



September 18, 2020

Via Email to gwestbrook@posgcd.org

Gary Westbrook
Post Oak Savannah GCD
310 East Avenue C
P.O. Box 92
Milano, TX 76556

Re: Cost Estimate for Response to Request for Information under the Texas Public Information Act
Requestor: Gary Westbrook
Request received: 9/4/2020
SAWS ORR No.: R001151

Dear Mr. Westbrook:

On September 4, 2020, the San Antonio Water System (SAWS) received your Texas Public Information Act (TPIA) request that requests the following described information:

Post Oak Savannah Groundwater Conservation District ("POSGCD") is requesting the following documents/information pursuant to the Public Information laws of Texas.

We received a letter from TCEQ, a copy of which is attached, that references interactions between San Antonio Water Systems (SAWS) personnel and TCEQ related to the testing and discharges that occurred earlier this year. In relation to statements in that letter (which are underlined below), we seek to obtain the following information in whatever form it can be produced. Prior to printing or copying the information, POSGCD would appreciate an opportunity to understand the volume of pages this might encompass and we may choose to have an opportunity to review the information to ascertain whether it is responsive:

The TCEQ conducted on-stream observations of Mud Creek during the earlier discharge and SAWS continued to monitor the discharge for offsite impacts and continued to update the TCEQ as the project progressed.

1. Based upon the above statement from TCEQ, please provide any and all documents related to SAWS continued monitoring of the discharge for offsite impacts as well as continued updates provided to TCEQ.

On July 15, 2020, SAWS notified TCEQ that discharges of water from the Aqua Vista Facility to Mud Creek stopped on June 30, 2020.

1. Based upon the above statement from TCEQ, please provide copies of any information or documents, including but not limited to photos, raw data, reports, charts or spreadsheets, electronic or paper, documenting all discharges into either MUD Creek or the concrete storm drain near Highway 281 at the Bitters Road Pump Station between March 1, 2020 to July 30, 2020.

2. Please provide any information or documents including but not limited to raw data, reports, charts or spreadsheets electronic or paper, documenting all the water that was received at the Agua Vista Facility from March 1, 2020 to July 30, 2020.

3. Please provide any information or documents, including but not limited to raw data, reports, charts or spreadsheets, electronic or paper, documenting how much water was actually used to test, blend and/or determine the compatibility at the Agua Vista Facility from March 1, 2020 to August 31, 2020.

4. Please provide any information or documents, including but not limited to raw data, reports, charts or spreadsheets, electronic or paper, documenting where tested water, including hydrostatic tested water or water discharged under TPDES General Permit No. TXG670000 was used and where it was discharged, including the date and the amount from March 1, 2020 to July 30, 2020.

SAWS was required to assess the quality and compatibility of the potable water being provided by the Agua Vista (AV) project under the public drinking water rules.

1. Please provide copies of any documents related to quality and compatibility of the potable water being provided by the Agua Vista project from March 1, 2020 to July 30, 2020.

Excess potable AV water was dechlorinated and discharged to Mud Creek at the AV pump station and a concrete storm drain near Highway 281 at the Bitters Road pump station.

1. Based upon the statement above from TCEQ, please provide documents that demonstrate the quantities of dechlorinated and discharged water that went into MUD Creek at the pump station and the quantities of dechlorinated and discharged water that went into a concrete storm drain near Highway 281 at the Bitters Road Pump Station.

2. Based upon the statement above from TCEQ, please provide documents that define what water was excess and what was used in any quality and/or compatibility process during March 1, 2020 to July 30, 2020.

I am informed that Donovan Burton, SAWS Vice-President Water Resources & Governmental Relations has discussed with you the magnitude of the effort that will be required to obtain all of the information that you have requested. SAWS is committed to providing you with all information that you need for your consideration; however, the request as written would result in the expenditure of extensive time to retrieve documents that you may consider superfluous to your needs. By example, requesting "any information" related to a category of documents, or documents "related to" the subject of a request are phrases that are broad enough to include any emails that might refer to the subject matter of a request. This will require the review of many thousands of emails to determine if any responsive information is included in those communications. The cost associated with this request would also be significant (see below).

SAWS is certainly willing to complete the process to provide you with the information requested, however, I understand that you may consider the option of more specifically targeting the scope of the information sought, as well as narrowing the request to exclude documents that are subject to the attorney-client privilege that are excepted from disclosure by the TPIA.

Should you decide to amend or further clarify your request, Mr. Burton has indicated that he would be happy to work with you to identify specifically those documents that will best serve your purposes. In the meantime, SAWS is required by law to provide you with an estimate of the charges for responding to the request as submitted. SAWS has determined that complying with your request will result in the imposition of a charge that exceeds \$40. Therefore, SAWS is providing you with this cost estimate as required by section 552.2615 of the Texas Government Code.

Personnel time, approximately 121 hours @ \$ 15.00/hour (Time to locate/compile/copy/print to PDF)	\$1,815.00
Labor Variance (personnel charge x 25%)	\$453.75
Overhead (personnel + variance charge x 20%)	\$453.75
Paper copies- single sided, black & white, standard size 8.5x11, at \$0.10/page (approximately 10,000 pages)	\$1,000.00
ESTIMATED TOTAL	\$3,722.50

This estimate is based on providing you with paper copies of the information requested. The least costly and most efficient method for our office to produce these records would be in Adobe PDF format. Please notify me if you require a different format so that the estimate may be recalculated to reflect any reduction in labor and/or supply charges required to produce the records in your requested form or format.

If you agree to and accept these charges, you must respond to this letter in writing within 10 business days after the date that this statement is sent. Your request will be deemed withdrawn under the TPIA, Section 552.2615(b), unless you have advised SAWS that you accept the charges, will modify your request in response to the cost estimate, or that you have sent a complaint to the Office of the Attorney General alleging that you have been overcharged for public information. You may choose to respond to this letter by email, U.S. Mail, or by personally delivering your written response to this office. Please note that no work will be undertaken until SAWS receives your response.

My contact information is:

San Antonio Water System
Attention: Open Records
P.O. Box 2449
San Antonio, Texas 78298
Email: openrecords@saws.org

The estimated cost for your request exceeds \$100. In accordance with SAWS practice and procedure concerning all requests for public information, and in accordance with the requirements of Section

September 18, 2020

Page 4

552.263 of the Texas Government Code, SAWS requests a deposit equal to one-half of the estimated charges. Therefore a deposit in the amount of \$ 1,861.25 is requested. If you accept the charges, your deposit must also be received before any compilation work is begun by SAWS. Your request will be deemed withdrawn under the TPIA if your deposit is not received within 10 business days after the date this statement is sent. Please make your check or money order payable to San Antonio Water System. Please note the SAWS ORR number in the memo section and send the deposit to the mailing address listed above.

Please note that SAWS may seek an Attorney General opinion as to any statutory exceptions that may apply to your request. SAWS is not required to seek a ruling from the Attorney General until after it receives the deposit for payment of anticipated costs that are described in this correspondence. See TEX. GOV'T CODE Sec. 552.263(e).

If the actual charges are less than your deposit, you will receive a refund by separate cover. If the actual charges are more than the deposit, but no more than 20% of the original estimate and accepted amount, payment will be required in full before the copies or information is released. If the actual charges exceed the estimate by more than 20%, you will be provided an amended statement before the work is completed.

You may either narrow or modify your request, agree to pay the estimate amount noted above, or, there may be a less costly way for you to obtain the information that is of interest to you. You may view the information in person at our offices subject to availability and an agreed date and time. Please note that a request for in-person inspection of records is considered a modified request.

We anticipate completing compilation of responsive documents 30 days after we receive your deposit and written notice that you accept the charges.

I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Barbara Martinez". The signature is written in a cursive, flowing style.

Barbara Martinez
Manager, Corporate Records