

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



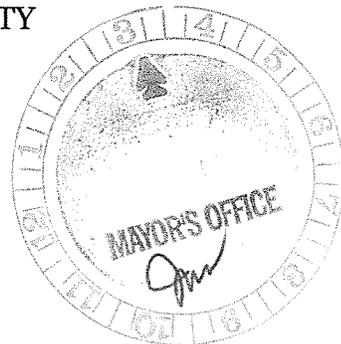
## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 2, 2013

**CERTIFIED MAIL 91 7199 9991 7031 6021 8444**  
**RETURN RECEIPT REQUESTED**

The Honorable David Suarez  
Mayor of Weslaco  
255 South Kansas Avenue  
Weslaco, Texas 78596-6158



Re: Notice of Violation for Comprehensive Compliance Investigation at:  
City of Weslaco Water Treatment Plant, 200 Water Plant Rd., Weslaco (Hidalgo County)  
Texas  
Regulated Entity No.: RN104359138, TCEQ ID No.: 1080011

Dear Mayor Suarez:

On October 22-23, 2013, Antonio Castillo and Anjanette Jackson of the Texas Commission on Environmental Quality (TCEQ) Harlingen Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. Please submit to this office by January 3, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for outstanding alleged violations 519810, and 519844. Please submit to this office by February 4, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for outstanding alleged violation 519806. A due date for submitting compliance documentation for outstanding alleged violations 519677, 519678, and 519688 will be determined after you provide a compliance plan for these alleged violations. Please submit compliance plan to this office by January 3, 2014.

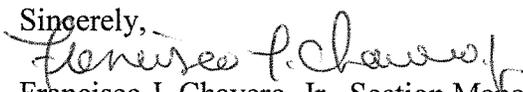
Corrective action must be completed so your public water supply may be operated and maintained in accordance with the requirements for a "Superior" system.

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 Harlingen Region Office at (956) 425-6010 or the Central Office Publications Ordering Team at 512-239-0028.

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The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Harlingen Region Office within 10 days from the date of this letter. At that time, Mr. Francisco J. Chavero, Jr., will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Antonio Castillo in the Harlingen Region Office at (956) 430-6022.

Sincerely,  
  
Francisco J. Chavero, Jr., Section Manager  
Air, Water, and Waste Programs  
Harlingen Regional Office  
Texas Commission on Environmental Quality

FJC/ac

Enclosure: Summary of Investigation Findings

cc: Mr. Jorge Peña, Water Plant Superintendent

## Summary of Investigation Findings

CITY OF WESLACO

, HIDALGO COUNTY,

Additional ID(s): 1080011

Investigation #

1120556  
Investigation Date: 10/22/2013

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

Track No: 519677      Compliance Due Date: To Be Determined  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/15/2013

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.

Specifically, on the date of the October 22, 2013, investigation, the 0.3 MG elevated tank at 2nd St and Kansas was found to be in need of reconditioning. The riser pipe showed evidence of deep, extensive corrosion, the interior protective coating is mostly gone, as well as the exterior paint (per Potable Water Storage Tank Inspection Form dated 7/9/2013, inspected by contractor Don Lashbrook).

**Recommended Corrective Action:** Provide compliance plan with timelines to determine an accurate compliance due date to resolve this alleged violation.

Track No: 519678      Compliance Due Date: To Be Determined  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/15/2013

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.

Specifically, on the date of the October 22, 2013, investigation, the 0.5 MG elevated tank at Bridge Avenue was found to be in need of reconditioning. The tank exterior shows corrosion and mildew. Additional items needed to maintain this water storage tank in an acceptable condition are included in the Potable Water Storage Tank Inspection Form dated 7/9/2013 (inspected by contractor Don Lashbrook).

**Recommended Corrective Action:** Provide compliance plan with timelines to determine an accurate compliance due date to resolve this alleged violation.

Track No: 519688      Compliance Due Date: To Be Determined  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/15/2013

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.

Specifically, on the date of the October 22, 2013, investigation, extensive corrosion was noted on Clarifier No. 3.

**Recommended Corrective Action:** Provide a compliance plan with timelines for rehabilitation of Clarifier No. 3 so that an accurate compliance due date may be determined.

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Track No: 519806      Compliance Due Date: 02/04/2014  
30 TAC Chapter 312.122(b)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/18/2013

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Failure by the regulated entity who disposes of water treatment sludge in a land application unit, surface impoundment, or a waste pile to apply for registration on a form approved by the commission. A completed application must be submitted to the commission's Permitting Section of the Water Quality Division.

Specifically, on the date of the October 22, 2013, compliance investigation, the regulated entity was storing water treatment sludge in a waste pile adjacent to the two sludge drying ponds described in the facility's PWS registration.

**Recommended Corrective Action:** A completed application must be submitted to the commission's Permitting Section of the Water Quality Division, or the regulated entity must dispose of water treatment plant sludge that is currently being stored on site and provide to the Harlingen Region Office waste manifests and photographs which indicate water treatment plant sludge pile has been removed.

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Track No: 519810      Compliance Due Date: 01/03/2014  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/20/2013

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Failure to maintain water treatment facilities in a watertight condition.

Specifically, on the date of the October 22, 2013, compliance investigation, raw water pump No. 2 was leaking.

**Recommended Corrective Action:** Repair raw water pump No. 2, and provide photographs to Harlingen Region Office for review.

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Track No: 519844      Compliance Due Date: 01/03/2014  
30 TAC Chapter 290.46(f)(3)(E)(iv)  
30 TAC Chapter 290.46(j)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/21/2013

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Failure to provide copies of Customer Service Inspection (CSI) reports as required by 30 TAC §290.46(j).

Specifically, on the date of the October 22, 2013, compliance investigation, the regulated entity did not produce requested copies of CSI test reports (required to be retained for at least ten years).

**Recommended Corrective Action:** Provide requested copies of CSI test reports (required to be retained for at least ten years).

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

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Track No: 519685  
30 TAC Chapter 290.46(d)(2)(B)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/15/2013

Failure to maintain a disinfectant residual of 0.5 mg/l (total chlorine) throughout the distribution system.

Specifically, on the date of the October 22, 2013, investigation, a noncompliant reading (0.05 mg/l total chlorine) was recorded at a hose bib in the City Park located at 406 N. Airport Drive

**Recommended Corrective Action:** Flush the distribution lines, obtain a new sample, and provide a photograph of operator's colorimeter which indicates a compliant reading was collected, or a copy of flushing log with a compliant reading to the Harlingen Region 15 office for review.

**Resolution:** The distribution lines were flushed and a repeat sample was taken on October 23, 2013. The Regulated Entity provided a photograph of the operator's colorimeter with a compliant reading of 1.5 mg/l total chlorine.

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Track No: 519732

30 TAC Chapter 290.46(e)

**Alleged Violation:**

Investigation: 1120556

Comment Date: 11/21/2013

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Failure to ensure that the production, treatment, and distribution facilities at the public water system are operated at all times under the direct supervision of a water works operator who holds an applicable, valid license issued by the executive director.

Specifically, on the date of the October 22, 2013, investigation, the facility was being supervised by Mr. Jorge Peña, Water Treatment Plant Superintendent, who was operating and supervising the water treatment plant with an expired license (Surface Water Treatment Operator Class B License No. WS0007519, expiration date 10/01/2013).

**Recommended Corrective Action:** Ensure that the water system employs a water treatment plant supervisor with a valid B Surface Water License, and provide the name of the supervisor and a copy of his/her license with the expiration date.

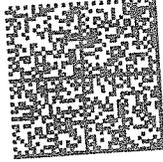
**Resolution:** Mr. Peña's Surface Water Operator Class B License No. WS0007519, was renewed by the Operator Licensing Section of the TCEQ on October 30, 2013.



TEXAS COMMISSION ON  
 ENVIRONMENTAL QUALITY  
 Region 15  
 1804 W. Jefferson Ave.  
 Harlingen, Texas 78550-5241

RETURN SERVICE REQUESTED

**CERTIFIED MAIL**



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The Honorable David Suarez  
 Mayor of Weslaco  
 255 S Kansas Avenue  
 Weslaco, Texas 78596-6158



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