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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 11, 2023

9489 0090 0027 6196 8462 06
RETURN RECEIPT REQUESTED

Mr. Lee Gruver
President
Crown Mountain WSC
P.O. BOX 305
Camp Wood, Texas 78833-0305

Re: Notice of Enforcement for the Comprehensive Compliance Investigation at:
Crown Mountain WSC, Located at Ranch Road 337 W, Camp Wood, Real County, Texas
Regulated Entity No.: RN102874633, TCEQ PWS ID No.: 1930020
Investigation No.: 1879895

Dear Mr. Gruver,

On February 9, 2023, through March 22, 2023, Ms. Claudette Conyer of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a 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 <https://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 San Antonio Region Office at 210-490-3096 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

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our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

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 Ms. Conyer in the San Antonio Region Office at 210-403-4012.

Sincerely,



Joy Thurston-Cook, Water Section Manager
San Antonio Region Office
Texas Commission on Environmental Quality

JTC/CC/sr

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

CROWN MOUNTAIN WSC

Investigation #

, REAL COUNTY,

1879895
Investigation Date: 02/09/2023

Additional ID(s): 1930020

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

Track No: 714927 Compliance Due Date: To Be Determined
30 TAC Chapter 290.39(h)(1)

Alleged Violation:

Investigation: 1569091

Comment Date: 05/16/2019

Failure to submit and acquire plan approval prior to operating a public water supply.

At the time of the investigation, it was noted that the entity's water system became active in 2001. The entity had no documentation indicating that it had approval for the production, treatment, storage and pressure maintenance facilities.

30 TAC 290.39(h)(1)– No person may begin construction on a new public water system before receiving written approval of plans and specifications and, if required, approval of a business plan from the executive director. No person may begin construction of modifications to a public water system without providing notification to the executive director and submitting and receiving approval of plans and specifications if requested in accordance with subsection (j) of this section.

The entity may contact the TCEQ Plan Review Team at 512-239-4691 for further information on obtaining approval.

Investigation: 1579718

Comment Date: 07/18/2019

This violation remains outstanding.

Investigation: 1711306

Comment Date: 05/04/2021

This violation is still outstanding.

Investigation: 1879895

Comment Date: 02/28/2023

This violation remains outstanding.

Recommended Corrective Action: Submit engineering plans for review and approval to operate the public water supply to the TCEQ Enforcement Division by their established compliance due date.

Track No: 836989 Compliance Due Date: To Be Determined
30 TAC Chapter 290.43(c)(3)

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to equip the ground storage tanks with overflows.

Specifically, at the time of the investigation, overflows had not been installed on the two ground storage tanks.

30 TAC 290.43(c)(3) -- Overflows shall be designed in strict accordance with current AWWA standards. If the overflow terminates at any point other than the ground level, it shall be located near enough and at a position accessible from a ladder or the balcony for inspection purposes. The overflow(s) shall be sized to handle the maximum possible fill rate without

exceeding the capacity of the overflow(s). The discharge opening of the overflow(s) shall be above the surface of the ground and shall not be subject to submergence. The discharge opening shall be covered with a gravity-hinged and weighted cover, an elastomeric duckbill valve, or other approved device to prevent the entrance of insects and other nuisances. When the tank is not overflowing, the cover shall close automatically and fit tightly with no gap over 1/16 inch.

Recommended Corrective Action: Equip the ground storage tanks with overflows that meet AWWA Standards.

To document compliance, submit photographic documentation which indicates that acceptable overflows have been installed on the ground storage tanks to the TCEQ Enforcement Division by their established compliance due date.

Track No: 836990 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.43(c)

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to obtain an exception to the AWWA design and construction standards for two polyethylene (plastic) ground storage tanks.

Specifically, at the time of the investigation two polyethylene ground storage tanks were located at the water plant.

30 TAC 290.43(c) Design and construction of clearwells, standpipes, ground storage tanks, and elevated tanks. All facilities for potable water storage shall be covered and designed, fabricated, erected, tested, and disinfected in strict accordance with current American Water Works Association (AWWA) standards and shall be provided with the minimum number, size and type of roof vents, man ways, drains, sample connections, access ladders, overflows, liquid level indicators, and other appurtenances as specified in these rules. The roof of all tanks shall be designed and erected so that no water ponds at any point on the roof and, in addition, no area of the roof shall have a slope of less than 0.75 inch per foot.

Recommended Corrective Action: Obtain an exception to the AWWA design and construction standards for the two polyethylene (plastic) ground storage tanks.

All exception requests must be submitted to:

TCEQ
Technical Review and Oversight Team, MC 159
PO BOX 13087
Austin, Texas 78711-3087
(512) 239-4691

It is recommended that the TCEQ Technical Review and Oversight Team be contacted prior to any submittal to ensure that all the information required for review is being submitted.

To document compliance, submit a copy of the approved exception to the requirement to the TCEQ Enforcement Division by their compliance due date.

Track No: 836991 **Compliance Due Date:** To Be Determined
30 TAC Chapter 290.43(c)(4)

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to provide adequate water level indicators on each ground storage tank.

Specifically, at the time of the investigation it was indicated that an internal float was provided for each ground storage tank, however, the float was not equipped with a moving target.

30 TAC 290.43(c)(4) -- All clearwells and water storage tanks shall have a liquid level indicator located at the tank site. The indicator can be a float with a moving target, an ultrasonic level indicator, or a pressure gauge calibrated in feet of water. If an elevated tank or standpipe has a float with moving target indicator, it must also have a pressure indicator located at ground level. Pressure gauges must not be less than three inches in diameter and calibrated at not more than two-foot intervals. Remote reading gauges at the owner's treatment plant or pumping station will not eliminate the requirement for a gauge at the tank site unless the tank is located at the plant or station.

Recommended Corrective Action: Install an adequate water level indicator on each ground storage tank.

To document compliance, submit photographs, invoices and or work orders indicating that water level indicators have been installed on both ground storage tanks to the TCEQ Enforcement Division by their established compliance due date.

Track No: 836992 **Compliance Due Date:** To Be Determined

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

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to provide adequate storage tank capacity.

Specifically, at the time of the investigation, a total storage tank capacity of 6,000 gallons was being provided and with 45 connections, 9,000 gallons is required. The water system is currently 33% deficient for total storage capacity.

30 TAC 290.45(b)(1)(B)(ii) -- (B) If fewer than 50 connections with ground storage, the system must meet the following requirements:

(ii) a total storage capacity of 200 gallons per connection;

Recommended Corrective Action: Provide the required total storage tank capacity to meet the 200 gallon/connection requirement or acquire an alternate capacity requirement (ACR).

The addition of storage facilities or any significant changes to the water system facilities requires submittal and approval of engineering plans by the TCEQ Plan Review Team (Phone No. (512)-239-4691). All submittals shall be mailed to:

TCEQ
Plan Review Team, MC 159
PO BOX 13087
Austin, Texas 78711-3087

ACR requests must be submitted to the TCEQ Technical Review and Oversight Team (Phone No. (512)-239-4691) for review and approval. All requests must be submitted to:

TCEQ
Technical Review and Oversight Team, MC 159
PO BOX 13087
Austin, Texas 78711-3087

To document compliance, submit documentation indicating that the required capacity is being provided or that an alternate capacity requirement has been approved to the TCEQ Enforcement Division by their established compliance due date.

Track No: 838942 **Compliance Due Date:** To Be Determined

30 TAC Chapter 290.45(b)(1)(B)(iv)

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to provide adequate pressure tank capacity.

Specifically, at the time of the investigation, 400 gallons of pressure tank capacity was being provided. The water system is required to provide at least 20 gallons/connection and with 45 connections, 900 gallons of pressure tank capacity is required. The water system is currently 56% deficient for pressure tank capacity.

30 TAC 290.45(b)(1)(B)(iv) -- (B) If fewer than 50 connections with ground storage, the system must meet the following requirements:

(iv) a pressure tank capacity of 20 gallons per connection.

Recommended Corrective Action: Provide the required additional pressure tank capacity to meet the 20 gallons/connection requirement or acquire an alternate capacity requirement (ACR).

The addition of storage facilities or any significant changes to the water system facilities requires submittal and approval of engineering plans by the TCEQ Plan Review Team (Phone No. (512)-239-4691). All submittals shall be mailed to:

TCEQ
Plan Review Team, MC 159
PO BOX 13087
Austin, Texas 78711-3087

ACR requests must be submitted to the TCEQ Technical Review and Oversight Team (Phone No. (512)-239-4691) for review and approval. All requests must be submitted to:

TCEQ
Technical Review and Oversight Team, MC 159
PO BOX 13087
Austin, Texas 78711-3087

To document compliance. Submit documentation indicating the required capacity is being provided or that an alternate capacity requirement has been approved to the TCEQ Enforcement Division by their established compliance due date.

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

Track No: 836988

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1879895

Comment Date: 03/22/2023

Failure to provide calibration records indicating the well meter was calibrated or replaced within the last three years.

Specifically, at the time of the investigation the water system was looking to replace the well meter, however, a replacement had not obtained.

30 TAC 290.46(s)(1) -- Flow-measuring devices and rate-of-flow controllers that are required by §290.42(b) and (d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by §290.41(c)(3)(N) of this title shall be calibrated at least once every three years.

Recommended Corrective Action: Calibrate the well meter or replace it with a new meter to ensure accurate water usage recordings.

To document compliance, submit calibration results or a receipt or invoice which indicates that the well meter has been calibrated or replaced to the TCEQ Enforcement Division by their established compliance due date.

Resolution: On 02/28/2023, the entity provided compliance documentation which included an invoice indicating a new well meter had been purchased for the water system.