

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2003-1372-MLM-E TCEQ ID: RN101391852 CASE NO.: 10234
RESPONDENT NAME: THE CITY OF CARL'S CORNER

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input checked="" type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER RIGHTS	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 2100 Linda Road East, The City of Carl's Corner, Hill County</p> <p>TYPE OF OPERATION: Public Water System</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 25, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Kari L. Gilbreth, Litigation Division, MC 175, (512) 239-1320 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873 SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175, (512) 239- 2223 TCEQ Enforcement Coordinators: Ms. Rebecca Johnson, Water Enforcement Section, MC R-12, (713) 422-8931 TCEQ Regional Contact: Mr. Frank Bureson, Waco Regional Office, MC R-9, (254) 761-3007 Respondent: The Honorable Carl Cornelius, Mayor of The City of Carl's Corner, 2100 Linda Road East, The City of Carl's Corner, Texas 76645 Respondent's Attorney: Not represented by counsel on this enforcement matter.</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date(s) of Investigation Relating to this Case: February 16, 2001, June 17, 2002, November 4, 2005</p> <p>Date of NOV/NOEs Relating to this Case: April 4, 2001 (NOV); December 11, 2002, January 2, 2006 (NOEs)</p> <p>Background Facts: An EDRP was filed on November 1, 2004. The Respondent filed an Answer on November 16, 2004. The case was referred to SOAH on January 24, 2005. After protracted negotiations, the Respondent signed an Agreed Order.</p> <p>MLM:</p> <ol style="list-style-type: none"> Failed to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum concentration of 0.2 milligrams per liter ("mg/L") free chlorine. Specifically, samples taken on February 16, 2001 indicated a 0.14 mg/L free chlorine residual as documented during an inspection conducted on February 16, 2001. Samples taken at 1212 Brown Lane on November 4, 2005 indicated a 0.06 mg/L free chlorine residual [30 TEX. ADMIN. CODE § 290.110(b)(4)]. Failed to provide a device to readily determine air-water-volume for pressure tanks greater than 1,000 gallon capacity as documented during inspections conducted on February 16, 2001 and November 4, 2005. Specifically, the pressure tank did not have a site-glass installed to determine air-water-volume [30 TEX. ADMIN. CODE § 290.43(d)(3)]. Failed to ensure that all chemicals used in the treatment of water supplied by the Facility conformed to American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for direct additives. 	<p>Total Assessed: \$13,263</p> <p>Total Deferred: \$0</p> <p>SEP Conditional Offset: \$13,263</p> <p>Total Due to General Revenue: \$0</p> <p>The administrative penalty amount of \$13,263 shall be offset by the City's completion of a Supplemental Environmental Project (SEP).</p> <p>Site Compliance History Classification: N/A</p> <p><input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: N/A</p> <p><input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following:</p> <ol style="list-style-type: none"> Submitted documentation on April 22, 2001, demonstrating that the Facility is maintaining a residual disinfectant concentration within the distribution system at a minimum of 0.2 milligrams per liter (mg/l) free chlorine. However, the Respondent was cited for the same violation again during the November 4, 2005 investigation, so a technical requirement is necessary. Submitted documentation on November 21, 2001, indicating the Facility: <ol style="list-style-type: none"> Installed a site glass on the pressure tank; Began using a disinfectant media for the disinfection of potable water that conforms to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) standard; Installed sufficient valves and blow-offs; Installed an ownership sign that provides the Facility name and emergency; Installed a screen on the well casing vent which is 16-mesh or finer corrosion resistant screening material; Installed a suitable sampling tap on the well discharge; Submitted copies of the distribution system map; and Submitted documentation demonstrating that the Facility has begun keeping calcium hypochlorite disinfectant available for use when making repairs, setting meters, and disinfecting new mains prior to placing them into service. Submitted copies of an adopted Drought Contingency Plan on August 16, 2001. Submitted documentation on April 15, 2005, indicating: <ol style="list-style-type: none"> The Facility began collecting water samples for bacteriological analysis according to the Facility sample plan; however, Respondent was cited for the same violation again during the November 4, 2005 investigation, so a technical requirement is necessary; The Facility has two service pumps that have begun operating at a capacity of 2.0 gallons per minute (gpm); and

Specifically, during the February 16, 2001 investigation, the Facility was using the Clorox brand of bleach for treatment of the water which is not listed as an ANSI/NSF standard 60 approved additive [30 TEX. ADMIN. CODE § 290.42(i) recodified as 30 TEX. ADMIN. CODE § 290.42(j) effective February 13, 2004].

4. Failed to provide the regulated entity with sufficient valves and blow-offs so that necessary repairs can be made without undue interruption of service and for flushing the lines when repaired [30 TEX. ADMIN. CODE § 290.44(d)(5)].

5. Failed to provide a well casing that extends a minimum of 18 inches above the natural ground surface. Specifically, the Facility's well casing only extends 17 inches above the natural ground surface [30 TEX. ADMIN. CODE § 290.41(c)(3)(B)].

6. Failed to collect water samples for bacteriological analysis from all the locations specified in the Facility's Site Sample [30 TEX. ADMIN. CODE § 290.109(c)(1)(B)].

7. Failed to make the water system's operating records available at the time of the investigation. Specifically, during the February 16, 2001 investigation, Carl's Corner failed to provide copies of the well drillers log, cementing certificate, sanitary easement records, completed customer service inspection forms, an adopted plumbing ordinance or service agreement, TCEQ plan approval for the new pressure tank, and verification of the interior coatings and filter media on the new pressure tank to meet ANSI/NSF standards as documented during an inspection conducted on February 16, 2001. During the November 4, 2005 investigation, Carl's Corner failed to provide copies of the annual inspection forms for the system's two ground storage tanks and one pressure tank, Monthly Operating Reports for the previous twelve months, and failed to provide the Plant Operations Manual [30 TEX. ADMIN. CODE § 290.46(f)(2)].

8. Failed to post in plain view a legible ownership sign that provides the name and an emergency telephone number for the Facility [30 TEX. ADMIN. CODE § 290.46(t)].

9. Failed to maintain all water storage facilities in a watertight condition. Specifically, the pressure tank was leaking at the time of the investigation [30 TEX. ADMIN. CODE § 290.46(m)(4)].

10. Failed to keep a supply of calcium hypochlorite on hand to use as disinfectant for making repairs to the drinking water system [30 TEX. ADMIN. CODE § 290.46(h)].

c. The Facility began providing a minimum water pressure of 35 pounds per square inch (psi).

5. Submitted documentation on April 16, 2005, demonstrating that the Facility installed a new water pressure tank after approval by the TCEQ, and verified that the new tank meets ANSI/NSF standards.

Technical Requirements:

The Respondent shall undertake the following technical requirements:

1. Immediately:

- a. Begin operating the Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions;
- b. Begin collecting and submitting routine monthly water samples from the Facility for bacteriological analysis at locations specified in the Facility's Site Sample Plan;
- c. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/l in the far reaches of the distribution system;
- d. Begin maintaining an accurate and up-to-date map of the distribution system at the Facility;
- e. Begin monitoring the disinfectant residual at representative locations in the distribution system at least once every seven days; and
- f. Employ an operator with a Class "D" or higher license.

2. Within 15 days, submit written certification of compliance.

3. Within 30 days:

- a. Begin maintaining records of operations such that they are readily accessible during investigations. This shall include, but not be limited to, the accessibility of the cementing certificate, completed customer service inspection forms, an adopted plumbing ordinance or service agreement, TCEQ plan approval for the new pressure tank, verification of the interior coating and filter media on the new pressure tank meet ANSI/NSF standards, annual tank inspection forms for the two ground storage tanks and one pressure tank, Monthly Operating Reports for the previous twelve months, and the Plant Operations Manual;
- b. Install a device on the pressure tank to readily determine air-water-volume; and
- c. Replace the roof vent screen on Ground Storage Tank No. 1 with a screen that will prevent entry of animals, birds, insects and heavy air contaminants.

11. Failed to properly screen the well casing vent with a 16-mesh or finer corrosion resistant screening material [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)].

12. Failed to provide a suitable sampling tap on the well discharge to facilitate the collection of samples from the well for chemical and bacteriological analysis [30 TEX. ADMIN. CODE § 290.41(c)(3)(M)].

13. Failed to prepare and maintain a map of the Facility's distribution system so that valves and mains can be easily located during emergencies, which was not available at the time of the investigations [30 TEX. ADMIN. CODE § 290.46(n)(2)].

14. Failed to provide two service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the service pumping capacity is 16.7% deficient [30 TEX. ADMIN. CODE § 290.45(b)(1)(B)(iii)].

15. Failed to provide a copy of an adopted drought contingency plan for inspection upon request of the TCEQ investigator. Specifically, during the February 16, 2001 investigation, the Facility did not have a drought contingency plan available upon request [30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(3)].

16. Failed to provide a minimum water pressure of 35 pounds per square inch ("psi") within the water distribution system. Specifically, pressure readings from a residence measured 12 psi as documented during an inspection conducted on June 17, 2002. Pressure readings from 821 Lakeview Road measured 26 psi [30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r)].

17. Failed to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions. Specifically, the Facility's concrete sealing block only extended 26 inches [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].

18. Failed to provide ground storage tank with a roof vent screen that will prevent entry of animals, birds, insects and heavy air contaminants. Specifically, the roof vent screen on Ground Storage Tank No. 1 had a hole in it [30 TEX. ADMIN. CODE § 290.43(c)(1)].

4. Within 45 days, submit certification of compliance.

5. Within 60 days:

- a. Provide a well casing that extends a minimum of 18 inches above the natural ground surface, or obtain an exception;
- b. Provide concrete sealing block around the wellhead that extends at least three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inches per foot;
- c. Install an intruder-resistant fence to protect the well, pressure tank and ground storage tanks at the Facility. The fence must be six feet or greater in height, constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle with the smooth side of the fence on the outside wall. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be locked, in good repair, and close enough to surface grade to prevent intruder passage; and
- d. Submit for review and approval an engineering report which addresses the well capacity deficiency and service pump capacity deficiency. This engineering report shall include, but not be limited to, plans and specifications prepared by a registered professional engineer, as well as a schedule of implementation and completion of modifications which are necessary to bring the system into compliance. The Respondent may also request approval to meet alternative capacity requirements.

6. Within 75 days, submit certification of compliance.

7. Within 120 days:

- a. Provide a total well capacity of 0.6 gpm connection and two service pumps having a total capacity of 2.0 gpm per connection; or
- b. Obtain approval to meet alternative capacity requirements.

8. Within 135 days submit written certification.

9. Shall implement and complete Supplemental Environmental Project (SEP) (see attachment A).

<p>19. Failed to provide the well site with an intruder-resistant fence. Specifically, the gate of the existing chain-link fence was approximately five feet high with three strands of barbed wire at the top and the fence was not intruder-resistant [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].</p> <p>20. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days. Specifically, Carl's Corner was monitoring the disinfectant residual only once a month [30 TEX. ADMIN. CODE § 290.110(c)(5)(A)].</p> <p>21. Failed to provide a total well capacity of 0.6 gpm per connection. Specifically, 10.35 gpm of total well capacity was provided when 30.6 gpm were required (66% deficient) [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i)].</p> <p>22. Failed to provide two service pumps having a total capacity of 2.0 gpm per connection. Specifically, 70 gpm of total service pump capacity was provided when 102 gpm were required (31% deficient) [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii)].</p> <p>23. Failed to employ an operator with a Class "D" or higher license [30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a)].</p>		
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Attachment A

Docket Number: 2003-1372-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Carl's Corner

Penalty Amount: Thirteen Thousand Two Hundred Sixty-Three Dollars
(\$13,263)

SEP Amount: Thirteen Thousand Two Hundred Sixty-Three Dollars
(\$13,263)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation & Development
Areas, Inc. ("RC&D") -Abandoned Tire Clean-Up

Location of SEP: Hill County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the **Texas Association of Resource Conservation & Development Areas, Inc. ("RC&D")** shall use the contribution to clean up sites in Hill County where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent must contribute the SEP Amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, TX 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, Respondent shall include the notation "SEP Refund" and the docket number on the check, and shall make the check payable to "Texas Commission on Environmental Quality." Any payment for incomplete performance shall be mailed to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	02-Jan-2006	Screening	23-Jan-2006	EPA Due	
	PCW	26-Apr-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	City of Carl's Corner
Reg. Ent. Ref. No.	RN101391852
Facility/Site Region	9-Waco
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	10234	No. of Violations	14
Docket No.	2003-1372-MLM-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Rebecca Johnson
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **Subtotals 2, 3, & 7**

Notes

Culpability No Yes **Subtotal 4**

Notes

Good Faith Effort to Comply **Subtotal 5**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<input checked="" type="checkbox"/> X	(mark with a small x)

Notes

Economic Benefit **Subtotal 6**

Total EB Amounts	<input type="text" value="\$801"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$13,650"/>	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

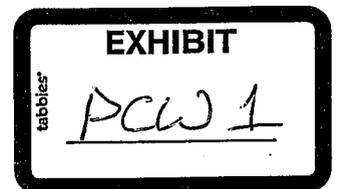
STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY



Screening Date 23-Jan-2006 **Docket No.** 2003-1372-MLM-E **PCW**
Respondent City of Carl's Corner *Policy Revision 2 (September 2002)*
Case ID No. 10234 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Johnson

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) **5%**

>> **Repeat Violator (Subtotal 3)**

N/A

Adjustment Percentage (Subtotal 3) **0%**

>> **Compliance History Person Classification (Subtotal 7)**

N/A

Adjustment Percentage (Subtotal 7) **0%**

>> **Compliance History Summary**

Compliance History Notes Penalty enhancement due to an NOV issued to the facility for same or similar violations during the compliance history period reviewed.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **5%**

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	

>> **Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
	<input type="text" value="Human health will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health as a result of the violation."/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$100	04-Nov-2005	30-Aug-2006	0.8	\$0	\$5	\$6
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to adjust chlorination equipment. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$100** TOTAL **\$6**

Screening Date 23-Jan-2006	Docket No. 2003-1372-MLM-E	PCW
Respondent City of Carl's Corner		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 10234		<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No. RN101391852		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="2"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code §§ 290.44(d) and 290.46(r)"/>	
Secondary Rule Cite(s)	<input type="text"/>	
Violation Description	<input type="text" value="Failure to provide a minimum water pressure of 35 pounds per square inch (psi) within the water distribution system. Pressure readings from 821 Lakeview Road measured 26 psi on November 4, 2005."/>	
	Base Penalty	<input type="text" value="\$1,000"/>

>> **Environmental, Property and Human Health Matrix**

Harm				
Release	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Potential	<input type="text"/>	x	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent <input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	x

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$150	04-Nov-2006	30-Aug-2006	-0.2	-\$0	-\$2	-\$2
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost of adjusting the pressure switches. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$150**

TOTAL **-\$2**

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="5%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>				

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$1,000	04-Nov-2005	29-Oct-2006	1.0	\$3	\$66	\$69
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide a well casing that extends a minimum of 18 inches above the elevation of the natural ground surface. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance

TOTAL

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Failure to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions. Specifically, the respondent's concrete sealing block only extended 26 inches.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Human health will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health as a result of the violation.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input checked="" type="checkbox"/>

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	05-Nov-2006	29-Oct-2006	-0.0	-\$0	-\$1	-\$1
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance

TOTAL

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Failure to make an accurate and up-to-date map of the distribution system available at the time of investigation. Specifically, the respondent's distribution system map was not up-to-date.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm		
Release		Major	Moderate	Minor
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input checked="" type="text" value="X"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$300	04-Nov-2005	30-Aug-2006	0.8	\$12	n/a	\$12

Notes for DELAYED costs: Estimated cost to update the distribution system map. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$300** **TOTAL \$12**

Screening Date 23-Jan-2006	Docket No. 2003-1372-MLM-E	PCW
Respondent City of Carl's Corner	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 10234	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN101391852		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="6"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.43(d)(3)"/>	
Secondary Rule Cite(s)	<input type="text"/>	
Violation Description	<input type="text" value="Failure to provide a device to readily determine air-water-volume for pressure tanks greater than 1,000 gallon capacity. Specifically, the pressure tank did not have a sight-glass installed to determine air-water-volume."/>	
Base Penalty		<input type="text" value="\$1,000"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
	Potential	<input type="text"/>	X	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	X
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$500	04-Nov-2005	29-Sep-2006	0.9	\$2	\$30	\$32
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to install a device on the pressure tank to readily determine air-water-volume. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$500** **TOTAL \$32**

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Failure to provide the ground storage tank with a roof vent screen that will prevent entry of animals, birds, insects and heavy air contaminants. Specifically, the roof vent screen on Ground Storage Tank No. 1 had a hole in it.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>				

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input checked="" type="text" value="X"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
Case ID No. 10234
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Percent Interest		Years of Depreciation	
						Onetime Costs	EB Amount		
Delayed Costs									
Equipment	\$50	04-Nov-2005	29-Sep-2006	0.9	\$0	\$3		\$3	
Buildings				0.0	\$0	\$0		\$0	
Other (as needed)				0.0	\$0	\$0		\$0	
Engineering/construction				0.0	\$0	\$0		\$0	
Land				0.0	\$0	n/a		\$0	
Record Keeping System				0.0	\$0	n/a		\$0	
Training/Sampling				0.0	\$0	n/a		\$0	
Remediation/Disposal				0.0	\$0	n/a		\$0	
Permit Costs				0.0	\$0	n/a		\$0	
Other (as needed)				0.0	\$0	n/a		\$0	

Notes for DELAYED costs: Estimated cost to provide Ground Storage Tank No. 1 with a proper roof vent screen. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **TOTAL**

Screening Date 23-Jan-2006	Docket No. 2003-1372-MLM-E	PCW
Respondent City of Carl's Corner		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 10234		<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No. RN101391852		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="8"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.46(f)(2)"/>	
Secondary Rule Cite(s)	<input type="text"/>	
Violation Description	<input type="text" value="Failure to make the water system's operating records and reports available at the time of investigation. Specifically, the respondent failed to provide copies of the annual inspection forms for the system's two ground storage tanks and one pressure tank, Monthly Operating Reports for the previous twelve months, and the Plant Operations Manual."/>	
	Base Penalty	<input type="text" value="\$1,000"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

		<i>daily</i>	<input type="text"/>
		<i>monthly</i>	<input type="text"/>
<i>mark only one</i>		<i>quarterly</i>	<input type="text"/>
<i>use a small x</i>		<i>semiannual</i>	<input type="text"/>
		<i>annual</i>	<input type="text"/>
		<i>single event</i>	<input checked="" type="text" value="x"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	04-Nov-2005	29-Sep-2006	0.9	\$9	n/a	\$9
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to develop and maintain a record keeping system. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$200** **TOTAL \$9**

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>				

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
Case ID No. 10234
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$500	04-Nov-2005	29-Oct-2006	1.0	\$2	\$33	\$34
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide the well site with an intruder-resistant fence. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$500**

TOTAL \$34

Screening Date 23-Jan-2006 **Docket No.** 2003-1372-MLM-E **PCW**
Respondent City of Carl's Corner *Policy Revision 2 (September 2002)*
Case ID No. 10234 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Johnson
Violation Number
Primary Rule Cite(s)
Secondary Rule Cite(s)
Violation Description
Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Potential	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment
Base Penalty Subtotal

Violation Events

Number of Violation Events
mark only one use a small x

daily	<input type="text"/>
monthly	<input checked="" type="text" value="X"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount **Violation Final Penalty Total**
This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
Case ID No. 10234
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$50	04-Nov-2005	30-Aug-2006	0.8	\$2	n/a	\$2

Notes for DELAYED costs
 Estimated cost to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$50

TOTAL \$2

Screening Date	23-Jan-2006	Docket No.	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	10234			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN101391852			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	<input type="text" value="11"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.109(c)(1)(B)"/>			
Secondary Rule Cite(s)	<input type="text"/>			
Violation Description	<input type="text" value="Failure to collect water samples for bacteriological analysis from all the locations specified in the facility's Site Sample Plan."/>			

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="checkbox"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
Case ID No. 10234
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	04-Nov-2005	30-Aug-2006	0.8	\$8	n/a	\$8
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to train employees on the site sampling plan to ensure all locations are sampled. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

TOTAL

Screening Date	23-Jan-2006	Docket No.	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	10234			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN101391852			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	<input type="text" value="12"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.45(b)(1)(C)(i)"/>			
Secondary Rule Cite(s)	<input type="text"/>			
Violation Description	<input (66%="" 10.35="" 30.6="" capacity="" connection.="" deficient)."="" gpm="" gpm")="" of="" per="" provided="" required="" specifically,="" total="" type="text" value="Failure to provide a total well capacity of 0.6 gallon per minute (" was="" well="" were="" when=""/>			
		Base Penalty	<input type="text" value="\$1,000"/>	

>> **Environmental, Property and Human Health Matrix**

	Harm			
	Release	Major	Moderate	Minor
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Percent <input type="text" value="25%"/>

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="checkbox"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
Case ID No. 10234
Reg. Ent. Reference No. RN101391852
Media [Statute] Public Water Supply
Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Delayed Costs							
Equipment	\$5,000	04-Nov-2005	26-Feb-2007	1.3	\$22	\$437	\$459
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide a total well capacity of 0.6 gpm per connection. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$5,000** **TOTAL** **\$459**

Screening Date 23-Jan-2006

Docket No. 2003-1372-MLM-E

PCW

Respondent City of Carl's Corner

Policy Revision 2 (September 2002)

Case ID No. 10234

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101391852

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Johnson

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
	Potential	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="checkbox"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$1,000	04-Nov-2006	26-Feb-2007	0.3	\$1	\$21	\$22
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide the required service pump capacity. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Item	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$1,000** TOTAL **\$22**

Screening Date	23-Jan-2006	Docket No.	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	10234			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN101391852			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	<input type="text" value="14"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.46(e)(4)(A)"/>			
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 341.033(a)"/>			
Violation Description	<input d"="" higher="" license."="" or="" type="text" value="Failure to employ an operator with a Class "/>			

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Potential	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
Matrix Notes	<input type="text" value="Human health will or could be exposed to significant amounts of pollutants which would exceed levels that are protective of human health as a result of the violation."/>					

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="text" value="x"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Carl's Corner
 Case ID No. 10234
 Reg. Ent. Reference No. RN101391852
 Media [Statute] Public Water Supply
 Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$3,600	04-Nov-2005	30-Aug-2006	0.8	\$147	n/a	\$147

Notes for DELAYED costs: Estimated cost to employ an operator with a Class "D" or higher license. Date required is based on the investigation date. Final date is based on the projected date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$3,600** TOTAL **\$147**

COMPLIANCE HISTORY

Customer/Respondent/Owner-Operator: CN600658751 City of Carls Corner Classification: 0.0

Regulated Entity/ID Nos.: RN101391852 City of Carls Corner Site Rating: 0.0
Public Water Supply/System No. 1090070

Location [physical address or description of location (street, highway, FM, etc.) including city or nearest city, and county]: 2100 Linda Road East, Carls Corner, Texas, 76645 Repeat Violator: (y/n) N/A

TCEQ Region No. Region 09 - Waco

Date Compliance History Prepared: December 29, 2003

Agency Decision Requiring Compliance History (mark one):

- the issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit
[X] enforcement
the use of announced investigations (Field Ops)
participation in innovative programs

Compliance Period: December 29, 1998 to December 29, 2003

TCEQ staff person to contact for additional information regarding this compliance history:

Name: Rebecca Johnson Phone: (713) 422-8931

Site Compliance History Components

- 1.Has the site been in existence and/or operation for the full five year compliance period? [X] Yes [] No [] Unk
2. Has there been a (known) change in ownership of the site during the compliance period? [] Yes [X] No [] Unk
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (multimedia) for the Site during the portion of the five-year compliance history the site was owned by the person who is the subject of this compliance history:

A. Final enforcement orders, court judgments, and consent decrees of the state of Texas and the federal government

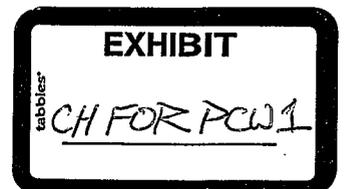
1. Effective Date: None Type of Action:
Violation Citation 1: Classification:
Violation Description:

B. Any criminal convictions of the state of Texas and the federal government.

Conviction Date: None
Count 1:
Count 2:

C. Chronic excessive emissions events: None

D. The dates of investigations.



1. 02/16/2001

2. 10/16/2001

E. Written notices of violation (NOV)

1. Date: April 4, 2001 Self-reported? Yes No
- Violation Citation 1: 30 TAC § 290.110(b)(4) Classification:
- Violation Description: Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/l free chlorine.
- Violation Citation 2: 30 TAC § 290.46(f)(2) Classification:
- Violation Description: Failure to provide water system records that needed to be reviewed at the time of the investigation.
- Violation Citation 3: 30 TAC § 288.30(3) Classification:
- Violation Description: Failure to provide a copy of an adopted drought contingency plan.
- Violation Citation 4: 30 TAC § 290.41(c)(3)(B) Classification:
- Violation Description: Failure to provide a well casing eighteen inches above the natural ground surface.
- Violation Citation 5: 30 TAC § 290.109(c)(1)(B) Classification:
- Violation Description: Failure to collect water samples for bacteriological analysis according to the facility's sample site plan.
- Violation Citation 6: 30 TAC § 290.109(c), 290.109(g)(4), and 290.122(c) Classification:
- Violation Description: Failure to notify the public of bacteriological monitoring violations for the months of April, October, and November 2000.
- Violation Citation 7: 30 TAC § 290.46(w) Classification:
- Violation Description: Failure to post a legible sign at the facility establishing ownership and emergency contact.
- Violation Citation 8: 30 TAC § 290.42(i) Classification:
- Violation Description: Failure to use ANSI/NSF Standard 60 approved chemicals for treatment of water.
- Violation Citation 9: 30 TAC § 290.46(m)(4) Classification:
- Violation Description: Failure to maintain all water storage facilities in a watertight condition.
- Violation Citation 10: 30 TAC § 290.43(d)(3) Classification:
- Violation Description: Failure to equip the pressure tank with some means of determining the air-to-water ratio.
- Violation Citation 11: 30 TAC § 290.41(c)(3)(K) Classification:
- Violation Description: Failure to properly screen the well casing vent with sixteen-mesh or finer corrosion-resistant screening material.
- Violation Citation 12: 30 TAC § 290.41(c)(3)(M) Classification:
- Violation Description: Failure to provide a suitable sampling tap on the well discharge to facilitate the collection of samples for chemical and bacteriological analysis directly from the well.
- Violation Citation 13: 30 TAC § 290.45(b)(1)(B)(iii) Classification:
- Violation Description: Failure to have two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection.
- Violation Citation 14: 30 TAC § 290.46(n)(2) Classification:
- Violation Description: Failure to maintain and make available an accurate and up-to-date map of the distribution system.
- Violation Citation 15: 30 TAC § 290.44(d)(5) Classification:
- Violation Description: Failure to provide the regulated entity with sufficient valves and blowoffs so that necessary repairs can be made without undue interruption of service and for flushing the lines when required.
- Violation Citation 16: 30 TAC § 290.46(h) Classification:
- Violation Description: Failure to maintain a supply of calcium hypochlorite disinfectant for use when making repairs, setting meters, and disinfecting new mains prior to service.

F. Environmental audits.

1. Notice of Intent Date: None

Disclosure Date:

Violation Citation 1:

Classification:

Violation Description:

G. Type of environmental management systems (EMSs).

None

H. Voluntary on-site compliance assessment dates.

None

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

State: None

Site Name:

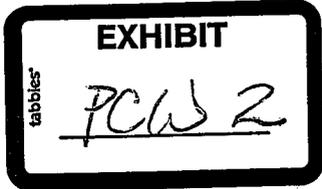
Location:

Type of Action:

Effective Date:

Penalty Calculation Worksheet (PCW)	
Policy Revision 2 (09/02)	PCW Revision 6/12/2003
DATES	
PCW <input type="text" value="19-Apr-2006"/>	Screening <input type="text" value="29-Oct-2003"/>
Priority Due <input type="text" value="26-Feb-2004"/>	EPA Due <input type="text"/>
RESPONDENT INFORMATION	
Respondent <input type="text" value="City of Carl's Corner"/>	
Respondent/Site ID No(s) <input type="text" value="Public Water Supply No. 1090070"/>	
Facility/Site Region <input type="text" value="9 - Waco"/>	Major/Minor Source <input type="text" value="Minor"/>
CASE INFORMATION	
Enf./Case ID No(s) <input type="text" value="Enforcement Case No. 10234"/>	No. Violations <input type="text" value="1"/>
Docket No. <input type="text" value="2003-1372-MLM-E"/>	Order Type <input type="text" value="1660 without deferral"/>
Case Priority <input type="text" value="3"/>	EC's Team <input type="text" value="Enforcement Team 6"/>
Enf. Coordinator <input type="text" value="Rebecca Johnson"/>	
Media Program(s) <input type="text" value="Water Rights"/>	
Admin. Penalty \$ Limit <input type="text" value="Minimum \$0"/>	Maximum <input type="text" value="\$5,000"/>

Penalty Calculation Section	
TOTAL BASE PENALTY (<i>Sum of violation base penalties</i>)	Subtotal 1 <input type="text" value="\$500"/>
ADJUSTMENTS (+/-) TO SUBTOTAL 1	
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History 5% Enhancement	Subtotals 2, 3 & 7 <input type="text" value="\$25"/>
Notes <input type="text" value="Penalty enhancement due to an NOV issued to the facility for same or similar violations during the compliance history period reviewed."/>	+
Culpability 0% Enhancement	Subtotal 4 <input type="text" value="\$0"/>
No <input type="text" value="No"/> <small>Select Yes/No</small>	
Notes <input type="text" value="The respondent does not meet the culpability criteria."/>	+
Good Faith Effort to Comply 25% Reduction	Subtotal 5 <input type="text" value="-\$125"/>
Before NOV <input type="text"/>	NOV to EDRP/Settlement Offer <input type="text"/>
Extraordinary <input type="text"/>	
Ordinary <input checked="" type="text" value="X"/>	
None of the above <input type="text"/>	<small>(mark with small x)</small>
Notes <input type="text" value="The respondent returned to compliance on August 16, 2001."/>	+
Economic Benefit 0% Enhancement*	Subtotal 6 <input type="text" value="\$0"/>
<input type="text" value="\$12"/> Total EB Amounts	*Capped at the Total EB \$ Amount
<input type="text" value="\$500"/> Approx. Cost of Compliance	=
SUM OF SUBTOTALS 1-7	Final Subtotal <input type="text" value="\$400"/>
OTHER FACTORS AS JUSTICE MAY REQUIRE <input type="text"/>	Adjustment <input type="text" value="\$0"/>
Reduces or enhances the Final Subtotal by the indicated percentage. (enter number only; e.g. -30 for -30%)	
Notes <input type="text"/>	=
	Final Penalty Amount <input type="text" value="\$400"/>
STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty <input type="text" value="\$400"/>
DEFERRAL Deferral <input type="text"/> Reduction	Adjustment <input type="text" value="\$0"/>
Reduces the Final Assessed Penalty by the indicated percentage. (enter number only; e.g. 20 for 20% reduction)	
Notes <input type="text" value="This is not an expedited enforcement action."/>	=
PAYABLE PENALTY	<input type="text" value="\$400"/>



Screening Date 29-Oct-2003
Respondent City of Carl's Corner
Case ID No. Enforcement Case No. 10234
Respondent/Site ID No. Public Water Supply No. 1090070
Media [Statute] Water Rights
Enf. Coordinator Rebecca Johnson
Site Address 2100 Linda Road East, Carl's Corner, Hill County

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	1	5%
	Other written NOV's	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 5%

>> **Repeat Violator (Subtotal 3)**

N/A

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

N/A

Adjustment Percentage (Subtotal 7) 0%

Compliance History Summary

Compliance History Notes Penalty enhancement due to an NOV issued to the facility for same or similar violations during the compliance history period reviewed.

Total Adjustment Percentage (Subtotals 2, 3 & 7) 5%

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Water Rights			
Enf. Coordinator	Rebecca Johnson			
Violation Number	1			
Primary Rule Cite	30 Tex. Admin. Code §§ 288.20(a) and 288.30(3)			
Secondary Cite(s)				
Violation Description	Failure to submit a copy of an adopted Drought Contingency Plan which includes all elements for municipal use by a retail public water supplier.			
	Base Penalty	\$5,000		
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent		<input type="text"/>
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR	<input type="text"/>	x	<input type="text"/>	<input type="text"/>
		Percent		<input type="text" value="10%"/>
Matrix Notes	100% of the rule requirements were not met.			
	Adjustment	<input type="text" value="-4,500"/>		
	Base Penalty Subtotal	\$500		
Violation Events				
	Number of Violation Events	<input type="text" value="1"/>		
<i>mark only one; use small x</i>	daily	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	x		
		Violation Base Penalty		\$500
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	<input type="text" value="\$12"/>		Violation Final Penalty total
		\$400		
	This Violation Final Assessed Penalty (adjusted for limits)			<input type="text" value="\$400"/>

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Water Rights
Violation Number 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)	\$500	16-Feb-2001	16-Aug-2001	0.5	\$12	n/a	\$12

Notes for DELAYED costs
 Estimated cost to draft a Drought Contingency Plan and submit for commission review. Date required based on the investigation date. Final date based on the compliance date.

Avoided Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance \$500

TOTAL \$12



Penalty Calculation Worksheet (PCW)

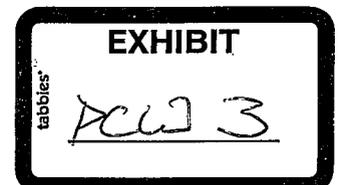
Policy Revision 2 (09/02)

PCW Revision 6/12/2003

DATES	
PCW	27-Nov-2006
Screening	29-Oct-2003
Priority Due	26-Feb-2004
EPA Due	
RESPONDENT INFORMATION	
Respondent	City of Carl's Corner
Respondent/Site ID No(s)	Public Water Supply No. 1090070
Facility/Site Region	9 - Waco
Major/Minor Source	Minor
CASE INFORMATION	
Enf./Case ID No(s)	Enforcement Case No. 10234
Docket No.	2003-1372-MLM-E
No. Violations	15
Case Priority	3
Order Type	1660 without deferral
Enf. Coordinator	Rebecca Johnson
EC's Team	Enforcement Team 6
Media Program(s)	Public Water Supply
Admin. Penalty \$ Limit	Minimum \$50 Maximum \$1,000

Penalty Calculation Section

TOTAL BASE PENALTY <i>(Sum of violation base penalties)</i>		Subtotal 1	\$11,460
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History	5% Enhancement	Subtotals 2, 3 & 7	\$573
Notes	Penalty enhancement due to an NOV issued to the facility for same or similar violations during the compliance history period reviewed.		+
Culpability	0% Enhancement	Subtotal 4	\$0
Notes	The respondent does not meet the culpability criteria.		+
Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
Notes	The respondent has not returned to compliance.		+
Economic Benefit	0% Enhancement*	Subtotal 6	\$0
	\$2,188 Total EB Amounts		=
	\$6,800 Approx. Cost of Compliance		
SUM OF SUBTOTALS 1-7		Final Subtotal	\$12,033
OTHER FACTORS AS JUSTICE MAY REQUIRE		Adjustment	\$0
Notes			=
		Final Penalty Amount	\$12,033
STATUTORY LIMIT ADJUSTMENT		Final Assessed Penalty	\$8,820
DEFERRAL		Adjustment	\$0
Notes	This is not an expedited enforcement action.		=
PAYABLE PENALTY			\$8,820



Screening Date 29-Oct-2003 **Revised**2-PWS.wb3 **Docket Number** 2003-1372-MLM-E **PCW**
Respondent City of Carl's Corner **Policy Revision 2 (09/02)**
Case ID No. Enforcement Case No. 10234 **PCW Revision 6/12/2003**
Respondent/Site ID No. Public Water Supply No. 1090070
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Johnson
Site Address 2100 Linda Road East, Carl's Corner, Hill County

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 5%

>> **Repeat Violator (Subtotal 3)**

N/A Select Yes/No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

N/A Select High, Average or Poor

Adjustment Percentage (Subtotal 7) 0%

Compliance History Summary

Compliance History Notes Penalty enhancement due to an NOV issued to the facility for same or similar violations during the compliance history period reviewed.

Total Adjustment Percentage (Subtotals 2, 3 & 7) 5%

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	1			
Primary Rule Cite	30 Tex. Admin. Code § 290.110(b)(4)			
Secondary Cite(s)				
Violation Description	Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum on 0.2 mg/l free chlorine. Samples taken on February 16, 2001 indicated a 0.14 mg/l free chlorine residual.			
Base Penalty				\$1,000
» Environmental, Property and Human Health Matrix				
Harm				
	Release	Major	Moderate	Minor
OR	Actual			
	Potential		x	
				Percent 10%
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
				Percent
Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
				Adjustment -\$900
Base Penalty Subtotal				\$100
Violation Events				
Number of Violation Events		1		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
				Violation Base Penalty \$100
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount (\$) \$1		Violation Final Penalty total \$105		
This Violation Final Assessed Penalty (adjusted for limits)				\$105

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$100	16-Feb-2001	22-Apr-2001	0.2	\$0	\$1	\$1
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to adjust chlorination equipment. Date required based on the violation date. Final date based on the date compliance documentation was received.

Avoided Costs **ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date 29-Oct-03	Docket Number 2003-1372-MLM-E	PCW												
Respondent City of Carl's Corner		Policy Revision 2 (09/02)												
Case ID No. Enforcement Case No. 10234		PCW Revision 6/12/2003												
Respondent/Site ID No. Public Water Supply No. 1090070														
Media [Statute] Public Water Supply														
Enf. Coordinator Rebecca Johnson														
Violation Number <input type="text" value="2"/>														
Primary Rule Cite	<input type="text" value="30 Tex. Admin. Code § 290.43(d)(3)"/>													
Secondary Cite(s)														
Violation Description	<input type="text" value="Failure to provide a device to readily determine air-water-volume for pressure tanks greater than 1,000 gallon capacity."/>													
	Base Penalty	<input type="text" value="\$1,000"/>												
» Environmental, Property and Human Health Matrix														
	Harm													
	Release	Major Moderate Minor												
OR	Actual	<input type="text"/> <input type="text"/> <input type="text"/>												
	Potential	<input type="text"/> <input checked="" type="text"/> <input type="text"/>												
	Percent	<input type="text" value="10%"/>												
» Programmatic Matrix														
	Falsification	Major Moderate Minor												
OR	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>												
	Percent	<input type="text"/>												
Matrix Notes	<input type="text" value="Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation."/>													
	Adjustment	<input type="text" value="-900"/>												
	Base Penalty Subtotal	<input type="text" value="\$100"/>												
Violation Events														
	Number of Violation Events	<input type="text" value="4"/>												
<i>mark only one; use small x</i>	<table border="1" style="border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td style="width: 40px;"><input type="text"/></td></tr> <tr><td style="padding: 2px;">monthly</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">quarterly</td><td style="text-align: center;"><input checked="" type="text"/></td></tr> <tr><td style="padding: 2px;">semiannual</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">annual</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input type="text" value="\$400"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input checked="" type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
Events Notes	<input type="text" value="Four quarterly events are recommended based on the February 16, 2001 investigation date to the November 21, 2001 compliance date."/>													
Economic Benefit (EB) for this violation		Statutory Limit Test												
Estimated EB Amount (\$)	<input type="text" value="\$27"/>	Violation Final Penalty total <input type="text" value="\$420"/>												
This Violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$420"/>												

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	------------------------------	---------------	------------	-----	----------------	---------------	-----------

Delayed Costs

Equipment	\$500	16-Feb-2001	21-Nov-2001	0.8	\$1	\$25	\$27
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to install a device on the pressure tank to readily determine air-water-volume. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	3			
Primary Rule Cite	30 Tex. Admin. Code § 290.42(j) [previously 30 Tex. Admin. Code § 290.42(i)]			
Secondary Cite(s)				
Violation Description	Failure to use a disinfectant media for the disinfection of potable water that conforms to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) standards.			
		Base Penalty		\$1,000
»	Environmental, Property and Human Health Matrix			
		Harm		
	Release	Major	Moderate	Minor
OR	Actual			
	Potential		x	
			Percent	10%
»	Programmatic Matrix			
OR	Falsification	Major	Moderate	Minor
			Percent	
Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment		-\$900
		Base Penalty Subtotal		\$100
	Violation Events			
	Number of Violation Events	4		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty		\$400
Events Notes	Four quarterly events are recommended based on the February 16, 2001 investigation date to the November 21, 2001 compliance date.			
	Economic Benefit (EB) for this violation		Statutory Limit Test	
	Estimated EB Amount (\$)	\$400	Violation Final Penalty total	\$420
	This Violation Final Assessed Penalty (adjusted for limits)			\$420

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs							

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip	\$500	16-Feb-2001	21-Nov-2001	0.8	\$19	\$381	\$400
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs	Estimated annualized cost to use an approved disinfectant media. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.						

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	4			
Primary Rule Cite	30 Tex. Admin. Code § 290.44(d)(5)			
Secondary Cite(s)				
Violation Description	Failure to provide the regulated entity with sufficient valves and blow-offs so that necessary repairs can be made without undue interruption of service and for flushing the lines when repaired.			
Base Penalty				\$1,000
» Environmental, Property and Human Health Matrix				
Harm				
	Release	Major	Moderate	Minor
OR	Actual			
	Potential			x
				Percent 5%
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
				Percent
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				-\$950
Base Penalty Subtotal				\$50
Violation Events				
Number of Violation Events		1		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
				Violation Base Penalty \$50
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount (\$) \$27		Violation Final Penalty total \$53		
This Violation Final Assessed Penalty (adjusted for limits)				\$53

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$500	16-Feb-2001	21-Nov-2001	0.8	\$1	\$25	\$27
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to install valves and blow-offs. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	5			
Primary Rule Cite	30 Tex. Admin. Code § 290.41(c)(3)(B)			
Secondary Cite(s)				
Violation Description	Failure to provide a well casing that extends a minimum of 18 inches above the natural ground surface. Specifically, the respondent's well casing only extends 17 inches above the natural ground surface.			
		Base Penalty		\$1,000
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual			
	Potential			x
			Percent	5%
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
			Percent	
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	-\$950	
		Base Penalty Subtotal		\$50
Violation Events				
	Number of Violation Events	1		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
		Violation Base Penalty		\$50
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	\$479	Violation Final Penalty total	\$53
This Violation Final Assessed Penalty (adjusted for limits)			\$53	

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$1,000	16-Feb-2001	19-Dec-2007	6.8	\$23	\$456	\$479
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to provide a well casing that extends a minimum of 18 inches above the elevation of the natural ground surface. Date required is based on the investigation date. Final date based on the projected compliance date.

Avoided Costs **ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	6			
Primary Rule Cite	30 Tex. Admin. Code § 290.109(c)(1)(B)			
Secondary Cite(s)				
Violation Description	Failure to collect water samples for bacteriological analysis from all the locations specified in the facility's Site Sample Plan.			
		Base Penalty		\$1,000
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual			
	Potential	x		
		Percent	25%	
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
		Percent		
Matrix Notes	Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	-\$750	
		Base Penalty Subtotal		\$250
Violation Events				
	Number of Violation Events	13		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty	\$3,250	
Events Notes	Thirteen quarterly events are recommended based on February 16, 2001 investigation date to the April 9, 2004 settlement due date to make the penalty commensurate with the situation.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	\$42	Violation Final Penalty total	\$3,413
	This Violation Final Assessed Penalty (adjusted for limits)			\$3,413

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	16-Feb-2001	15-Apr-2005	4.2	\$42	n/a	\$42
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to train employees on the site sampling plan to ensure all locations are sampled. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW	
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)	
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003	
Respondent/Site ID No.	Public Water Supply No. 1090070				
Media [Statute]	Public Water Supply				
Enf. Coordinator	Rebecca Johnson				
Violation Number	7				
Primary Rule Cite	30 Tex. Admin. Code § 290.46(f)(2)				
Secondary Cite(s)					
Violation Description	Failure to make the water system's operating records available at the time of investigation. Specifically, the respondent failed to provide copies of the well drillers log, cementing certificate, sanitary easement records, completed customer service inspection forms, an adopted plumbing ordinance or service agreement, TCEQ plan approval for the new pressure tank, and verification of the interior coatings and filter media on the new pressure tank to meet ANSI/NSF standards.				
		Base Penalty		\$1,000	
»	Environmental, Property and Human Health Matrix			.	
	Harm			.	
	Release	Major	Moderate	Minor	.
OR	Actual				.
	Potential				.
				Percent	
»	Programmatic Matrix			.	
	Falsification	Major	Moderate	Minor	.
OR		x			.
				Percent	10%
Matrix Notes	100% of the rule requirement was not met.				
		Adjustment	-\$900	
		Base Penalty Subtotal		\$100	
Violation Events	.				
	Number of Violation Events	1		
<i>mark only one; use small x</i>	daily		.		
	monthly		.		
	quarterly		.		
	semiannual		.		
	annual		.		
	single event	x	.		
			Violation Base Penalty	\$100	
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.				
Economic Benefit (EB) for this violation	Statutory Limit Test				
	Estimated EB Amount (\$)	\$66	Violation Final Penalty total	\$105	
	This Violation Final Assessed Penalty (adjusted for limits)			\$105	

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	16-Feb-2001	9-Oct-2007	6.6	\$66	n/a	\$66
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to develop and maintain a record keeping system. Date required based on the investigation date. Final date based on the projected compliance date.

Avoided Costs **ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	8			
Primary Rule Cite	30 Tex. Admin. Code § 290.46(t)			
Secondary Cite(s)				
Violation Description	Failure to post in plain view a legible ownership sign that provides the name and an emergency telephone number for the facility.			
	Base Penalty			\$1,000
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual			
	Potential			
	Percent			
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR		x		
	Percent			10%
Matrix Notes	100% of the rule requirement was not met.			
	Adjustment	-\$900		
	Base Penalty Subtotal			\$100
Violation Events				
	Number of Violation Events	1		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
	Violation Base Penalty			\$100
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	\$4		
	Violation Final Penalty total			\$105
	This Violation Final Assessed Penalty (adjusted for limits)			\$105

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)	\$100	16-Feb-2001	21-Nov-2001	0.8	\$4	n/a	\$4

Notes for DELAYED costs

Estimated cost to post in plain view a legible ownership sign that provides the name and an emergency telephone number for the facility. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	9			
Primary Rule Cite	30 Tex. Admin. Code § 290.46(m)(4)			
Secondary Cite(s)				
Violation Description	Failure to maintain all water storage facilities in a watertight condition. Specifically, the pressure tank was leaking at the time of the investigation.			
	Base Penalty			\$1,000
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual			
	Potential			x
				Percent 5%
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
				Percent
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
				Adjustment -\$950
				Base Penalty Subtotal \$50
Violation Events				
	Number of Violation Events	1		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
				Violation Base Penalty \$50
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	\$723		Violation Final Penalty total \$53
This Violation Final Assessed Penalty (adjusted for limits)				\$53

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment	\$2,000	16-Feb-2001	15-Apr-2006	5.2	\$34	\$688	\$723
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to install a non-leaking pressure tank. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance \$2,000

TOTAL \$723

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	10			
Primary Rule Cite	30 Tex. Admin. Code § 290.46(h)			
Secondary Cite(s)				
Violation Description	Failure to keep a supply of calcium hypochlorite on hand to use as disinfectant for making repairs to the drinking water system.			
		Base Penalty		\$1,000
»	Environmental, Property and Human Health Matrix			
		Harm		
	Release	Major	Moderate	Minor
OR	Actual			
	Potential	x		
			Percent	25%
»	Programmatic Matrix			
	Falsification	Major	Moderate	Minor
OR				
			Percent	
Matrix Notes	Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment		-\$750
		Base Penalty Subtotal		\$250
	Violation Events			
	Number of Violation Events	4		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty		\$1,000
Events Notes	Four quarterly events are recommended based on the February 16, 2001 investigation date to the November 21, 2001 compliance date to make the penalty commensurate with the situation.			
	Economic Benefit (EB) for this violation		Statutory Limit Test	
	Estimated EB Amount (\$)	\$80	Violation Final Penalty total	\$1,050
			This Violation Final Assessed Penalty (adjusted for limits)	\$1,050

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 10

Percent Interest	Years of Depreciation
5.0	15

Item Description **Item Cost** **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
 No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

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Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	16-Feb-2001	21-Nov-2001	0.8	\$4	\$76	\$80
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated annualized cost to keep a supply of calcium hypochlorite on hand for making repairs to the drinking water system. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Approx Cost of Compliance

TOTAL

Screening Date 29-Oct-03	Docket Number 2003-1372-MLM-E	PCW												
Respondent City of Carl's Corner		Policy Revision 2 (09/02)												
Case ID No. Enforcement Case No. 10234		PCW Revision 6/12/2003												
Respondent/Site ID No. Public Water Supply No. 1090070														
Media [Statute] Public Water Supply														
Enf. Coordinator Rebecca Johnson														
Violation Number <input type="text" value="11"/>														
Primary Rule Cite	<input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(K)"/>													
Secondary Cite(s)														
Violation Description	<input type="text" value="Failure to properly screen the well casing vent with a 16-mesh or finer corrosion resistant screening material."/>													
	Base Penalty	\$1,000												
» Environmental, Property and Human Health Matrix														
	Harm													
	Release	Major Moderate Minor												
OR	Actual	<input type="text"/> <input type="text"/> <input type="text"/>												
	Potential	<input type="text"/> <input checked="" type="text" value="x"/> <input type="text"/>												
	Percent	<input type="text" value="10%"/>												
» Programmatic Matrix														
	Falsification	Major Moderate Minor												
OR	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>												
	Percent	<input type="text"/>												
Matrix Notes	<input type="text" value="Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation."/>													
	Adjustment	<input type="text" value="-900"/>												
	Base Penalty Subtotal	\$100												
Violation Events														
	Number of Violation Events	<input type="text" value="4"/>												
<i>mark only one; use small x</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: center;">daily</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="text-align: center;">monthly</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="text-align: center;">quarterly</td><td style="text-align: center;"><input checked="" type="text" value="x"/></td></tr> <tr><td style="text-align: center;">semiannual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="text-align: center;">annual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="text-align: center;">single event</td><td style="text-align: center;"><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input checked="" type="text" value="x"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
		\$400												
Events Notes	<input type="text" value="Four quarterly events are recommended based on the February 16, 2001 investigation date to the November 21, 2001 compliance date."/>													
Economic Benefit (EB) for this violation	Statutory Limit Test													
Estimated EB Amount (\$)	<input type="text" value="\$3"/>	Violation Final Penalty total												
		\$420												
	This Violation Final Assessed Penalty (adjusted for limits)	\$420												

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$50	16-Feb-2001	21-Nov-2001	0.8	\$0	\$3	\$3
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to install the appropriate screen on the well casing vent. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	12			
Primary Rule Cite	30 Tex. Admin. Code § 290.41(c)(3)(M)			
Secondary Cite(s)				
Violation Description	Failure to provide a suitable sampling tap on the well discharge to facilitate the collection of samples from the well for chemical and bacteriological analysis.			
		Base Penalty		\$1,000
» Environmental, Property and Human Health Matrix				
	Harm			
	Release	Major	Moderate	Minor
OR	Actual			
	Potential	x		
			Percent	25%
» Programmatic Matrix				
	Falsification	Major	Moderate	Minor
OR				
			Percent	
Matrix Notes	Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment		-\$750
		Base Penalty Subtotal		\$250
Violation Events				
	Number of Violation Events	4		
<i>mark only one; use small x</i>	daily			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty		\$1,000
Events Notes	Four quarterly events are recommended based on the February 16, 2001 investigation date to the November 21, 2001 compliance date to make the penalty commensurate with the situation.			
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount (\$)	\$5	Violation Final Penalty total	\$1,050
	This Violation Final Assessed Penalty (adjusted for limits)			\$1,050

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$100	16-Feb-2001	21-Nov-2001	0.8	\$0	\$5	\$5
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to provide a sampling tap. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Revised PWS	2003-1372-MLM-E	PCW	
Respondent	City of Carl's Corner		Policy Revision 2 (09/02)		
Case ID No.	Enforcement Case No. 10234		PCW Revision 6/12/2003		
Respondent/Site ID No.	Public Water Supply No. 1090070				
Media [Statute]	Public Water Supply				
Enf. Coordinator	Rebecca Johnson				
Violation Number	13				
Primary Rule Cite	30 Tex. Admin. Code § 290.46(n)(2)				
Secondary Cite(s)					
Violation Description	Failure to prepare and maintain a map of the distribution system so that valves and mains can be easily located during emergencies.				
Base Penalty				\$1,000	
» Environmental, Property and Human Health Matrix					
Harm					
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
» Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
OR	<input type="text"/>	x	<input type="text"/>	<input type="text"/>	Percent 10%
Matrix Notes	100% of the rule requirement was not met.				
Adjustment				<input type="text" value="-900"/>	
Base Penalty Subtotal				\$100	
Violation Events					
Number of Violation Events		<input type="text" value="1"/>			
<i>mark only one; use small x</i>	daily	<input type="text"/>			
	monthly	<input type="text"/>			
	quarterly	<input type="text"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
	single event	x			Violation Base Penalty \$100
Events Notes	One single event is recommended based on the February 16, 2001 investigation date.				
Economic Benefit (EB) for this violation		Statutory Limit Test			
Estimated EB Amount (\$)		<input type="text" value="\$11"/>		Violation Final Penalty total \$105	
This Violation Final Assessed Penalty (adjusted for limits)				\$105	

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)	\$300	16-Feb-2001	21-Nov-2001	0.8	\$11	n/a	\$11

Notes for DELAYED costs

Estimated cost to prepare a distribution map. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance **\$300**

TOTAL **\$11**

Screening Date	29-Oct-03	Revised PWS	wb3	Bucket Number	2003-1372-MLM-E	PCW	
Respondent	City of Carl's Corner			Policy Revision 2	(09/02)		
Case ID No.	Enforcement Case No. 10234			PCW Revision	6/12/2003		
Respondent/Site ID No.	Public Water Supply No. 1090070						
Media [Statute]	Public Water Supply						
Enf. Coordinator	Rebecca Johnson						
Violation Number	14						
Primary Rule Cite	30 Tex. Admin. Code § 290.45(b)(1)(B)(iii)						
Secondary Cite(s)							
Violation Description	Failure to provide two service pumps having a total capacity of 2.0 gallons per minute (gpm) per connection. Specifically, the service pump capacity is 16.7% deficient.						
				Base Penalty			\$1,000
» Environmental, Property and Human Health Matrix							
	Harm						
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential		x			Percent	10%
» Programmatic Matrix							
	Falsification	Major	Moderate	Minor			
OR						Percent	
Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.						
					Adjustment		-\$900
					Base Penalty Subtotal		\$100
Violation Events							
	Number of Violation Events	13					
<i>mark only one; use small x</i>	daily						
	monthly						
	quarterly	x					
	semiannual					Violation Base Penalty	\$1,300
	annual						
	single event						
Events Notes	Thirteen quarterly events are recommended based on February 16, 2001 investigation date to the April 9, 2004 settlement due date.						
Economic Benefit (EB) for this violation				Statutory Limit Test			
	Estimated EB Amount (\$)	\$291		Violation Final Penalty total	\$1,365		
	This Violation Final Assessed Penalty (adjusted for limits)						\$1,365

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$1,000	16-Feb-2001	15-Apr-2005	4.2	\$14	\$277	\$291
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to provide the required two service pumps having a total capacity of 2.0 gpm per connection. Date required based on the investigation date. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Screening Date	29-Oct-03	Docket Number	2003-1372-MLM-E	PCW
Respondent	City of Carl's Corner			Policy Revision 2 (09/02)
Case ID No.	Enforcement Case No. 10234			PCW Revision 6/12/2003
Respondent/Site ID No.	Public Water Supply No. 1090070			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Johnson			
Violation Number	15			
Primary Rule Cite	30 Tex. Admin. Code §§ 290.44(d) and 290.46(r)			
Secondary Cite(s)				
Violation Description	Failed to provide a minimum water pressure of 35 pounds per square inch (psi) within the water distribution system. Pressure readings from a residence measured 12 psi on June 17, 2002.			

Base Penalty \$1,000

» Environmental, Property and Human Health Matrix

Harm

	Release	Major	Moderate	Minor	
OR	Actual				
	Potential		x		Percent 10%

» Programmatic Matrix

	Falsification	Major	Moderate	Minor	
OR					Percent

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment -\$900

Base Penalty Subtotal \$100

Violation Events

Number of Violation Events 1

mark only one; use small x

	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

Events Notes

One single event is recommended based on the violation date of June 17, 2002, as documented during the June 17, 2002 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount (\$) \$30

Violation Final Penalty total \$105

This Violation Final Assessed Penalty (adjusted for limits) \$105

Economic Benefit Worksheet

Respondent City of Carl's Corner
ID Number(s) Enforcement Case No. 10234
Media [Statute] Public Water Supply
Violation Number 15

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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Delayed Costs

Equipment	\$150	17-Jun-2002	15-Apr-2005	2.8	\$1	\$28	\$30
Buildings				0.0	\$0	\$0	\$0
Other (As needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (As Needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimate cost of adjusting the pressure switches. Date required based on the investigation date in which an inadequate pressure was documented. Final date based on the date compliance documentation was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equip				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx Cost of Compliance

TOTAL

Compliance History

Customer/Respondent/Owner-Operator: CN600658751 City of Carl's Corner Classification: Rating:
Regulated Entity: RN101391852 CITY OF CARLS CORNER Classification: Site Rating:
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1090070
WATER LICENSING LICENSE 1090070
Location: 2100 LINDA ROAD EAST, CARLS CORNER, TX, 76645
TCEQ Region: REGION 09 - WACO
Date Compliance History Prepared: February 07, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: February 07, 2001 to February 07, 2006

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Rebecca Johnson Phone: (713) 422-8931

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- 1 02/16/2001
- 2 10/16/2001
- 3 04/26/2005 (377478)
- 4 12/30/2005 (434786)

- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 04/04/2001

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(4)

Description: Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/l free chlorine.

Classification:

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

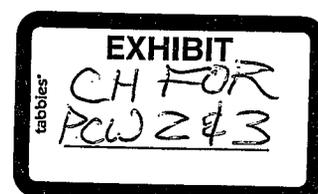
Description: Failure to provide water system records that needed to be reviewed at the time of the investigation.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 288, SubChapter C 288.30(3)

Description: Failure to provide a copy of an adopted drought contingency plan.



Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)

Description: Failure to provide a well casing eighteen inches above the natural ground surface.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(1)(B)

Description: Failure to collect water samples for bacteriological analysis according to the facility's sample site plan.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c), 290.109(g)(4) and 290.122(c)

Description: Failure to notify the public of bacteriological monitoring violations for the months of April, October, and November 2000.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(w)

Description: Failure to post a legible sign at the facility establishing ownership and emergency contact.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.42(i)

Description: Failure to use ANSI/NSF Standard 60 approved chemicals for treatment of water.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to maintain all water storage facilities in a watertight condition.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(3)

Description: Failure to equip the pressure tank with some means of determining the air-to-water ratio.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failure to properly screen the well casing vent with sixteen-mesh or finer corrosion-resistant screening material.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)

Description: Failure to provide a suitable sampling tap on the well discharge to facilitate the collection of samples for chemical and bacteriological analysis directly from the well.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(iii)

Description: Failure to have two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
Description: Failure to maintain an make available an accurate and up-to-date map of the distribution system.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(5)

Description: Failure to provide the regulated entity with sufficient valves and blowoffs so that necessary repairs can be made without undue interruption of service and for flushing the lines when required.

Classification:

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(h)

Description: Failure to maintain a supply of calcium hypochlorite disinfectant for us when making repairs, setting meters, and disinfecting new mains prior to service.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING THE CITY OF
CARL'S CORNER; RN101391852

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2003-1372-MLM-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The City of Carl's Corner ("Carl's Corner") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 11. The Executive Director of the TCEQ, represented by the Litigation Division, and Carl's Corner, appear before the Commission and together stipulate that:

1. Carl's Corner owns and operates a public water supply at 2100 Linda Road East in Carl's Corner, Hill County, Texas (the "Facility"). At the time of the February 16, 2001 investigation it was documented that the Facility had 42 service connections; served at least 25 people per day for at least 60 days per year; and provided water for human consumption. At the time of the November 4, 2005 investigation it was documented that the Facility has 51 service connections; serves at least 25 people per day for at least 60 days per year; and provided water for human consumption. As such the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(47). The Facility is contiguous with or surrounds state water as defined in TEX. WATER CODE § 11.021 and 30 TEX. ADMIN. CODE § 297.1(58).
2. This Agreed Order is entered into pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and TEX. WATER CODE § 11.0842. The Commission has jurisdiction of this matter pursuant to TEX. HEALTH & SAFETY CODE § 341.031 and TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 11, and TCEQ rules.
3. The Commission and Carl's Corner agree that the Commission has jurisdiction to enter this Agreed Order, and that Carl's Corner is subject to the Commission's jurisdiction.

4. Carl's Corner received notice of the violations in Section II (Allegations) on or about April 9, 2001, December 11, 2002 and January 2, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Carl's Corner of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of thirteen thousand two hundred sixty-three dollars (\$13,263.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 11.0842 and TEX. HEALTH & SAFETY CODE § 341.049(b). Thirteen thousand two hundred sixty-three dollars (\$13,263.00) shall be conditionally offset by the City's completion of a Supplemental Environmental Project as defined in Attachment A and incorporated herein by reference. The City's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Carl's Corner have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Carl's Corner has implemented the following corrective measures at the Facility in response to this enforcement action:
 - a. Submitted documentation on April 22, 2001, demonstrating that the Facility is maintaining a residual disinfectant concentration within the distribution system at a minimum of 0.2 milligrams per liter (mg/l) free chlorine.
 - b. Submitted documentation on November 21, 2001, indicating the Facility:
 - i. Installed a site glass on the pressure tank;
 - ii. Began using a disinfectant media for the disinfection of potable water that conforms to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) standards;
 - iii. Installed sufficient valves and blow-offs;
 - iv. Installed an ownership sign that provides the Facility name and emergency telephone number;

- v. Installed a screen on the well casing vent which is 16-mesh or finer corrosion resistant screening material;
 - vi. Installed a suitable sampling tap on the well discharge;
 - vii. Submitted copies of the distribution system map; and
 - viii. Submitted documentation demonstrating that the Facility has begun keeping calcium hypochlorite disinfectant available for use when making repairs, setting meters, and disinfecting new mains prior to placing them into service.
- c. Submitted copies of an adopted Drought Contingency Plan on August 16, 2001.
- d. Submitted documentation on April 15, 2005, indicating:
- i. The Facility has begun collecting water samples for bacteriological analysis according to the Facility sample plan;
 - ii. The Facility has two service pumps that have begun operating at a capacity of 2.0 gallons per minute (gpm); and
 - iii. The Facility began providing a minimum water pressure of 35 pounds per square inch (psi).
- e. Submitted documentation on April 16, 2005, demonstrating that the Facility installed a new water pressure tank after approval by the TCEQ, and verified that the new tank meets ANSI/INSF standards.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Carl's Corner has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Carl's Corner is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 290.110(b)(4) by failing to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum concentration of 0.2 milligrams per liter ("mg/L") free chlorine. Specifically, samples taken on February 16, 2001 indicated a 0.14 mg/L free chlorine residual as documented during an inspection conducted on February 16, 2001. Samples taken at 1212 Brown Lane on November 4, 2005 indicated a 0.06 mg/L free chlorine residual as documented during an inspection conducted on November 4, 2005.
2. 30 TEX. ADMIN. CODE § 290.43(d)(3) by failing to provide a device to readily determine air-water-volume for pressure tanks greater than 1,000 gallon capacity as documented during inspections conducted on February 16, 2001 and November 4, 2005. Specifically, the pressure tank did not have a site-glass installed to determine air-water-volume as documented during inspections conducted on February 16, 2001 and November 4, 2005.
3. 30 TEX. ADMIN. CODE § 290.42(i)¹ by failing to ensure that all chemicals used in the treatment of water supplied by the Facility conformed to American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for direct additives. Specifically, during the February 16, 2001 investigation, the Facility was using the Clorox brand of bleach for treatment of the water which is not listed as an ANSI/NSF standard 60 approved additive as documented during an inspection conducted on February 16, 2001.
4. 30 TEX. ADMIN. CODE § 290.44(d)(5) by failing to provide the regulated entity with sufficient valves and blow-offs so that necessary repairs can be made without undue interruption of service and for flushing the lines when repaired as documented during an inspection conducted on February 16, 2001.
5. 30 TEX. ADMIN. CODE § 290.41(c)(3)(B) by failing to provide a well casing that extends a minimum of 18 inches above the natural ground surface. Specifically, the Facility's well casing only extends 17 inches above the natural ground surface as documented during an inspection conducted on February 16, 2001. The Facility's well casing only extended 13 inches above the natural ground surface as documented during an inspection conducted on November 4, 2005.
6. 30 TEX. ADMIN. CODE § 290.109(c)(1)(B) by failing to collect water samples for bacteriological analysis from all the locations specified in the Facility's Site Sample Plan as

¹ 30 TEX. ADMIN. CODE § 290.42(i) was recodified as 30 TEX. ADMIN. CODE § 290.42(j) effective February 13, 2004 by 29 Tex. Reg. 1373.

documented during inspections conducted on February 16, 2001 and November 4, 2005.

7. 30 TEX. ADMIN. CODE § 290.46(f)(2) by failing to make the water system's operating records available at the time of the investigation. Specifically, during the February 16, 2001 investigation, Carl's Corner failed to provide copies of the well drillers log, cementing certificate, sanitary easement records, completed customer service inspection forms, an adopted plumbing ordinance or service agreement, TCEQ plan approval for the new pressure tank, and verification of the interior coatings and filter media on the new pressure tank to meet ANSI/NSF standards as documented during an inspection conducted on February 16, 2001. During the November 4, 2005 investigation, Carl's Corner failed to provide copies of the annual inspection forms for the system's two ground storage tanks and one pressure tank, Monthly Operating Reports for the previous twelve months, and failed to provide the Plant Operations Manual as documented during an inspection conducted on November 4, 2005.
8. 30 TEX. ADMIN. CODE § 290.46(t) by failing to post in plain view a legible ownership sign that provides the name and an emergency telephone number for the Facility as documented during an inspection conducted on February 16, 2001.
9. 30 TEX. ADMIN. CODE § 290.46(m)(4) by failing to maintain all water storage facilities in a watertight condition. Specifically, the pressure tank was leaking at the time of the investigation as documented during an inspection conducted on February 16, 2001.
10. 30 TEX. ADMIN. CODE § 290.46(h) by failing to keep a supply of calcium hypochlorite on hand to use as disinfectant for making repairs to the drinking water system as documented during an inspection conducted on February 16, 2001.
11. 30 TEX. ADMIN. CODE § 290.41(c)(3)(K) by failing to properly screen the well casing vent with a 16-mesh or finer corrosion resistant screening material as documented during an inspection conducted on February 16, 2001.
12. 30 TEX. ADMIN. CODE § 290.41(c)(3)(M) by failing to provide a suitable sampling tap on the well discharge to facilitate the collection of samples from the well for chemical and bacteriological analysis as documented during an inspection conducted on February 16, 2001.
13. 30 TEX. ADMIN. CODE § 290.46(n)(2) by failing to prepare and maintain a map of the Facility's distribution system so that valves and mains can be easily located during emergencies, which was not available at the time of the investigations as documented during inspections conducted on February 16, 2001 and November 4, 2005.
14. 30 TEX. ADMIN. CODE § 290.45(b)(1)(B)(iii) by failing to provide two service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the service

- pumping capacity is 16.7% deficient as documented during an inspection conducted on February 16, 2001.
15. 30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(3) by failing to provide a copy of an adopted drought contingency plan for inspection upon request of the TCEQ investigator. Specifically, during the February 16, 2001 investigation, the Facility did not have a drought contingency plan available upon request as documented during an inspection conducted on February 16, 2001.
 16. 30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r) by failing to provide a minimum water pressure of 35 pounds per square inch ("psi") within the water distribution system. Specifically, pressure readings from a residence measured 12 psi as documented during an inspection conducted on June 17, 2002. Pressure readings from 821 Lakeview Road measured 26 psi as documented during an inspection conducted on November 4, 2005.
 17. 30 TEX. ADMIN. CODE § 290.41(c)(3)(J) by failing to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions. Specifically, the Facility's concrete sealing block only extended 26 inches as documented during an inspection conducted on November 4, 2005.
 18. 30 TEX. ADMIN. CODE § 290.43(c)(1) by failing to provide the ground storage tank with a roof vent screen that will prevent entry of animals, birds, insects and heavy air contaminants. Specifically, the roof vent screen on Ground Storage Tank No. 1 had a hole in it as documented during an inspection conducted on November 4, 2005.
 19. 30 TEX. ADMIN. CODE § 290.41(c)(3)(O) by failing to provide the well site with an intruder-resistant fence. Specifically, the gate of the existing chain-link fence was approximately five feet high with three strands of barbed wire at the top and the fence was not intruder-resistant as documented during an inspection conducted on November 4, 2005.
 20. 30 TEX. ADMIN. CODE § 290.110(c)(5)(A) by failing to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days. Specifically, Carl's Corner was monitoring the disinfectant residual only once a month as documented during an inspection conducted on November 4, 2005.
 21. 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i) by failing to provide a total well capacity of 0.6 gpm per connection. Specifically, 10.35 gpm of total well capacity was provided when 30.6 gpm were required (66% deficient) as documented during an inspection conducted on November 4, 2005.
 22. 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii) by failing to provide two service pumps having a total capacity of 2.0 gpm per connection. Specifically, 70 gpm of total service pump

capacity was provided when 102 gpm were required (31% deficient) as documented during an inspection conducted on November 4, 2005.

23. 30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a) by failing to employ an operator with a Class "D" or higher license as documented during an inspection conducted on November 4, 2005.

III. DENIALS

Carl's Corner generally denies each allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Carl's Corner pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Carl's Corner's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: The City of Carl's Corner, Docket No. 2003-1372-PWS-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Carl's Corner shall implement and complete a Supplemental Environmental Project in accordance with TEX. WATER CODE § 7.067. Thirteen thousand two hundred sixty-three dollars (\$13,263.00) of the assessed administrative penalty shall be offset by Carl's Corner's completion of a Supplemental Environmental Project defined in "Attachment A". Carl's Corner's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP Agreement.
3. Carl's Corner shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, Carl's Corner shall:
 - i. Begin operating the Facility so as to provide a minimum pressure of 35 psi

- throughout the distribution system under normal operating conditions, as required by 30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r);
- ii. Begin collecting and submitting routine monthly water samples from the Facility for bacteriological analysis at locations specified in the Facility's Site Sample Plan, as required by 30 TEX. ADMIN. CODE § 290.109(c)(1)(B);
 - iii. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/l in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE § 290.110(b)(4);
 - iv. Begin maintaining an accurate and up-to-date map of the distribution system at the Facility, as required by 30 TEX. ADMIN. CODE § 290.46(n)(2);
 - v. Begin monitoring the disinfectant residual at representative locations in the distribution system at least once every seven days, as required by 30 TEX. ADMIN. CODE § 290.110(c)(5)(A); and
 - vi. Employ an operator with a Class "D" or higher license, as required by 30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a).
- b. Within 15 days after the effective date of this Agreed Order, Carl's Corner shall submit written certification of compliance with Ordering Provision Nos. 3.a.i. through 3.a.vi. as described in Ordering Provision No. 3.i.
- c. Within 30 days after the effective date of this Agreed Order, Carl's Corner shall:
- i. Begin maintaining records of operations such that they are readily accessible during investigations, as required by 30 TEX. ADMIN. CODE. § 290.46(f)(2). This shall include, but not be limited to, the accessibility of the cementing certificate, completed customer service inspection forms, an adopted plumbing ordinance or service agreement, TCEQ plan approval for the new pressure tank, verification that the interior coating and filter media on the new pressure tank meet ANSI/NSF standards, annual tank inspection forms for the two ground storage tanks and one pressure tank, Monthly Operating Reports for the previous twelve months, and the Plant Operations Manual;
 - ii. Install a device on the pressure tank to readily determine air-water-volume, as required by 30 TEX. ADMIN. CODE § 290.43(d)(3); and
 - iii. Replace the roof vent screen on Ground Storage Tank No. 1 with a screen

that will prevent entry of animals, birds, insects and heavy air contaminants, as required by 30 TEX. ADMIN. CODE § 290.43(c)(1).

- d. Within 45 days after the effective date of this Agreed Order, Carl's Corner shall submit certification of compliance with Ordering Provision Nos. 3.c.i. through 3.c.iii. as described in Ordering Provision No.3.i.
- e. Within 60 days after the effective date of this Agreed Order, Carl's Corner shall:
 - i. Provide a well casing that extends a minimum of 18 inches above the natural ground surface, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(B), or obtain an exception to 30 TEX. ADMIN. CODE § 290.41(c)(3)(B), in accordance with 30 TEX. ADMIN. CODE § 290.39(1);
 - ii. Provide a concrete sealing block around the wellhead that extends at least three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inches per foot, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(J);
 - iii. Install an intruder-resistant fence to protect the well, pressure tank and ground storage tanks at the Facility, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(O). The fence must be six feet or greater in height, constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle with the smooth side of the fence on the outside wall. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be locked, in good repair, and close enough to surface grade to prevent intruder passage; and
 - iv. Submit for review and approval an engineering report which addresses the well capacity deficiency and service pump capacity deficiency to:

Utilities & Districts Section
Water Supply Division, MC 153
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

This engineering report shall include, but not be limited to, plans and specifications prepared by a registered professional engineer, as well as a schedule of implementation and completion of modifications which are necessary to bring the system into compliance with 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i). Carl's Corner may also request approval to meet

alternative capacity requirements in lieu of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i), in accordance with 30 TEX. ADMIN. CODE § 290.45(g). The exception request shall be submitted to:

Public Drinking Water Section
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- f. Within 75 days after the effective date of the Commission Order, Carl's Corner shall submit certification of compliance with Ordering Provision Nos. 3.e.i. through 3.e.iv. as described in Ordering Provision No. 3.i.
- g. Within 120 days after the effective date of the Commission Order, Carl's Corner shall either:
 - i. Provide a total well capacity of 0.6 gpm per connection and two service pumps having a total capacity of 2.0 gpm per connection, as required by 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i); or
 - ii. Obtain approval to meet alternative capacity requirements in lieu of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i).
- h. Within 135 days after the effective date of the Commission Order, Carl's Corner shall submit written certification as described in Ordering Provision No. 3.i. to demonstrate compliance with Ordering Provision No. 3.g.i. or 3.g.ii.
- i. The certification required by Ordering Provision Nos 3.b., 3.d., 3.f. and 3.h. shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"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 the 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."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC-149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Frank Burlison
Water Section Manager
Waco Regional Office
6801 Sanger Avenue, Ste. 2500
Waco, Texas 76710

4. The provisions of this Agreed Order shall apply to and be binding upon Carl's Corner. Carl's Corner is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. If Carl's Corner fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Carl's Corner's failure to comply is not a violation of this Agreed Order. Carl's Corner shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Carl's Corner shall notify the Executive Director within seven days after Carl's Corner becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Carl's Corner shall be made in writing to the Executive Director. Extensions are not effective until Carl's Corner receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against Carl's Corner in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a

single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

9. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Carl's Corner, or three days after the date on which the Commission mails notice of the Order to Carl's Corner, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The City of Carl's Corner
Docket No. 2003-1372-MLM-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/14/07

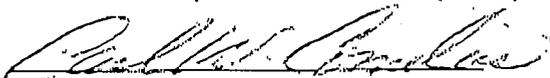
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

8/27/07

Date

CARL W CORVICK

Name (Printed or typed)

Authorized representative of
The City of Carl's Corner

Mayor

Title

ATTACHMENT "A"

Attachment A

Docket Number: 2003-1372-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Carl's Corner

Penalty Amount: Thirteen Thousand Two Hundred Sixty-Three Dollars
(\$13,263)

SEP Amount: Thirteen Thousand Two Hundred Sixty-Three Dollars
(\$13,263)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation & Development
Areas, Inc. ("RC&D") -Abandoned Tire Clean-Up

Location of SEP: Hill County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the **Texas Association of Resource Conservation & Development Areas, Inc. ("RC&D")** shall use the contribution to clean up sites in Hill County where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent must contribute the SEP Amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, TX 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, Respondent shall include the notation "SEP Refund" and the docket number on the check, and shall make the check payable to "Texas Commission on Environmental Quality." Any payment for incomplete performance shall be mailed to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.