OLIVO

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PWS COMPLAINT INVESTIGATION	complaint
PWS INVESTIGATION - EQUIPMENT	equipment
MONITORING AND SAMPLING revised 06/2013	

Investigation Comments:

INTRODUCTION

The Texas Commission on Environmental Quality (TCEQ) Houston Regional Office received an anonymous complaint on February 5, 2019 (Incident No. 302378). The complainant alleged falsification of records and unlicensed operators at Fort Bend County Municipal Utility District (MUD) 34, Public Water Supply (PWS) ID 0790200. In response to the allegation, an on-site visit was conducted by TCEQ Environmental Investigators (EIs) Charlie Thomas and Landry Nash on February 19, 2019. Investigator Thomas contacted Mr. John Montgomery, Compliance Coordinator with Municipal Operations & Consulting, Incorporated (MOC), on February 13, 2019, prior to the site visit in order to review paperwork during the investigation. The investigation was conducted with Mr. Cameron King, Assistant Compliance Coordinator with MOC and Mr. Montgomery. Based on the investigation findings, a general compliance letter was mailed to the regulated entity and to the operations company. A letter was not mailed to the complainant due to the anonymity of the complaint.

GENERAL FACILITY AND PROCESS INFORMATION

Fort Bend County MUD 34 is a PWS which provides treated groundwater and purchased surface water to approximately 3,380 connections with a population of 9,984 according to the Drinking Water Watch (DWW) database. DWW is a searchable database of analytical results and compliance data for public water systems which is available to the general public. The water system maintains one water plant which supplies water to one pressure plane. The water system contains two submersible wells, Source ID Nos. G0790200A and G0790200B and receives treated purchase water from North Fort Bend Water Authority (NFBWA), PWS No. 0790511, Source ID. No. 0790200D. The plant treats with polyphosphate, gas chlorine, and liquid ammonium sulfate.

BACKGROUND

The last Comprehensive Compliance Investigation (CCI), investigation no. 1527074, for Fort Bend County MUD 34 was conducted on November 15, 2018. No violations were alleged as a result of the investigation,

Fort Bend County MUD 34 has not had a complaint within the five years preceding this investigation.

ADDITIONAL INFORMATION

The TCEQ has regulatory authority for PWSs as prescribed in Title 30 of the Texas Administrative Code (TAC) Chapter 290. The TCEQ is required to ensure that PWSs supply safe drinking water in adequate quantities as prescribed by the Texas Health and Safety Code (THSC), Chapter 341, Subchapter C, and 30 TAC §290.39 (a).

During the investigation, the process of how flushing and chlorine residuals are tracked and recorded was discussed. Flushing is conducted once a month at all dead ends, a color wheel is used to collect a chlorine residual at the barrel of a hydrant. This residual is used for informational purposes only and is never used for compliance purposes. The regulated entity has an application called Birdnest. Birdnest is an operational application used to record data as it is collected. Daily chlorine residuals and plant operational logs (well readings, run time of equipment, chemical logs, etc.) are recorded in Birdnest. Flushing logs are not tracked in Birdnest and are kept only as paper records. Each operator is able to log into Birdnest with his/her unique ID and enter their daily logs. Sample sites are listed by address. Plants addresses are also listed in the database.

During the investigation, chlorine residuals, plant operational logs and the Disinfectant Level Quarterly Operating Reports (DLQORs) were reviewed. Pursuant to 30 TAC §290.110(c)(4)(B), public water systems that serve at least

250 connections or at least 750 people daily and use only groundwater or purchased water sources must monitor the disinfectant residual at representative locations in the distribution system at least once per day. Per 30 TAC §290.110(e)(4), public water systems that use purchased water or groundwater sources only must complete a Disinfection Level Quarterly Operating Report (commission Form 20067) each quarter. The average, high and low chlorine residuals for each quarter were compared to what were on the DLQORs. Per 30 TAC §290.46(f)(3), all public water systems shall maintain a record of operations. The records were noted to be in compliance.

In addition, the monitoring plan and the Revised Total Coliform Rule (RTCR) Sample Siting Plan was reviewed to evaluate whether chlorine sample sites are listed in the monitoring plan. Pursuant to 30 TAC §290.110(f)(1), all samples used for compliance must be obtained at sampling sites designated in the monitoring plan. Per 30 TAC §290.109(d)(6), all public water systems shall develop and complete a written Sample Siting Plan as described in this paragraph that identifies routine and repeat microbial sampling sites. The records were noted to be in compliance.

During the review of the flushing logs, it was noted that the regulated entity is flushing once a month and collecting residuals. However, these are used for informational purposes only. Per 30 TAC §290.46(l), all dead-end mains must be flushed at monthly intervals. The regulated entity is in compliance.

In addition, the status of the operators' licenses was checked during the investigation. Per 30 TAC §290.46(e)(4) (C), groundwater systems serving more than 1000 connections, must use at least two operators who hold a Class "C" or higher groundwater license and who work at least 16 hours per month at the public water systems' production, treatment or distribution facilities. During the on-site investigation, it was noted that the facility employs the appropriately licensed operators.

An exit interview form was emailed to Mr. Montgomery and Mr. King which stated no violations were noted as a result of the investigation (Attachment 1). The regulated entity is in compliance with their records.

No Violations Associated to this Investigation

Signed Charita Thomas
Environmental Investigator

Date 4-17-19

Signed Queen Allen
Supervisor

Date 04/17/2019

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Letter to Facility (specify type) : GC

Investigation Report

Sample Analysis Results

Manifests

Notice of Registration

Maps, Plans, Sketches

Photographs

Correspondence from the facility

Other (specify) :

Exit Interview Form

02/19/2019



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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 18, 2019

Mr. Billy Haehnel
President
Fort Bend County Municipal Utility District 34
1300 Post Oak Boulevard, Suite 1400
Houston, Texas 77056-3078

Re: Complaint Investigation at:
Fort Bend County MUD 34, 7210 ½ Starry Night, Katy, Fort Bend County, Texas
Regulated Entity No.: 108793902 TCEQ ID No.: 0790200
Investigation No.: 1548263

Dear Mr. Haehnel:

On February 19, 2019, Mr. Charlie Thomas and Ms. Landry Nash of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation. At this time, your public water supply continues to merit recognition as a "Superior" system.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Charlie Thomas in the Houston Region Office at (713) 767-3569.

Sincerely,

A handwritten signature in cursive script that reads "Latrichia Spikes".

Latrichia Spikes
Team Leader
Public Water Supply
Houston Region Office

LS/CT/sh

cc: Fort Bend County Environmental Health Department
4520 Reading Road, Suite A, Rosenberg, Texas 77471-2582

Mr. John Montgomery, Compliance Coordinator, Municipal Operations & Consulting, Inc.
Post Office Box 1689, Spring, Texas 77383-1700

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

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Attachment 1

February 19, 2019 Exit Interview Form

Charlie Thomas

Subject: TCEQ Exit Interview Form: Fort Bend County MUD 34 (0790200)
Attachments: OPSscanner@municipalops.com_20190219_162110.pdf

Redacted by C.Thomas on 2/27/19

From: Cameron King <[REDACTED]>
Sent: Tuesday, February 19, 2019 3:13 PM
To: Charlie Thomas <Charlie.Thomas@tceq.texas.gov>
Subject: RE: TCEQ Exit Interview Form: Fort Bend County MUD 34 (0790200)

Charlie,

I have attached the signed exit interview.

Thanks,
Cameron

From: Charlie Thomas <Charlie.Thomas@tceq.texas.gov>
Sent: Tuesday, February 19, 2019 2:51 PM
To: Cameron King <[REDACTED]>
Cc: [REDACTED]
Subject: TCEQ Exit Interview Form: Fort Bend County MUD 34 (0790200)

Cameron and John,

Please see the attached TCEQ Exit Interview Form noting that no alleged violations were issued during today's (2/19/2019) on-site investigation.

Charlie

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

Regulated Entity/Site Name	Fort Bend County MUD 34	TCEQ Add. ID No. RN No (optional)	0790200
Investigation Type	Complaint	Contact Made In-House (Y/N)	N
		Purpose of Investigation	compliance
Regulated Entity Contact	Cameron King	Telephone No.	[REDACTED]
		Date Contacted	2/19/19
Title	Assistant Compliance Coordinator	FAX #/Email address	[REDACTED]
		FAX/Email date	2/19/19

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	O	-	No alleged violations were noted during the on-site investigation conducted on February 19, 2019

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

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.

Charlie Thomas	2/19/19	John T. Matjomey	2/19/2019
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.

White Copy: Regulated Entity Representative Yellow Copy: TCEQ

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

