

### December 20, 2013

U.S. Department of Justice Environmental Enforcement Section Environment and Natural Resources Division P.O. Box 7611 Washington, D.C. 20044-7611

Via U.S. Certified Mail RRR# 7013 2630 0002 0130 2127

Re: DOJ Case No. [90-5-1-1-09215]

Consent Decree

Date of Entry: October 15, 2013

CA No. 5:13-cv-00666-DAE, United States of America and State of Texas v. San Antonio Water System, in the United States District Court for the Western District of Texas, San Antonio Division

### Dear Sir/Madam:

Section 12 b. of the above-referenced Consent Decree requires that within 90 days after Lodging the San Antonio Water System shall provide a copy of any five-day report submitted under its TPDES permits to the United States Environmental Protection Agency at the same time the report is submitted to the Texas Commission on Environmental Quality. Copies of five-day reports submitted to TCEQ on December 20, 2013 are attached and are provided in compliance with Consent Decree requirements.

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 such 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 fine and imprisonment for knowing violations.

Sincerely.

Jetr Haby, P.E.

Director – Sewer System Improvements

Enc. as stated



#### December 20, 2013

U.S. Environmental Protection Agency, Region VI Chief, Water Enforcement Branch (6EN-W) Compliance Assurance and Enforcement Division 1445 Ross Avenue Dallas, TX 75202-2733

Via U.S. Certified Mail RRR# 7013 2630 0002 0130 2110

U.S. Environmental Protection Agency, Region VI Attn: Ms. Judy Edelbrock (6EN-W) Environmental Protection Specialist Enforcement Branch 1445 Ross Avenue Dallas, TX 75202-2733 Via U.S. Certified Mail RRR# 7013 2630 0002 0130 2110

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Sincerely.

Director – Sewer System Improvements

Enc. as stated

| _X_Unauthoriz   | zed Discha | rge of Waster                 | water                   | Reportabl      | le Effluent \                            | √iolation <u> </u>                   | Other           |
|---|------------|-------------------------------|-------------------------|----------------|--|--------------------------------------|-----------------|
| General Informa   | ior :      |                               |                         |                |  |                                      |                 |
| Entity Name: X Permittee  | San Anto   | nio Water Sys                 | stem                    | Subscriber     | Telep                                    | phone No.: (210                      | ) 233-3060      |
| TNRCC Region:   | 13         | _ County:                     | Bexar                   | Permit         | : Number:                                | 1013                                 | 37-003          |
| Noncomplence  | Summerly!  |                               |                         |                |  |                                      |                 |
| Description of No<br>7327 Palomino E<br>ground due to a<br>WO# 929957 | 3ay (247-E | 4) - Carmona                  | Hills LS #267           | - Approximat   | ely 750 gall                             |                                      |                 |
| Cause of Noncoi   | mpliance:  | Lift Station                  | · Electrical            |                |  |                                      |                 |
| Duration:   | Start      | 12/17/13<br>(Date)            | 11:26<br>(Tlme)         |                | End                                      | 12/17/13<br>(Date)                   | 13:50<br>(Time) |
| Potential Danger  |            | ed to be Corr<br>n Health and |                         | inviranmant.   | N/A<br>(Date)<br>None anti               | inipated                             |                 |
| * Otomia Danger   |            | Tricaliti and                 | Salety of the L         |                | None and                                 | ioipated.                            | 445-3           |
| Actions Paken  Monitoring Data:                                       | Data shou  | ild be attache<br>yes<br>yes  | d or submitted  X no    | Field Mea      | /hen availal<br>asurements<br>ry Samples | ble.                                 |                 |
|   | at the     | yes _                         | X no                    | Fish Kill,     | If yes, estima                           | ated number killed:                  |                 |
| Actions Taken to  | Mitigate A | dverse Effect                 | s: The                  | e area was cle | eaned and                                | disinfected.                         |                 |
| Actions Taken to<br>Installed a float to                              |            |                               | d Prevent Rec           | urrence:       | Tightened                                | wire on contro                       | l breaker.      |
| Vediteationalitica  | nallon -   |                               |                         |                |  |                                      |                 |
| Information Repo  | rted By:   | Gilbert                       | Camacho                 |                | Supe                                     | ervisor - P&T Lif                    | t Stations      |
| Date Reported:  |            | 12/17                         | (Name)<br>43-<br>0/70/3 | Signature:     | M  | amoeh                                | <u>r</u>        |
| TNRGC 0501 (6/97)   |            |                               |                         |                |  | stewater collection<br>stem is tied. | system, use the |

| X Unauth               | orized Discharg       | e of Wastewate                           | er en             | Reportable Efflu                              | ent Violation                       | Other             |
|------------------------|-----------------------|--|---|---|-------------------------------------|-------------------|
| General Inforr         | nation                |  |   |   |                                     |                   |
| Entity Name:           | San Antonio V         | Vater System                             | rinderburnhöddige o dei of flakkendige konstructures. | Telephone:                                    | 210-233                             | 3-3274            |
| X Permitte             |                       |  | Subsc   | riber   |                                     |                   |
| TCEQ Region            | : 13 Co               | ounty: Bexa                              | Permit  | Number  | 10137-033-Dos                       | Rios              |
| Noncompliand           | e Summary             |  |   |   |                                     |                   |
| unauthorized of        |                       | address of the                           |   |   | mated volume if a<br>r (FERG 209A8) |                   |
| SR#: 323091;           | INSPT#: 24748         | 7; WO#: ; Sewe                           | er Main 3463  | 3 34634                                       |                                     |                   |
| Cause of None          | compliance: <u>G</u>  | rease                                    |   |   |                                     |                   |
| No.                    |                       |  | - A TOWN-   |   |                                     |                   |
| Duration:              | Start                 | 12/18/2013<br>(Date)                     | 3 18:48<br>(Time)                                     | End _   | 12/18/2013<br>(Date)                | 3 19:30<br>(Time) |
|                        | Or expected           | to be Corrected                          | EW/MAN-1/10-  | (Da   | 4-1-2                               |                   |
| D ( (1)                |                       |  |   | `   | ,                                   |                   |
| Potential Dang         | ers to Human F        | lealth and Safe                          | ty or the Env   | ironment: <u>No Si</u>                        | gnificant Danger                    | S                 |
|                        |                       |  |   |   |                                     |                   |
| Actions Taken          |                       |  |   |   |                                     |                   |
| Monitoring Dat         | a: Data should        | be attached or                           | submitted to  | TCEQ when ava                                 | ailable.                            |                   |
| <u> </u>               | yes                   | X  | no Field  | Measurements                                  |                                     |                   |
|                        | yes                   | X  | no Labo   | ratory Samples                                |                                     |                   |
|                        | yes                   | <u> </u>                                 | no Fish   | Kill, If yes, estimate                        | d number killed                     |                   |
| Actions Taken with H2O | to Mitigate Adv       | erse Effects: <u>S</u>                   | pill Containe   | d, Area Cleaned                               | and Disinfected                     | Flushed Area      |
| Actions Taken          | to Correct the F      | Problem and Pr                           | event Recurr  | ence: <u>10 Inch S</u>                        | sewer Main, Uns                     | topped Main,      |
| Verification Inf       | ormation              |  |   |   |                                     |                   |
| Information Re         |                       | Guadalupe<br>(Name                       |   | /   | LC/T\<br>(Title                     |                   |
| Date Reported          | 12/18/                | /2013                                    | Signature:  | - fish -                                      | 1                                   | 12/20/13          |
| TCEQ 0501 (Nove        | ember 5, 2002) If the | ne noncompliance i<br>permit number of t | s an unauthorize<br>he treatment pla                  | ed discharge from a<br>int to which the colle | wastewater collection               | n system, use     |

TCEQ Region 13 Phone: 490-3096

TCEQ Region 13 Phone: 490-3096

| X Unautho                                     | orized Disch  | narge of Wa         | stewater             | Repo                         | ortable Efflue                | ent Violation                     | Other             |
|---|---------------|---------------------|----------------------|------------------------------|-------------------------------|-----------------------------------|-------------------|
| General Inforn                                | nation        |                     |                      |                              |                               |                                   |                   |
| Entity Name:                                  | San Antor     | io Water Sy         | /stem                | T                            | elephone:                     | 210-23                            | 3-3274            |
| X Permitte                                    |               |                     |                      | Subscriber                   |                               |                                   |                   |
| TCEQ Region:                                  | 13            | County:             | Bexar                | Permit Num                   | ber                           | 10137-033-Do                      | s Rios            |
| Noncomplianc                                  | e Summary     |                     |                      |                              |                               |                                   |                   |
| Description of unauthorized of 4500 gallons s | ischarge):_]  | <u> The address</u> | of the spill         | discharge rou<br>was at 2829 | te, and estin<br>Ruiz St. (FE | nated volume if<br>ERG 209E6) App | an<br>oroximately |
| SR#: 321572;                                  | NSPT#: 24     | 7256; WO#           | : ; Sewer M          | ain 87496 87                 | 497                           |                                   |                   |
| Cause of Nonc                                 | ompliance:    | Grease              |                      |                              |                               |                                   |                   |
|   |               |                     |                      |                              |                               |                                   |                   |
| Duration:                                     | Start         | 12/<br>(Date)       | /17/2013 9:<br>(T    | 57<br>ime)                   | End _                         | 12/17/201<br>(Date)               | 3 11:00<br>(Time) |
|   | Or expect     | ed to be Co         | rrected              |                              |                               |                                   |                   |
|   |               |                     |                      |                              | (Dai                          | •                                 |                   |
| Potential Dang                                |               |                     |                      | r the Environr               |                               | gnificant Dange                   | rs                |
| •   |               |                     |                      |                              |                               |                                   |                   |
| Actions Taken                                 |               |                     |                      |                              |                               |                                   |                   |
| Monitoring Data                               | a: Data sho   | uld be attacl       | hed or subr          | nitted to TCE                | Q when ava                    | ilable.                           |                   |
|   | yes           |                     | (no                  |                              | surements                     |                                   |                   |
|   | yes           | <u> </u>            | no                   | Laborator                    | / Samples                     |                                   |                   |
|   | yes           | <u></u> X           | no no                | Fish Kill, I                 | f yes, estimate               | d number killed                   |                   |
| Actions Taken with H2O                        | to Mitigate / | Adverse Effe        | ects: <u>Spill (</u> | Contained, Ar                | ea Cleaned                    | and Disinfected                   | , Flushed Area    |
| Actions Taken                                 | to Correct th | ne Problem          | and Prever           | nt Recurrence                | e: <u>15 Inch S</u>           | ewer Main, Uns                    | stopped Main,     |
| 1000  |               |                     |                      |                              |                               |                                   |                   |
| Verification Info                             | ormation      |                     |                      |                              |                               |                                   |                   |
| Information Rep                               | oorted By _   | Ke                  | enneth Koe<br>(Name) | hler                         |                               | LC/T                              |                   |
| Date Reported                                 | 12            | /17/2013            | Si                   | gnature:                     |                               | Jugh                              | 12/18/13          |
| TCEO 0501 (Nove                               | mhar 5, 2002) | If the noncom       | nliance is an        | unauthorized die             | charge from a                 | wastowator collection             | on evetom uco     |

FCEQ 0501 (November 5, 2002) If the noncompliance is an unauthorized discharge from a wastewater collection system, use the permit number of the treatment plant to which the collection system is tied.

TCEQ Region 13 Phone: 490-3096

TCEQ Region 13 Fax: 545-4329

| X Unautho                                      | orized Discha                               | rge of Wastev                      | vater                        | Reportable                                      | Effluent Viola   | ation                          | Other           |
|--|---|------------------------------------|------------------------------|---|--|--------------------------------|-----------------|
| General Inform                                 | nation                                      |                                    |                              |   |  |                                |                 |
| Entity Name:                                   | San Antonio                                 | Water Syste                        | m                            | Telepho   | one:   | 210-233-                       | 3274            |
| X Permitte                                     |   |                                    |                              | Subscriber                                      |  |                                |                 |
| TCEQ Region:                                   | 13  | County: Be                         | exar P                       | ermit Number                                    | 10137-00   | 08-Salado                      | Creek           |
| Noncompliance                                  | e Summary                                   |                                    |                              |   |  |                                |                 |
| Description of I unauthorized d 2400 gallons s | ischarge): <u>Th</u>                        | e address of t                     | cation, disc<br>the spill wa | harge route, and<br>s at 12660 Uhr L            | estimated vo<br>.n (FERG 172   | olume if an<br>2E4) Appro      | eximately       |
| SR#: 321171; I                                 | NSPT#: 2472                                 | 12; WO#: ; S                       | ewer Main                    | 63696 51657                                     |  |                                |                 |
| Cause of Nonc                                  | ompliance: <u>I</u>                         | Debris                             |                              |   |  |                                |                 |
|  | anna de |                                    |                              |   |  |                                |                 |
| Duration:                                      | Start _                                     | 12/16/2<br>(Date)                  | 013 20:54<br>(Time           | En  | d 12   | 2/16/2013 2<br>e)              | 22:15<br>(Time) |
|  | Or expected                                 | to be Correc                       | ted _                        |   | (Date)   |                                |                 |
| Potential Dange                                | ers to Human                                | Health and S                       | afety or th                  | e Environment: _                                | No Significan  | t Dangers                      |                 |
| <u> </u>                                       | · <del></del> ·-                            |                                    |                              |   |  | 10                             |                 |
| Monitoring Data                                | a: Data should                              | d be attached                      | or submitt                   | ed to TCEQ whe                                  | n available.   |                                |                 |
|  | yes   | X                                  | no no                        | Field Measuremer                                | nts  |                                |                 |
|  | yes   | X                                  | no no                        | Laboratory Sample                               |  |                                |                 |
|  | yes   | X                                  | - no                         | Fish Kill, If yes, es                           | timated number   | killed                         |                 |
| Actions Taken twith H2O                        | to Mitigate Ad                              | verse Effects                      | : Spill Cor                  | tained, Area Cle                                | aned and Dis   | infected, F                    | lushed Area     |
| Actions Taken t                                | o Correct the                               | Problem and                        | Prevent R                    | decurrence: 8 Inc                               | ch Sewer Mai   | n, Unstop                      | ped Main,       |
| Verification Info                              | rmation                                     |                                    |                              |   |  |                                |                 |
| Information Rep                                | oorted By                                   |                                    | n Martinez<br>ame)           | <i>b</i> 1                                      | and the second s | LC/TV I                        | II              |
| Date Reported                                  | 12/1  | 7/2013                             | Signa                        | ature: 190h                                     |  | 6                              | 12/20/13        |
| TCEQ 0501 (Nover                               | mber 5, 2002) If<br>th                      | the noncomplian<br>e permit number | ice is an una                | uthorized discharge f<br>nent plant to which th | rom a wastewat<br>e collection syst  | er collection s<br>em is tied. | system, use     |

TCEQ Region 13 Phone: 490-3096

TCEQ Region 13 Fax: 545-4329

| X                 | Unautho                 | orized Dis            | scharge of V                                       | /astewat                                | er                       | Rep          | ortable Efflu       | ent Viola   | ition                            | Other              |
|-------------------|-------------------------|-----------------------|--|---|--------------------------|--------------|---------------------|-------------|----------------------------------|--------------------|
| Gene              | ral Inform              | ation                 |  |   |                          |              |                     |             |                                  |                    |
| Entity            | Name:                   | San Ant               | onio Water   | System                                  |                          | T            | Telephone:          |             | 210-233                          | -3274              |
|                   | Permitte                |                       |  |   |                          | Subscriber   | •                   |             |                                  |                    |
| TCEC              | Region:                 | 13                    | County:  | Bexa                                    | r P                      | ərmit Num    | nber                | 10137-      | 033-Dos                          | Rios               |
| Nonce             | ompliance               | e Summa               | ıry  |   |                          |              |                     |             |                                  |                    |
| unaut             | horized d               | ischarge)             | liance (inclu<br>: <u>The addre</u><br>nately 7200 | ss of the                               | spill wa                 | s at 123 F   | <u>Rio Verde-so</u> | ome Spill   | lume if a<br>led Into A          | n<br>Apache Creek. |
| SR#:              | 323872; I               | NSPT#: :              | 247634; WC   | )#: 93129                               | 92; Sew                  | er Main 1    | 4635 14823          |             |                                  |                    |
| Cause             | of Nonc                 | omplianc              | e: <u>Contrac</u>                                  | tor                                     |                          |              |                     |             |                                  |                    |
|                   |                         |                       |  |   |                          |              |                     |             |                                  |                    |
| Durati            | on:                     | Start                 | 1:<br>(Da  | 2/19/201<br>te)                         | 3 14:35<br>(Time         | )            | End _               | 12<br>(Date | /19/2013<br>)                    | 20:30<br>(Time)    |
|                   |                         | Or expe               | ected to be (                                      |   |                          |              |                     | G.          | ,                                | (***********       |
|                   |                         |                       |  |   | -                        |              | (Da                 | ate)        |                                  |                    |
| Potent            | tial Dange              | ers to Hu             | man Health   | and Safe                                | ety or the               | Environr     | ment: <u>No S</u>   | ignificant  | : Dangers                        | <u>}</u>           |
|                   |                         |                       |  | *************************************** |                          |              | ····                |             | ,                                |                    |
| Action            | s Taken                 |                       |  |   |                          |              |                     |             |                                  |                    |
| Monito            | oring Data              | ı: Data sl            | nould be atta                                      | ached or                                | submitte                 | ed to TCF    | O when ava          | ailahle     |                                  | <b>****</b>        |
|                   | X                       |                       | yes  | 201104 01                               | no                       |              | surements           | allabie.    |                                  |                    |
|                   |                         |                       | · · · · · · · · · · · · · · · · · · ·              | X                                       | no                       | Laborator    | y Samples           |             |                                  |                    |
|                   |                         |                       | /es  | X                                       | no                       | Fish Kill, I | f yes, estimate     | ed number   | killed                           |                    |
| Action<br>Disinfe | s Taken t<br>ected, Flu | o Mitigat<br>shed Are | e Adverse E<br>a with H2O                          | iffects: <u>S</u>                       | Spill Con                | tained, Re   | eturned to S        | System, A   | rea Clea                         | ned and            |
| Action            | s Taken t               | o Correc              | t the Proble                                       | m and Pr                                | event R                  | ecurrence    | e: <u>8 Inch Se</u> | ewer Mai    | n, Repair                        | ed Main,           |
| Verific           | ation Info              | rmation               |  |   |                          |              |                     |             |                                  |                    |
| Inform            | ation Rep               | orted By              | ***************************************            | Larry T                                 |                          |              | /                   | 000         | LC/TV                            |                    |
| Date F            | Reported .              |                       | 12/19/2013   | ( resinc                                | . Signa                  | ture:        | Mugh                | 11/49       | My (Tille)                       |                    |
| TCEQ 0            | 9501 (Nover             | mber 5, 200           | (2) If the nonce<br>the permit                     | ompliance i                             | is an unau<br>the treatm | thorized dis | charge from a       | wastewate   | /<br>er collection<br>em is tied | ı system, use      |

TCEQ Region 13 Fax: 545-4329

TCEQ Region 13 Phone: 490-3096