

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 4

DOCKET NO.: 2006-1712-PWS-E TCEQ ID: RN101387710 and RN101182285 CASE NO.: 31092

RESPONDENT NAME: City of Eagle Pass Water Works System

ORDER TYPE:

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:

<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATER QUALITY		

SITE WHERE VIOLATION(S) OCCURRED: City of Eagle Pass and City of Eagle Pass Water Works South Plant, 859 Jefferson Street and Old Pioneer Road, Eagle Pass, Maverick County

TYPE OF OPERATION: Public water supply

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding these facility locations.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on March 12, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Rebecca Clausewitz, Enforcement Division, Enforcement Section I, R-13, (210) 403-4012; Mr. Steven Lopez, Enforcement Division, Enforcement Section I, (512) 239-1896

TCEQ Field Investigator: Ms. Elsa Hull, Laredo Regional Office, MC R-16, (956) 791-6611

Respondent: Mr. Enrique Montalvo, Director, City of Eagle Pass Water Works System, P.O. Box 808, Eagle Pass, Texas 78853

Mr. Roberto Gonzalez, General Manager, City of Eagle Pass Water Works System, P.O. Box 808, Eagle Pass, Texas 78853

Respondent's Attorney: Not represented by counsel on this enforcement matter

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 of Complaints Relating to this Case: None</p> <p>Date of Investigations Relating to this Case: July 7 and 25, 2006</p> <p>Date of NOE Relating to this Case: August 17, 2006 (NOE)</p> <p>Background Facts: These were routine scheduled investigations for compliance with the drinking water quality program. Ten significant program violations were observed.</p> <p>WATER</p> <p>1) Failure to maintain a minimum of 0.2 milligrams per liter ("mg/L") of free chlorine or 0.5 mg/L total chlorine residual in each finished water storage tank and throughout the distribution system at all times at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facilities [30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)].</p> <p>2) Failure to provide a treatment plant capacity of 0.6 gallons per minute ("gpm") per connection under normal rated design flow at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facilities [30 TEX. ADMIN. CODE § 290.45(b)(2)(B) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>3) Failure to conduct annual storage tank inspections on two 0.5 million gallon-steel clearwell tanks and one 0.24 million gallon concrete clearwell tank at the City of Eagle Pass facility [30 TEX. ADMIN. CODE § 290.46(m)(1)].</p> <p>4) Failure to submit a copy of the schematic of the hydraulic flow in the distribution system to the Commission upon request to determine compliance with capacity requirements for each pressure plane and failure to maintain pressure records required by the in-line booster pump exception granted by the Commission at the City of Eagle Pass facility [30 TEX. ADMIN. CODE § 290.46(f)(4)].</p>	<p>Total Assessed: \$6,272</p> <p>Total Deferred: \$1,255 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$5,017</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken</p> <p>1) The Executive Director recognizes that:</p> <p>a) On July 27, 2006, Eagle Pass Water Works submitted documentation demonstrating that the free chlorine residual levels had been increased above the minimum required level of 0.5 mg/L at the City of Eagle Pass facility; and</p> <p>b) On August 25, 2006, Eagle Pass Water Works submitted written documentation demonstrating that properly calibrated liquid level indicators were installed at the Seco elevated tank at the City of Eagle Pass facility and El Indio standpipe at the City of Eagle Pass Water Works South Plant facility.</p> <p>Ordering Provisions</p> <p>2) The Order will require the Respondent to:</p> <p>a) Within 10 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Begin maintaining a minimum of 0.2 mg/L of free chlorine or 0.5 mg/L total chlorine residual in each finished water storage tank and throughout the distribution system at all times at the City of Eagle Pass Water Works South Plant facility; ii. Begin monitoring the disinfectant residual at least once per day at representative locations throughout the distribution system at the City of Eagle Pass Water Works South Plant facility; and iii. Begin maintaining turbidity data for the individual filters at the City of Eagle Pass Water Works South Plant facility. <p>b) Within 30 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Submit written documentation, as detailed in Ordering Provision 2.f. below, that certifies compliance with Ordering Provisions 2.a.i. through iii;

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>5) Failure to provide a proper liquid level indicator that is calibrated in feet of water for the Seco elevated storage tank in the City of Eagle Pass facility and for all water storage tanks, including the Pueblo Nuevo, Chula Vista, and El Indio storage tanks at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.43(c)(4)].</p> <p>6) Failure to maintain the good working condition and general appearance of the system's facilities and equipment, including rust found on the claricone trough, the filters, and the El Indio standpipe and a non-operational turbidity chart recorder at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.46(m)].</p> <p>7) Failure to provide a flow measuring device for the treated water used to backwash the filters to assist in the determination of chemical dosages, the accumulation of water production data, and the operation of plant facilities at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.42(d)(5)].</p> <p>8) Failure to monitor the disinfectant residual at least once per day at representative locations throughout the distribution system at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.110(c)(5)(C)].</p> <p>9) Failure to conduct secondary calibration and verification on the turbidimeters at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.46(s)(2)(B)].</p> <p>10) Failure to maintain turbidity data for the individual filters at the City of Eagle Pass Water Works South Plant facility [30 TEX. ADMIN. CODE § 290.46(f)(3)(B)(iv)].</p>		<p>ii. Conduct annual storage tank inspections on the two 0.5 million gallon steel clearwell tanks and the 0.24 million gallon concrete clearwell tank at the City of Eagle pass facility;</p> <p>iii. Begin maintaining a schematic of the hydraulic flow in the distribution system and pressure records required by the in-line booster pump exception for the City of Eagle Pass facility; and</p> <p>iv. Conduct secondary calibration and verification on the turbidimeters at the City of Eagle Pass Water Works South Plant facility.</p> <p>c) Within 60 days after the effective date of this Agreed Order:</p> <p>i. Submit written documentation, as detailed in Ordering Provision 2.f. below, that certificate compliance with Ordering Provisions 2.b.ii. through iv.;</p> <p>ii. Provide a proper liquid level indicator that is calibrated in feet of water for the Pueblo Nuevo and Chula Vista storage tanks;</p> <p>iii. Begin maintaining the good working condition and general appearance of the system's facilities and equipment by repairing all areas of rust found on the claricone trough, the filters, and the El Indio standpipe and by repairing or replacing the non-operational turbidity chart recorder at the City of Eagle Pass Water Works South Plant facility; and</p> <p>iv. Install a flow measuring device for the treated water used to backwash the filters at the City of Eagle Pass Water Works South Plant facility.</p> <p>d) Within 75 days after the effective date of this Agreed Order, submit written documentation, as detailed in Ordering Provision 2.f. below, that certifies compliance with Ordering Provisions 2.c.ii. through iv.;</p> <p>e) Within 180 days after the effective date of this Agreed Order, provide a treatment plant capacity of 0.6 gpm per connection under normal rated design flow at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facility; and</p>

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
		f) Within 195 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.e.

Penalty Calculation Worksheet (PCW)
 Policy Revision 2 (September 2002) PCW Revision May 19, 2005

TCEQ

DATES Assigned 21-Aug-2006
 PCW 13-Oct-2006 Screening 06-Sep-2006 EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent City of Eagle Pass Water Works System (City of Eagle Pass)
 Reg. Ent. Ref. No. RN101387710
 Facility/Site Region 16-Laredo Major/Minor Source Major Source

CASE INFORMATION

Enf./Case ID No. 31092 No. of Violations 5
 Docket No. 2006-1712-PWS-E Order Type 1660
 Media Program(s) Public Water Supply Enf. Coordinator Rebecca Clausewitz
 Multi-Media EC's Team Enforcement Team 2
 Admin. Penalty \$ Limit Minimum \$50 Maximum \$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,850**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 11% Enhancement Subtotals 2, 3, & 7 **\$204**

Notes: The enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action, and for three NOV's containing violations that are dissimilar to the violations in the current enforcement action.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes: The culpability criteria was not met.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes: The Respondent does not meet the good faith effort criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$1,429	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$6,750	

SUM OF SUBTOTALS 1-7 Final Subtotal **\$2,054**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

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

Notes: Final Penalty Amount **\$2,054**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$2,054**

DEFERRAL 20% Reduction Adjustment **-\$411**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$1,643**

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System			(Cityember 2002)
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101387710			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			

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	3	6%
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%
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) 11%

>> **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

The enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action, and for three NOVs containing violations that are dissimilar to the violations in the current enforcement action.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 11%

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System			(Cityember 2002)
Case ID No.	31092			PCW Revision May 19, 2005
Reg. Ent. Reference No.	RN101387710			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	1			
Primary Rule Cite(s)	30 Tex. Admin. Code §§ 290.110(b)(4) and 290.46(d)(2)			
Secondary Rule Cite(s)				
Violation Description	Failure to maintain a minimum of 0.5 milligrams per liter ("mg/L") total chlorine residual in each finished water storage tank and throughout the distribution system at all times. Specifically, on the date of the investigation, the total chlorine residual measured 0.03 mg/L at the Seco elevated tank, 0.17 mg/L at the Highway 277 elevated tank, and 0.04 mg/L behind Winn High School.			
	Base Penalty	\$1,000		

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential		X		

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent

Matrix Notes: Without proper chlorination of the water supply, customers could be exposed to significant amounts of contamination which would not exceed levels that are protective of human health.

Adjustment -\$750

Base Penalty Subtotal \$250

Violation Events

Number of Violation Events 1

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$250

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$500

Violation Final Penalty Total \$278

This violation Final Assessed Penalty (adjusted for limits) \$278

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle P
 Case ID No. 31092
 Reg. Ent. Reference No. RN101387710
 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
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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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: There are no delayed costs associated with this violation.

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]	\$500	25-Jul-2006	27-Jul-2006	0.0	\$0	\$500	\$500
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: The avoided costs include the amount required for supplies and the additional oversight needed to ensure proper chlorination of the water supply, calculated from the date of the investigation to the date of compliance.

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

Screening Date 06-Sep-2006 **Docket No.** 2006-1712-PWS-E **PCW**
Respondent City of Eagle Pass Water Works System (Cityember 2002)
Case ID No. 31092 PCW Revision May 19, 2005
Reg. Ent. Reference No. RN101387710
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Clausewitz

Violation Number
Primary Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(2)(B)
Secondary Rule Cite(s) Tex. Health & Safety Code § 341.0315(c)
Violation Description Failure to provide a treatment plant capacity of 0.6 gallons per minute ("gpm") per connection under normal rated design flow. Specifically, the treatment plant currently has a capacity of 7,813 gpm with 13,066 connections, which is approximately 8.5% deficient of the 8,534 gpm required.

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 type="text"/>	<input checked="" type="checkbox"/>	

>> **Programmatic Matrix**

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

Matrix Notes Without sufficient capacity, customers of the water supply could experience water shortages and the system's ability to provide a safe and adequate supply of water to the customers could be impaired.

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 type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<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 Eagle Pass Water Works System (City of Eagle P
 Case ID No: 31092
 Reg. Ent. Reference No: RN101387710
 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	\$5,000	25-Jul-2006	31-Aug-2007	1.1	\$18	\$367	\$385
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: The delayed costs include the amount to increase the treatment plant capacity, calculated from the date of the inspection to the estimated 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: There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$5,000

TOTAL \$385

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System			(Cityember 2002)
Case ID No.	31092			PCW Revision May 19, 2005
Reg. Ent. Reference No.	RN101387710			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	3			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)			
Secondary Rule Cite(s)				
Violation Description	Failure to conduct annual storage tank inspections on two 0.5 million gallon steel clearwell tanks and one 0.24 million gallon concrete clearwell tank.			
Base Penalty	\$1,000			

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

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

>> **Programmatic Matrix**

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

Matrix Notes

Complete failure to perform inspections of the storage tanks could result in non-detection of a tank defect causing loss of tank integrity and customers of the water supply could be exposed to significant amounts of contamination which would not exceed levels that are protective of human health and environmental receptors.

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 type="text"/>
	semiannual	<input type="text"/>
	annual	X
	single event	<input type="text"/>

Violation Base Penalty

Three annual events are recommended -- one event for each tank not inspected.

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 Eagle Pass Water Works System (City of Eagle P
 Case ID No. 31092
 Reg. Ent. Reference No. RN101387710
 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
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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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: There are no delayed costs associated with this violation.

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]	\$300	26-Jul-2005	25-Jul-2006	1.0	\$15	\$300	\$315
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: The avoided costs include the amount to perform three storage tank inspections, calculated for the one year prior to the investigation.

Approx. Cost of Compliance \$300 TOTAL \$315

Screening Date 06-Sep-2006 **Docket No.** 2006-1712-PWS-E **PCW**
Respondent City of Eagle Pass Water Works System (Cityember 2002)
Case ID No. 31092 PCW Revision May 19, 2005
Reg. Ent. Reference No. RN101387710
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Clausewitz

Violation Number 4
Primary Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(4)
Secondary Rule Cite(s)
Violation Description Failure to submit a copy of the schematic of the hydraulic flow in the distribution system to the Commission upon request to determine compliance with capacity requirements for each pressure plane and failure to maintain pressure records required by the in-line booster pump exception granted by the Commission.

Base Penalty \$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent
	Potential				

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
			X			Percent 25%

Matrix Notes 100% of the requirement was not met.

Adjustment -\$750

Base Penalty Subtotal \$250

Violation Events

Number of Violation Events 2

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$500

Two single events are recommended -- one event for each record not maintained and provided upon request.

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$227

Violation Final Penalty Total \$555

This violation Final Assessed Penalty (adjusted for limits) \$555

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle P
 Case ID No. 31092
 Reg. Ent. Reference No. RN101387710
 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	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	25-Jul-2006	01-Apr-2007	0.7	\$17	n/a	\$17

Notes for DELAYED costs: The delayed costs include the amount to prepare and submit a copy of the schematic of the hydraulic flow distribution system, calculated from the date of the investigation to the estimated date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime 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]	\$200	17-Apr-2006	10-Mar-2007	1.0	\$10	\$200	\$210
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: The avoided costs include the amount required to maintain pressure records required by the in-line booster pump exception granted by the Commission, calculated from the date the exception was granted to the estimated date of compliance.

Approx. Cost of Compliance **\$700** **TOTAL** **\$227**

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System			(Cityember 2002)
Case ID No.	31092			PCW Revision May 19, 2005
Reg. Ent. Reference No.	RN101387710			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	5			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(4)			
Secondary Rule Cite(s)				
Violation Description	Failure to provide a proper liquid level indicator that is calibrated in feet of water for the Seco elevated storage tank.			
Base Penalty	\$1,000			

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

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

>> **Programmatic Matrix**

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

Matrix Notes: If the liquid level indicator is not properly calibrated, the tank's capacity cannot be accurately ascertained and the system's ability to provide a safe and adequate supply of water to the customers could be impaired.

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	X
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

One quarterly event is recommended from the date of the investigation, July 25, 2006, to the date of screening, September 6, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$1"/>	Violation Final Penalty Total <input type="text" value="\$278"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$278"/>	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle P
 Case ID No: 31092
 Reg. Ent. Reference No: RN101387710
 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	\$250	25-Jul-2006	25-Aug-2006	0.1	\$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: The delayed costs include the amount to install a liquid level indicator that is properly calibrated in feet of water, calculated from the date of the investigation to the 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: There are no avoided costs associated with this violation.

Approx. Cost of Compliance

TOTAL

Compliance History

Customer/Respondent/Owner-Operator:	CN602520165	City of Eagle Pass Water Works System	Classification:	Rating:
Regulated Entity:	RN101387710	CITY OF EAGLE PASS	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		1620001
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		1620001
	WATER LICENSING	LICENSE		1620001
Location:	859 JEFFERSON ST, EAGLE PASS, TX, 78852			
TCEQ Region:	REGION 16 - LAREDO			
Date Compliance History Prepared:	October 13, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	October 13, 2001 to October 13, 2006			

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

Name: Rebecca Clausewitz Phone: (210) 403-4012

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	08/16/2006	(497724)
2	01/30/2004	(261385)
3	01/24/2006	(453004)
4	06/17/2003	(37966)
5	05/10/2004	(272051)
6	10/10/2003	(251635)
7	08/24/2005	(406640)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	01/30/2004	(261385)	Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(2)[G]					
Description:	Failure to properly calibrate laboratory equipment used for compliance testing.					
Self Report?	NO		Classification:	Minor		
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(3)					
Description:	Failure to design overflows in strict accordance with current AWWA standards to discharge above the surface of the ground and not be subject to submergence.					
Self Report?	NO		Classification:	Moderate		
Citation:	30 TAC Chapter 290, SubChapter D 290.42(h)					
Description:	Failure to obtain a permit for discharging wastes from water treatment processes.					
Date:	06/28/2004	(277790)	Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(r)					

Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and a minimum pressure of 20 psi during emergencies.
Date: 08/29/2005 (406640) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)[G]
Description: Failure to provide containment for all liquid chemical storage tanks.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)
Description: Failure to provide a flow measuring device to measure the flow rate through specific treatment processes.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)[G]
Description: Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)
Description: Failure to maintain a minimum of 0.5 mg/l total chlorine residual in each finished water storage tank and throughout the distribution system at all times.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(2)
Description: Failure to provide booster pumps which take suction from storage tanks or to obtain an exception to this requirement.
Date: 06/16/2003 (37966) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)(C)
Description: Failure to establish a program to provide protection against backflow and siphonage, potential contamination and health hazards.

- 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



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	21-Aug-2006	Screening	06-Sep-2006	EPA Due	
	PCW	13-Oct-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	City of Eagle Pass Water Works System (City of Eagle Pass Water Works South Plant)
Reg. Ent. Ref. No.	RN101182285
Facility/Site Region	16-Laredo
Major/Minor Source	Major Source

CASE INFORMATION			
Enf./Case ID No.	31092	No. of Violations	7
Docket No.	2006-1712-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Rebecca Clausewitz
Multi-Media		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$2,850**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 48% Enhancement Subtotals 2, 3, & 7 **\$1,368**

Notes: The enhancement is due to two prior Notices of Violation ("NOVs") containing violations that are the same as or similar to the violations in the current enforcement action, nine prior NOVs containing violations that are dissimilar to the violations in the current enforcement action, and one prior agreed order containing a denial of liability.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes: The culpability criteria was not met.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes: The Respondent does not meet the good faith effort criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$7,629	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$16,175	

SUM OF SUBTOTALS 1-7 Final Subtotal **\$4,218**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

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

Notes:

Final Penalty Amount **\$4,218**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$4,218**

DEFERRAL 20% Reduction Adjustment **-\$844**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$3,374**

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System	(City of Eagle Pass Water Wember 2002)		
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			

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)	2	10%
	Other written NOV's	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	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 disclosed)	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%
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) 48%

>> **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

The enhancement is due to two prior Notices of Violation ("NOVs") containing violations that are the same as or similar to the violations in the current enforcement action, nine prior NOV's containing violations that are dissimilar to the violations in the current enforcement action, and one prior agreed order containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 48%

Screening Date 06-Sep-2006 **Docket No.** 2006-1712-PWS-E **PCW**

Respondent City of Eagle Pass Water Works System (City of Eagle Pass Water *Wember 2002*)

Case ID No. 31092 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN101182285

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number

Primary Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(2)(B)

Secondary Rule Cite(s) Tex. Health & Safety Code § 341.0315(c)

Violation Description
 Failure to provide a treatment plant capacity of 0.6 gallons per minute ("gpm") per connection under normal rated design flow. Specifically, the treatment plant currently has a capacity of 1,374 gpm with 2,624 connections, which is approximately 13% deficient of the 1,574 gpm required.

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="25%"/>
Potential	<input type="text"/>	X	<input type="text"/>	

>> **Programmatic Matrix**

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

Matrix Notes
 Without sufficient capacity, customers of the water supply could experience water shortages and the system's ability to provide a safe and adequate supply of water to the customers could be impaired.

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	X
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One quarterly event is recommended from the date of the investigation, July 7, 2006, to the date of screening, September 6, 2006.

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 Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No: 31092
 Reg. Ent. Reference No: RN101182285
 Media [Statute]: Public Water Supply
 Violation No: 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	\$5,000	07-Jul-2006	31-Aug-2007	1.2	\$19	\$384	\$403
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: The delayed costs include the amount to increase the treatment plant capacity, calculated from the date of the inspection to the estimated 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: There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$5,000 **TOTAL** \$403

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System	(City of Eagle Pass Water Wember 2002)		
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	2			
Primary Rule Cite(s)	30 Tex. Admin. Code §§ 290.110(b)(4) and 290.46(d)(2)			
Secondary Rule Cite(s)				
Violation Description	Failure to maintain a minimum of 0.2 milligrams per liter ("mg/L") of free chlorine or 0.5 mg/L of total chlorine residual in each finished water storage tank and throughout the distribution system at all times. Specifically, on the date of the investigation, the chlorine residual measured 0.25 mg/L total chlorine and 0.15 mg/L free chlorine at the Pueblo Nuevo standpipe, 0.36 mg/L total chlorine and 0.26 mg/L free chlorine at the Chula Vista standpipe, and 0.05 mg/L total chlorine and 0.02 mg/L free chlorine in the distribution system adjacent to the El Indio standpipe.			
Base Penalty				\$1,000

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

OR	Harm			Percent <input type="text" value="25%"/>	
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	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: Without proper chlorination of the water supply, customers could be exposed to significant amounts of contamination which could exceed levels that are protective of human health.

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 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 Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No. 31092
 Reg. Ent. Reference No. RN101182285
 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				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: There are no delayed costs associated with this violation.

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]	\$500	07-Jul-2006	08-Jul-2006	0.0	\$0	\$500	\$500
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: The avoided costs include the amount required for supplies and the additional oversight needed to ensure proper chlorination of the water supply, calculated for the date of the investigation.

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

Screening Date 06-Sep-2006 **Docket No.** 2006-1712-PWS-E **PCW**
Respondent City of Eagle Pass Water Works System (City of Eagle Pass Water Wember 2002)
Case ID No. 31092 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101182285
Media [Statute] Public Water Supply
Enf. Coordinator Rebecca Clausewitz

Violation Number 3
Primary Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)
Secondary Rule Cite(s)
Violation Description Failure to maintain the good working condition and general appearance of the system's facilities and equipment, including rust found on the claricone trough, the filters, and the El Indio standpipe and a non-operational turbidity chart recorder.
Base Penalty \$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent 25%
	Potential		X		

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
						Percent

Matrix Notes Failure to properly maintain the good working condition and appearance of the facility could cause customers of the water supply to be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment -\$750

Base Penalty Subtotal \$250

Violation Events

Number of Violation Events 1

mark only one use a small x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$250

One quarterly event is recommended from the date of the investigation, July 7, 2006, to the date of screening, September 6, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$15	Violation Final Penalty Total \$370
This violation Final Assessed Penalty (adjusted for limits) \$370	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water, Works System (City of Eagle Pass Water Works South)
 Case ID No.: 31092
 Reg. Ent. Reference No.: RN101182285
 Media [Statute]: Public Water Supply
 Violation No.: 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	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$300	07-Jul-2006	01-Apr-2007	0.7	\$1	\$15	\$15
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: The delayed costs include the amount required to remove the rust and repair the turbidity chart recorder, calculated from the date of the investigation to the estimated 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: There are no avoided costs associated with this violation.

Approx. Cost of Compliance

TOTAL

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System	(City of Eagle Pass Water Wember 2002)		
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	4			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.42(d)(5)			
Secondary Rule Cite(s)				
Violation Description	Failure to provide a flow measuring device for the treated water used to backwash the filters to assist in the determination of chemical dosages, the accumulation of water production data, and the operation of plant facilities.			
Base Penalty	\$1,000			

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

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

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input type="text"/>
Matrix Notes	Failure to install a flow meter prevents the system from compiling water production data and could compromise the system's ability to provide an adequate amount of water to its customers.				

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 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 <input type="text" value="\$10"/>	Violation Final Penalty Total <input type="text" value="\$148"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$148"/>	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No: 31092
 Reg. Ent. Reference No: RN101182285
 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	\$200	07-Jul-2006	01-Apr-2007	0.7	\$0	\$10	\$10
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: The delayed cost includes the amount to install a flow measuring device for the treated water used to backwash the filters, calculated from the date of the investigation to the estimated date of compliance.

Item	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)	Yrs	Interest Saved	Onetime Costs	EB Amount
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: There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$200 TOTAL \$10

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System	(City of Eagle Pass Water Wember 2002)		
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	5			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(4)			
Secondary Rule Cite(s)				
Violation Description	Failure to provide a proper liquid level indicator, calibrated in feet of water, for all water storage tanks, including the Pueblo Nuevo, Chula Vista, and El Indio storage tanks.			
Base Penalty	\$1,000			

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential		X		

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent

Matrix Notes If the liquid level indicator is not properly calibrated, the tank's capacity cannot be accurately ascertained and the system's ability to provide a safe and adequate supply of water to the customers could be impaired.

Adjustment -\$750

Base Penalty Subtotal \$250

Violation Events

Number of Violation Events 3

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$750

Three single events are recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$28	Violation Final Penalty Total \$1,110
This violation Final Assessed Penalty (adjusted for limits) \$1,110	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No: 31092
 Reg. Ent. Reference No: RN101182285
 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
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Delayed Costs							
Equipment	\$500	07-Jul-2006	01-Apr-2007	0.7	\$1	\$24	\$26
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$250	07-Jul-2006	25-Aug-2006	0.1	\$0	\$2	\$2
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
 The delayed equipment cost includes the amount to install two liquid level indicators (for Pueblo Nuevo & Chula Vista) that are properly calibrated in feet of water, calculated from the date of the investigation to the estimated date of compliance. The other delayed cost includes the amount to install one liquid level indicator (for El Indio) that is properly calibrated in feet of water, calculated from the date of the investigation to the 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
 There are no avoided costs associated with this violation.

Approx. Cost of Compliance **\$750**

TOTAL \$28

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System	(City of Eagle Pass Water Wember 2002)		
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	6			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.110(c)(5)(C)			
Secondary Rule Cite(s)				
Violation Description	Failure to monitor the disinfectant residual at least once per day at representative locations throughout the distribution system.			
Base Penalty				\$1,000

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

OR	Harm				Percent
	Release	Major	Moderate	Minor	
	Actual				
	Potential	X			50%

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent

Matrix Notes

Failure to conduct daily monitoring of the disinfectant levels could cause the customers of the water supply to be exposed to contaminants which would exceed levels that are protective of human health.

Adjustment -\$500

Base Penalty Subtotal \$500

Violation Events

Number of Violation Events **2**

mark only one use a small x	daily	
	monthly	X
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$1,000

Two monthly events are recommended from the date of the investigation, July 7, 2006, to the date of screening, September 6, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$6,458	Violation Final Penalty Total \$1,480
This violation Final Assessed Penalty (adjusted for limits) \$1,480	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No.: 31092
 Reg. Ent. Reference No.: RN101182285
 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				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	There are no delayed costs associated with this violation.						

Item	Cost	Date	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	\$9,125	07-Jul-2006	10-Mar-2007	0.7	\$308	\$6,150	\$6,458
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	The avoided costs include the annual amount to conduct daily monitoring of the water supply (\$25 per day for 365 days), calculated from the date of the investigation to the estimated date of compliance.						

Approx. Cost of Compliance \$9,125

TOTAL \$6,458

Screening Date	06-Sep-2006	Docket No.	2006-1712-PWS-E	PCW
Respondent	City of Eagle Pass Water Works System		(City of Eagle Pass Water Wember 2002)	
Case ID No.	31092	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101182285			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Rebecca Clausewitz			
Violation Number	7			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.46(s)(2)(B) and (f)(3)(B)(iv)			
Secondary Rule Cite(s)				
Violation Description	Failure to conduct secondary calibration and verification on the turbidimeters and failure to maintain turbidity data for the individual filters.			

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 type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	

>> **Programmatic Matrix**

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

Matrix Notes: Failure to properly calibrate the turbidimeters and maintain turbidity data on the filters prevents the system from compiling essential water data and could compromise the system's ability to provide an adequate amount of water to its customers.

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"/>
	semianual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

One quarterly event is recommended from the date of the investigation, July 7, 2006, to the date of screening, September 6, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$215"/>	Violation Final Penalty Total <input type="text" value="\$370"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$370"/>	

Economic Benefit Worksheet

Respondent: City of Eagle Pass Water Works System (City of Eagle Pass Water Works South)
 Case ID No: 31092
 Reg. Ent. Reference No: RN101182285
 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	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)	\$100	07-Jul-2006	01-Apr-2007	0.7	\$0	\$5	\$5
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: The delayed cost includes the amount to calibrate the turbidimeters, calculated from the date of the investigation to the estimated 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]	\$200	07-Jul-2006	10-Mar-2007	1.0	\$10	\$200	\$210
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: The avoided costs includes the amount to maintain turbidity data on the filters, calculated from the date of inspection to the estimated date of compliance.

Approx. Cost of Compliance \$300 **TOTAL** \$215

Compliance History

Customer/Respondent/Owner-Operator:	CN602520165	City of Eagle Pass Water Works System	Classification:	Rating:
Regulated Entity:	RN101182285	CITY OF EAGLE PASS WATER WORKS SOUTH PLANT	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING		REGISTRATION LICENSE	1620004 1620004
Location:	OLD PIONEER RD, EAGLE PASS, TX, 78860			
TCEQ Region:	REGION 16 - LAREDO			
Date Compliance History Prepared:	October 13, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	October 13, 2001 to October 13, 2006			

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

Name: Rebecca Clausewitz Phone: (210) 403-4012

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

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

Effective Date: 09/21/2006

ADMINORDER 2006-0323-PWS-E

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the third quarter of 2004.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the fourth quarter of 2004.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the first quarter of 2005.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the second quarter of 2005.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the third quarter of 2005.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the fourth quarter of 2005.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for haloacetic acids during the fourth quarter of 2004.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for haloacetic acids during the first quarter of 2005.

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	07/19/2002	(4695)
2	06/20/2003	(114165)
3	11/22/2004	(456553)
4	01/11/2006	(450234)
5	06/17/2005	(396444)
6	04/21/2005	(456739)
7	07/08/2005	(456743)
8	03/16/2006	(456778)
9	08/17/2006	(497598)
10	09/23/2005	(432740)
11	09/30/2005	(456748)
12	05/01/2003	(33652)
13	08/21/2003	(151275)
14	02/24/2004	(263708)
15	01/12/2006	(456756)
16	06/28/2005	(397687)
17	04/27/2005	(456768)
18	01/05/2005	(456671)
19	01/25/2005	(456765)

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

Date: 07/18/2002 (4695)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)[G]

Description: Failure to properly operate and maintain the "Old Clarifier". Specifically, inverted cone baffles, baffle walls and critical sludge recirculation and mixing components have been corroded, and possibly removed from the clarifier significantly compromising the performance of this water treatment component.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)[G]

Description: Failure to provide adequate containment facilities for all liquid chemical storage tanks.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(10)(C)(iii)

Description: Failure to operate the New Train clarifier at the design capacity to provide either a two-hour detention time or a maximum surface overflow rate of 1.0 gpm/sq. ft.

Date: 06/22/2005 (396444)

Self Report? NO

Classification: Moderate

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

Description: Failure to maintain a minimum of 0.2 mg/L free chlorine or 0.5 mg/L total chlorine residual in the water storage tank.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(B)

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to provide a treatment plant capacity of 0.6 gallons per minute per connection under normal rated design flow.

Self Report? NO

Classification: Minor

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

Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions.

Date: 07/08/2005 (456743)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the second quarter of 2005.
Date: 06/23/2003 (114165)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(A)

Description: Failure to provide vacuum breakers on all hose bibs within the water plant facility.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)[G]

Description: Failure to properly calibrate laboratory equipment used for compliance testing.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(10)(C)[G]

Description: Failure to operate the water treatment plant at the design capacity based on a maximum surface overflow rate of 1.0 gpm/sq. ft.
Date: 09/30/2005 (456748)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the third quarter of 2005.
Date: 11/22/2004 (456553)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the third quarter of 2004.
Date: 01/05/2005 (456671)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the fourth quarter of 2004.
Date: 04/21/2005 (456739)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the first quarter of 2005.
Date: 04/27/2005 (456768)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for haloacetic acids during the first quarter of 2005.
Date: 01/12/2006 (456756)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for trihalomethanes during the fourth quarter of 2005.
Date: 01/25/2005 (456765)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for haloacetic acids during the fourth quarter of 2004.

- 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
CITY OF EAGLE PASS WATER
WORKS SYSTEM
RN101387710 AND RN101182285

§
§
§
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§
§

BEFORE THE

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-1712-PWS-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Eagle Pass Water Works System ("Eagle Pass Water Works") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Eagle Pass Water Works appear before the Commission and together stipulate that:

1. Eagle Pass Water Works owns and operates a public water supply with water supply facilities at 859 Jefferson Street ("City of Eagle Pass") and on Old Pioneer Road ("City of Eagle Pass Water Works South Plant") in Eagle Pass, Maverick County, Texas (the "Facilities") that have approximately 13,066 service connections and serve at least 25 people per day for at least 60 days per year.
2. The Commission and Eagle Pass Water Works agree that the Commission has jurisdiction to enter this Agreed Order, and that Eagle Pass Water Works is subject to the Commission's jurisdiction.
3. Eagle Pass Water Works received notice of the violations alleged in Section II ("Allegations") on or about August 22, 2006.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Eagle Pass Water Works of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Six Thousand Two Hundred Seventy-Two Dollars (\$6,272) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Eagle Pass Water Works has paid Five Thousand Seventeen Dollars (\$5,017) of the administrative penalty and One Thousand Two Hundred Fifty-Five Dollars (\$1,255) is deferred contingent upon Eagle Pass Water Works' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Eagle Pass Water Works fails to timely and satisfactorily comply with all

requirements of this Agreed Order, the Executive Director may require Eagle Pass Water Works to pay all or part of the deferred penalty.

6. 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.
7. The Executive Director of the TCEQ and Eagle Pass Water Works have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that:
 - a. On July 27, 2006, Eagle Pass Water Works submitted documentation demonstrating that the free chlorine residual levels had been increased above the minimum required level of 0.5 milligrams per liter ("mg/L") at the City of Eagle Pass facility, in accordance with 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2); and
 - b. On August 25, 2006, Eagle Pass Water Works submitted written documentation demonstrating that properly calibrated liquid level indicators were installed at the Seco elevated tank at the City of Eagle Pass facility and El Indio standpipe at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.43(c)(4).
9. 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 Eagle Pass Water Works has not complied with one or more of the terms or conditions in this Agreed Order.
10. 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.
11. 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

As owner and operator of the Facilities, Eagle Pass Water Works is alleged to have:

1. Failed to maintain a minimum of 0.2 mg/L of free chlorine or 0.5 mg/L total chlorine residual in each finished water storage tank and throughout the distribution system at all times at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facilities, in violation of 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2), as documented during investigations conducted on July 7 and 25, 2006.

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2. Failed to provide a treatment plant capacity of 0.6 gallons per minute ("gpm") per connection under normal rated design flow at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facilities, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(2)(B) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during investigations conducted on July 7 and 25, 2006.
3. Failed to conduct annual storage tank inspections on two 0.5 million gallon steel clearwell tanks and one 0.24 million gallon concrete clearwell tank at the City of Eagle Pass facility, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1), as documented during an investigation conducted on July 25, 2006.
4. Failed to submit a copy of the schematic of the hydraulic flow in the distribution system to the Commission upon request to determine compliance with capacity requirements for each pressure plane and failure to maintain pressure records required by the in-line booster pump exception granted by the Commission at the City of Eagle Pass facility, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(4), as documented during an investigation conducted on July 25, 2006.
5. Failed to provide a proper liquid level indicator that is calibrated in feet of water for the Seco elevated storage tank in the City of Eagle Pass facility and for all water storage tanks, including the Pueblo Nuevo, Chula Vista, and El Indio storage tanks at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4), as documented during investigations conducted on July 7 and 25, 2006.
6. Failed to maintain the good working condition and general appearance of the system's facilities and equipment, including rust found on the claricone trough, the filters, and the El Indio standpipe and a non-operational turbidity chart recorder at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.46(m), as documented during an investigation conducted on July 7, 2006.
7. Failed to provide a flow measuring device for the treated water used to backwash the filters to assist in the determination of chemical dosages, the accumulation of water production data, and the operation of plant facilities at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(5), as documented during an investigation conducted on July 7, 2006.
8. Failed to monitor the disinfectant residual at least once per day at representative locations throughout the distribution system at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(5)(C), as documented during an investigation conducted on July 7, 2006.
9. Failed to conduct secondary calibration and verification on the turbidimeters at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(B), as documented during an investigation conducted on July 7, 2006.
10. Failed to maintain turbidity data for the individual filters at the City of Eagle Pass Water Works South Plant facility, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(B)(iv), as documented during an investigation conducted on July 7, 2006.

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III. DENIALS

Eagle Pass Water Works generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Eagle Pass Water Works pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Eagle Pass Water Works' 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 requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Eagle Pass Water Works System, Docket No. 2006-1712-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. It is further ordered that Eagle Pass Water Works shall undertake the following technical requirements:
 - a. Within 10 days after the effective date of this Agreed Order:
 - i. Begin maintaining a minimum of 0.2 mg/L of free chlorine or 0.5 mg/L total chlorine residual in each finished water storage tank and throughout the distribution system at all times at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE §§ 290.110 and 290.46;
 - ii. Begin monitoring the disinfectant residual at least once per day at representative locations throughout the distribution system at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.110; and
 - iii. Begin maintaining turbidity data for the individual filters at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.46.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Submit written documentation, as detailed in Ordering Provision 2.f. below, that certifies compliance with Ordering Provisions 2.a.i. through iii.;

- ii. Conduct annual storage tank inspections on the two 0.5 million gallon steel clearwell tanks and the 0.24 million gallon concrete clearwell tank at the City of Eagle Pass facility, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iii. Begin maintaining a schematic of the hydraulic flow in the distribution system and pressure records required by the in-line booster pump exception for the City of Eagle Pass facility, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - iv. Conduct secondary calibration and verification on the turbidimeters at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- c. Within 60 days after the effective date of this Agreed Order:
- i. Submit written documentation, as detailed in Ordering Provision 2.f. below, that certifies compliance with Ordering Provisions 2.b.ii. through iv.;
 - ii. Provide a proper liquid level indicator that is calibrated in feet of water for the Pueblo Nuevo and Chula Vista storage tanks, in accordance with 30 TEX. ADMIN. CODE § 290.43;
 - iii. Begin maintaining the good working condition and general appearance of the system's facilities and equipment by repairing all areas of rust found on the claricone trough, the filters, and the El Indio standpipe and by repairing or replacing the non-operational turbidity chart recorder at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - iv. Install a flow measuring device for the treated water used to backwash the filters at the City of Eagle Pass Water Works South Plant facility, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- d. Within 75 days after the effective date of this Agreed Order, submit written documentation, as detailed in Ordering Provision 2.f. below, that certifies compliance with Ordering Provisions 2.c.ii. through iv.
- e. Within 180 days after the effective date of this Agreed Order, provide a treatment plant capacity of 0.6 gpm per connection under normal rated design flow at the City of Eagle Pass and the City of Eagle Pass Water Works South Plant facilities, in accordance with 30 TEX. ADMIN. CODE § 290.45.
- f. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.e.

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is 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:

Water Section Manager
Laredo Regional Office
Texas Commission on Environmental Quality
707 East Calton Road, Suite 304
Laredo, Texas 78041-3638

3. The provisions of this Agreed Order shall apply to and be binding upon Eagle Pass Water Works. Eagle Pass Water Works is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
4. 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 Eagle Pass Water Works shall be made in writing to the Executive Director. Extensions are not effective until Eagle Pass Water Works receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against Eagle Pass Water Works 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.
6. 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.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure the integrity of the organization's data.

5. The fifth part of the document discusses the importance of data governance and the role of leadership in establishing a strong data management framework. It emphasizes the need for clear policies and procedures to guide data handling practices.

6. The sixth part of the document explores the benefits of data-driven decision-making and how it can lead to improved performance and competitive advantage. It provides examples of successful data-driven initiatives.

7. The seventh part of the document discusses the future of data management and the emerging trends in the field. It highlights the growing importance of artificial intelligence and machine learning in data analysis.

8. The eighth part of the document provides a summary of the key points discussed and offers recommendations for implementing effective data management practices. It encourages organizations to embrace a data-driven culture for long-term success.

9. The ninth part of the document discusses the role of data in various industries and sectors, highlighting the unique challenges and opportunities in each. It provides insights into how data is being leveraged to drive innovation and growth.

10. The tenth part of the document concludes the report and reiterates the importance of data management in the modern business landscape. It expresses confidence in the organization's ability to overcome challenges and achieve its goals through effective data management.

11. The eleventh part of the document provides a detailed overview of the data collection process, including the identification of data sources, the design of data collection instruments, and the implementation of data collection procedures.

12. The twelfth part of the document discusses the various methods used for data analysis, including descriptive statistics, inferential statistics, and regression analysis. It provides a step-by-step guide to performing these analyses.

13. The thirteenth part of the document focuses on the interpretation of data analysis results and the communication of findings to stakeholders. It emphasizes the importance of clear and concise reporting to facilitate decision-making.

14. The fourteenth part of the document discusses the ethical considerations surrounding data management and analysis. It highlights the need for transparency, accountability, and respect for individual privacy in all data-related activities.

15. The fifteenth part of the document provides a final summary and offers concluding thoughts on the importance of data management in the 21st century. It encourages organizations to continue to invest in data management capabilities to stay competitive in a rapidly changing market.

7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Eagle Pass Water Works, or three days after the date on which the Commission mails notice of the Order to Eagle Pass Water Works, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

3/14/07
Date

I, the undersigned, have read and understand the attached Agreed Order. 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

12/11/06
Date

ROBERTO GONZALEZ
Name (Printed or typed)
Authorized Representative of
City of Eagle Pass Water Works System

GENERAL MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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