

**From:** [Jonathan Walling](mailto:Jonathan.Walling)  
**To:** [Chavonne.Slovak@cp1.hctx.net](mailto:Chavonne.Slovak@cp1.hctx.net); [Sarah.Utley@cao.hctx.net](mailto:Sarah.Utley@cao.hctx.net); [William.Taylor@cp1.hctx.net](mailto:William.Taylor@cp1.hctx.net); [Sherea.McKenzie@cp1.hctx.net](mailto:Sherea.McKenzie@cp1.hctx.net)  
**Cc:** [OCE](mailto:OCE)  
**Subject:** HC Pct 1 Compliance Status Update - Investigation 1613716/1623716  
**Date:** Wednesday, September 16, 2020 11:44:55 AM  
**Attachments:** [ComplianceUpdate\\_Sept112020\\_TomBassPark.pdf](#)  
[TBI Sample Sites.pdf](#)  
[TBIII Sample Sites.pdf](#)  
[Response031920.pdf](#)

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Good morning Chavonne Slovak:

The TCEQ has evaluated your enforcement discretion request to extend the deadline to submit Nitrification Action Plans for Harris County PCT 1 Tom Bass I PWS 1012196 and Harris County PCT 1 Tom Bass III PWS 1012219 systems located in Houston (Harris County), Texas. Based on a review of our records, it appears that the request for Harris County to submit this information is related to an investigation originally conducted in January 2020 with information being requested to resolve the alleged violations in February 2020.

Given that Harris County should have been in compliance with 30 Texas Administrative Code § 290.46(z), relating to Nitrification Action Plans, prior to the January 2020 investigation and that this is prior to the COVID-19 restrictions, the TCEQ is unable to extend enforcement discretion due to COVID-19.

The TCEQ is committed to working cooperatively and reasonably with the regulated community during the COVID-19 pandemic, as appropriate. The decision to disapprove the current request will not reflect on any future request that Harris County may make. Each enforcement discretion request is evaluated based on its own merits.

For additional direction on how to proceed in addressing the alleged violations, please contact Latrichia Spikes, Public Water Supply Team Leader, in the TCEQ's Houston Region Office at 713-767-3660 or [Latrichia.spikes@tceq.texas.gov](mailto:Latrichia.spikes@tceq.texas.gov).

Regards,

Jonathan Walling, Area Director  
Coastal & East Texas Area  
Texas Commission on Environmental Quality

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**From:** Slovak, Chavonne (Commissioner Pct 1) <[Chavonne.Slovak@cp1.hctx.net](mailto:Chavonne.Slovak@cp1.hctx.net)>  
**Sent:** Friday, September 11, 2020 2:05 PM  
**To:** Rafael Arturo Luna Romero <[Rafael.Luna.Romero@tceq.texas.gov](mailto:Rafael.Luna.Romero@tceq.texas.gov)>; Latrichia Spikes <[Latrichia.Spikes@tceq.texas.gov](mailto:Latrichia.Spikes@tceq.texas.gov)>; OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>; Vera Poe <[vera.poe@tceq.texas.gov](mailto:vera.poe@tceq.texas.gov)>  
**Cc:** Utley, Sarah (CAO) <[Sarah.Utley@cao.hctx.net](mailto:Sarah.Utley@cao.hctx.net)>; Taylor, William (Commissioner Pct 1) <[William.Taylor@cp1.hctx.net](mailto:William.Taylor@cp1.hctx.net)>; McKenzie, Sherea (Commissioner Pct 1)

[<Sherea.McKenzie@cp1.hctx.net>](mailto:Sherea.McKenzie@cp1.hctx.net)

**Subject:** HC Pct 1 Compliance Status Update - Investigation 1613716/1623716

Raphael and OCE,

This email is regarding a request for an extension for both Harris County PCT 1 Tom Bass I PWS 1012196 and Harris County PCT 1 Tom Bass III PSW 1012219 systems. The violation response for the first was due on 03/20/2020 and the violation for the second was due on 03/25/2020. A request for an initial six month extension was included in our initial response that was submitted by mail and by email on 3/19/20 and is attached with the current status report and our NAP sampling sites maps.

1. A concise statement supporting the request for enforcement discretion;  
Due to the COVID-19 pandemic, the park pavilions and community centers have been and remain closed to public, therefore water consumption has been extremely limited. Harris County has been working toward gathering baseline monitoring data is prepared to begin monitoring in October 2020. However, due to current operational conditions at Tom Bass I and III, we are concerned that a baseline assessment performed during this time would not be indicative when normal operations resume. Ideally the result of the intensive sampling effort would result in a representative baseline upon which to base our NAP. We anticipate that more typical activities will resume by spring 2021.
2. The anticipated duration of the need for enforcement discretion; and  
We request a delay until spring of 2021, with baseline monitoring beginning by April 1 with 6 weeks to develop the target levels and action plan. We plan to have the final version by August 1, 2021.
3. A citation of the rule/permit provision for which enforcement discretion is requested.  
30 TAC Chapter 290.46 (z) regarding development of a Nitrification Action Plan is the rule for which we are requesting the enforcement discretion.

If you require any additional information, please contact me at 28-827-7212.

We appreciate your consideration,

Chavonne Slovak

Environmental Manager  
Harris County Precinct One  
Commissioner Rodney Ellis  
Cell: 281-827-7212  
Office: 346-286-1845



Rafael Luna  
Environmental Investigator II  
TCEQ Region 12 - Water Section  
5425 Polk Ave, Ste H  
Houston, TX 77023-1452

September 11, 2020

Update to TCEQ NOV Compliance Investigation at: Harris County PCT 1 Tom Bass I, 452 Fellow Road, Houston, Harris County, Texas. Regulated Entity: 101394526, TCEQ IS No. 1012196, Investigation No. 1611162 and Harris County PCT 1 Tom Bass III, 15108 Cullen Blvd, Regulated Entity: 101395044, TCEQ ID NO.: 1012219, Investigation No. 1623716

Ms. Spikes,

This letter is in response to a recent compliance letters regarding the alleged violations regarding Nitrification Action Plans at Tom Bass I and Tom Bass III Parks resulting from the January 3, 2020 compliance investigation (the "January Inspection") by Mr. Maytham Faris. Tom Bass I and Tom Bass III are located within Harris County Commissioner Precinct One (Precinct One).

**Alleged Violation: Track No: 742473**

Precinct One received an email from Mr. Rafael Arturo Luna Romero on 9/10/30 confirming that both violation #741068 for PWS system "Harris County PCT Tom Bass I" and violation #742473 for PWS system "Harris County PCT Tom Bass III" will be withdrawn. Both systems have been approved by the TCEQ for their interconnections with the city of Pearland.

**Alleged Violation: Track No: 742474 and 741069**

Precinct One continues to work towards completion of the Nitrification Action Plan (NAP). Below are the steps that have been completed and a proposed schedule for full implementation of the plan.

- March 12, 2020 - Met with Mr. Phillip Givens of Superior Management, a TCEQ FMT consultant and the purchased water provider.
- March 19, 2020 - Mailed compliance response letter to TCEQ Latrichia Spikes. Request for 6 month extension due to COVID-19 impacts.
- April 22-23, 2020 – Three staff members attended the FMT DAM 5 and DAM 8 Training with Gilbert Ybarra of TRWA.



- June 30, 2020 Spoke with David Simmons per Ms. Spike's suggestion regarding a possible exemption. He was not optimistic; however, he was able to recommend a sampling solution that reduced expenditure for sampling equipment. Hach DR-900 was been purchased.

#### **NAP Plan Development- Status as of 3/10/20**

- A complete map of the Tom Bass I, III and Adair water system, line sizes, and valve locations has been created to aid in implementation of the sampling program.
- Sample schedule for baseline monitoring is complete.
- List of Analytical Methods is complete.
- Standard Operating Procedures for sampling program are completed in draft form.
- Site Specific Sample Results Form is in draft form in preparation for implementation of the baseline monitoring schedule.
- Map of areas that require periodic flushed during disinfection residual monitoring and testing has been developed.
- NAP templates have been customized and our system-specific maps and sampling plan have been included.

#### **Proposed Schedule for Remaining NAP Items:**

- September – Finalize all maps and sampling schedules.
- October 2020 – Establish procedures to acquire chloramine monitoring data immediately upstream of Tom Bass I park entry point from purchased water provider.
- September – November 2020 – Coordinate with Precinct One tree planting program to explore beneficial reuse of flushing water.
- March 2021 – Implement Baseline Monitoring Program.
- July 2021 – Assess baseline monitoring data and develop goals, trigger points and action plans. Because Precinct One does not have treatment capabilities, our actions are limited to additional flushing in identified areas and coordination with the City of Pearland. We believe that our ongoing disinfection residual addresses the same areas that may require flushing under the new NAP and offers adequate protection of the water quality in the park.

Due to the COVID-19 pandemic, the pavilions and community centers have been and remain closed to public and therefore water consumption has been extremely limited. Harris County has been working toward gathering baseline monitoring data is prepared to begin monitoring in October 2020. However, due to current operational conditions at Tom Bass I and III, we question that a baseline assessment performed during this time would be indicative when normal operations resume. This may require retesting of the 16 sample sites that we have identified for



weekly baseline sampling. Given the effort required to analyze 7 parameters at each site, for each weekly visit, we would hope that the data collected would provide an accurate initial assessment upon which to base the development of the plan goals and trigger levels.

Although Harris County Precinct One is requesting an extension for completing the NAP until July 2021, we are prepared to move forward as requested by TCEQ. [REDACTED]

[REDACTED] We have continued to work toward NAP development during this time, but would like to request extension until August 1, 2021 to assimilate the 3-month baseline data during normal operations and develop the final NAP. Please see the attached plan components to demonstrate of our diligence in addressing this matter. Harris County Precinct One will continue to keep TCEQ apprised of our compliance progress and any operational changes.

Harris County has a strong history of environmental stewardship and compliance. Compliance is the utmost priority to us; Harris County will continue to work diligently toward full compliance.

If you have any questions or require additional information, please contact Chavonne Slovak at 346-286-1845.

Sincerely,

Chavonne Slovak, Environmental Manager

Attachments:  
Sampling Plan

CC: Sara Utle  
Chavonne Slovak  
Sherea McKenzie  
Latrichia Spikes  
Vera Poe, TCEQ Technical Review  
[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)