

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1985-PWS-E **TCEQ ID:** RN101271401 **CASE NO.:** 31668
RESPONDENT NAME: Hilco United Services Inc.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Live Oak Water System, approximately 500 feet west of the intersection of Farm-to-Market 2604 and Farm-to-Market 933, Hill County</p> <p>TYPE OF OPERATION: Public water supply</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 7, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Anita Keese, Enforcement Division, Enforcement Team II, MC R-15, (956) 430-6034; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896 Respondent: Ms. Debra A. Cole, President, Hilco United Services Inc., P.O. Box 26, Itasca, Texas 76055-0026 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: September 13, 2006</p> <p>Date of NOE Relating to this Case: October 25, 2006(NOE)</p> <p>Background Facts: This was a routine record review.</p> <p>WATER</p> <p>1) Failed to have a sanitary control easement for the well number one [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>2) Failed to have a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(1)].</p> <p>3) Failed to ensure the vertical and horizontal ground storage tanks and the pressure tank are designed in accordance with current American Water Works Association (AWWA) standards [30 TEX. ADMIN. CODE § 290.43(c) and (c)(2)].</p> <p>4) Failed to provide a total storage capacity of 200 gallons per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(ii)].</p>	<p>Total Assessed: \$3,780</p> <p>Total Deferred: \$756 <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: \$3,024</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <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>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a) Within 30 days after the effective date of this Agreed Order:</p> <p>i. Compile and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference; and</p> <p>ii. Obtain a sanitary control easement or exception to the easement requirement for well number one.</p> <p>b) Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision a.</p> <p>c) Within 90 days after the effective date of this Agreed Order:</p> <p>i. Ensure that the vertical and horizontal storage tanks and the pressure tanks comply with current AWWA standards; and</p> <p>ii. Provide a total tank capacity of 200 gallons per connection.</p> <p>d) Within 105 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 c.</p>



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 15, 2006

DATES	Assigned	30-Oct-2006	Screening	8-Nov-2006	EPA Due	
	PCW	21-Dec-2006				

RESPONDENT/FACILITY INFORMATION			
Respondent	Hilco United Services Inc.		
Reg. Ent. Ref. No.	RN101271401		
Facility/Site Region	9-Waco	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	31668	No. of Violations	4
Docket No.	2006-1985-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Anita Keese
Multi-Media		EC's Team	EnforcementTeam 2
Admin. Penalty \$	Limit Minimum	\$50	Maximum
			\$1,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes

Culpability **Subtotal 4**

Notes

Good Faith Effort to Comply **Subtotal 5**

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	X	(mark with x)

Notes

Total EB Amounts **Subtotal 6**
Approx. Cost of Compliance ***Capped at the Total EB \$ Amount**

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

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

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 8-Nov-2006

Docket No. 2006-1985-PWS-E

PCW

Respondent Hilco United Services Inc.

Policy Revision 2 (September 2002)

Case ID No. 31668

PCW Revision November 15, 2006

Reg. Ent. Reference No. RN101271401

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

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

Adjustment Percentage (Subtotal 2) 5%

>> Repeat Violator (Subtotal 3)

N/A

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 Respondent has received one Notice of Violation with the same or similar violations.

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

Screening Date 8-Nov-2006

Docket No. 2006-1985-PWS-E

PCW

Respondent Hilco United Services Inc.

Policy Revision 2 (September 2002)

Case ID No. 31668

PCW Revision November 15, 2006

Reg. Ent. Reference No. RN101271401

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Violation Number 1

Rule Cite(s)

30 Tex. Admin Code § 290.41(c)(1)(F)

Violation Description

Failed to have a sanitary control easement for well number one.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to obtain a sanitary control easement could expose customers of the water supply to an insignificant amount of pollutants which would not exceed levels protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

56 Number of violation days

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$105

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

Economic Benefit Worksheet

Respondent: Hilco United Services Inc.
Case ID No.: 31668
Reg. Ent. Reference No.: RN101271401
Media: 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
<small>No commas or \$</small>							

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)	\$200	13-Sep-2006	31-May-2007	0.7	\$7	n/a	\$7

Notes for DELAYED costs

Estimated cost to obtain a sanitary control easement or an exception to the easement requirement for the well. The Date Required is the date of the investigation and the Final Date is the projected date of compliance.

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$7

Screening Date 8-Nov-2006

Docket No. 2006-1985-PWS-E

PCW

Respondent Hilco United Services Inc.

Policy Revision 2 (September 2002)

Case ID No. 31668

PCW Revision November 15, 2006

Reg. Ent. Reference No. RN101271401

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Violation Number 2

Rule Cite(s) 30 Tex. Admin Code § 290.42(l)

Violation Description Failed to have a thorough and up-to-date plant operations manual for operator review and reference.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

The Respondent failed to comply with 100% of the rule requirement.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

56 Number of violation days

mark only one with an 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 \$7

Violation Final Penalty Total \$263

This violation Final Assessed Penalty (adjusted for limits) \$263

Economic Benefit Worksheet

Respondent: Hilco United Services Inc.
Case ID No.: 31668
Reg. Ent. Reference No.: RN101271401
Media: 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
<small>No commas or \$</small>							

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)	\$200	13-Sep-2006	31-May-2007	0.7	\$7	n/a	\$7

Notes for DELAYED costs

This is an estimated cost to prepare a thorough plant operations manual. The Date Required is the investigation date and the Final Date is the projected date of compliance.

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$200	TOTAL	\$7
----------------------------	-------	--------------	-----

Screening Date 8-Nov-2006

Docket No. 2006-1985-PWS-E

PCW

Respondent Hilco United Services Inc.

Policy Revision 2 (September 2002)

Case ID No. 31668

PCW Revision November 15, 2006

Reg. Ent. Reference No. RN101271401

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Violation Number 3

Rule Cite(s)

30 Tex. Admin Code § 290.43(c) and (c)(2)

Violation Description

Failed to ensure the vertical and horizontal ground storage tanks and the pressure tank are designed in accordance with current AWWA standards. Specifically, the pressure and horizontal ground storage tanks are adapted railroad cars, and the vertical storage tank is designed for another purpose, and therefore are not designed and constructed for the purpose for holding and storing drinking water. Furthermore, the horizontal storage tank does not have a lockable cover that overlaps the curbing at least two inches in a downward direction.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to properly install storage and pressure tanks according to AWWA standards could result in the exposure of the customers to contaminants which would exceed levels that are protective of human health as a result of the violation.

Adjustment \$500

\$500

Violation Events

Number of Violation Events 6

56 Number of violation days

mark only one with an x	daily	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,000

Six monthly events are recommended based on two monthly events for three tanks calculated from the date of the investigation on September 13, 2006 to the date of case screening on November 8, 2006.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,493

Violation Final Penalty Total \$3,150

This violation Final Assessed Penalty (adjusted for limits) \$3,150

Economic Benefit Worksheet

Respondent: Hilco United Services Inc.
Case ID No.: 31668
Reg. Ent. Reference No.: RN101271401
Media: 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
<small>No commas or \$</small>							

Delayed Costs

Equipment	\$50,000	13-Sep-2006	31-May-2007	0.7	\$119	\$2,374	\$2,493
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to replace the storage and pressure tanks so that they are in conformance with AWWA standards. The Date Required is the investigation date and the Final Date is the projected date of compliance.

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50,000

TOTAL

\$2,493

Screening Date 8-Nov-2006

Docket No. 2006-1985-PWS-E

PCW

Respondent Hilco United Services Inc.

Policy Revision 2 (September 2002)

Case ID No. 31668

PCW Revision November 15, 2006

Reg. Ent. Reference No. RN101271401

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Violation Number 4

Rule Cite(s) 30 Tex. Admin Code § 290.45(b)(1)(D)(ii)

Violation Description

Failed to provide a total storage capacity of 200 gallons per connection. Specifically, the system requires 51,000 gallons of total storage capacity for 255 connections, and only 44,000 gallons of total storage capacity is provided. This is approximately a 13% deficiency.

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
				0%

Matrix Notes

Without sufficient capacity, the customers of the water supply could experience water shortages and the system's ability to provide a safe and reliable water supply could be compromised.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1 Number of violation days 56

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$250

One quarterly event is recommended from the date of the investigation on September 13, 2006 to the date of case screening on November 8, 2006.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$249

Violation Final Penalty Total \$263

This violation Final Assessed Penalty (adjusted for limits) \$263

Economic Benefit Worksheet

Respondent: Hilco United Services Inc.
Case ID No.: 31668
Reg. Ent. Reference No.: RN101271401
Media: 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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$5,000	13-Sep-2006	31-May-2007	0.7	\$12	\$237	\$249
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

This is an estimated cost to provide additional well capacity. The Date Required is the investigation date and the Final Date is the projected date of compliance.

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$5,000	TOTAL	\$249
----------------------------	---------	--------------	-------

Compliance History

Customer/Respondent/Owner-Operator:	CN601499528 Hilco United Services Inc.	Classification:	Rating:
Regulated Entity:	RN101271401 LIVE OAK WATER SYSTEM	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING	REGISTRATION LICENSE	1090037 1090037
Location:	WEST OF THE INTERSECTION OF FM 933 AND FM 2604, HILL COUNTY, TEXAS		
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	November 22, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	November 21, 2001 to November 21, 2006		

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

Name: Anita Keese Phone: (956) 430-6034

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 | 04/03/2003 | (29129) |
| 2 | 02/08/2006 | (454180) |
| 3 | 12/05/2005 | (436101) |
| 4 | 07/18/2005 | (395746) |
| 5 | 04/06/2005 | (351043) |
| 6 | 10/26/2006 | (511030) |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- | | | |
|------------------|---|-----------------------|
| Date: 03/25/2005 | (351043) | |
| Self Report? NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.42(e)(5) | |
| Description: | Failure to properly seal the hypochlorination solution container. | |
| Self Report? NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F) | |
| Description: | Failure to provide a sanitary easement at the time of this investigation. | |
| Self Report? NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.42(l) | |
| Description: | Failure to keep a plant operations manual. | |
| Self Report? NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.43(c)(3) | |
| Description: | Failure to provide an overflow pipe flap valve assembly on the vertical ground storage tank with a good mechanical seal when closed in order to prevent the possible entrance of insects or other contaminants into the water supply. | |
| Self Report? NO | | Classification: Minor |

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)
 Description: Failure to provide a lockable roof hatch that overlaps the curbing at least 2 inches in a downward direction.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)[G]
 Description: Failure to insure that the vertical and horizontal ground storage tanks and the pressure tank meet current AWWA standards.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(ii)
 Description: Failure to provide adequate total storage capacity.

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
HILCO UNITED SERVICES INC.
RN101271401**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1985-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 Hilco United Services Inc. ("Hilco") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Hilco appear before the Commission and together stipulate that:

1. Hilco owns and operates a public water supply approximately 500 feet west of the intersection of Farm-to-Market 2604 and Farm-to-Market 933, Hill County, Texas (the "Facility") that has approximately 255 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and Hilco agree that the Commission has jurisdiction to enter this Agreed Order, and that Hilco is subject to the Commission's jurisdiction.
3. Hilco received notice of the violations alleged in Section II ("Allegations") on or about October 30, 2006.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Hilco of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Three Thousand Seven Hundred Eighty Dollars (\$3,780) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Hilco has paid Three Thousand Twenty-Four Dollars (\$3,024) of the administrative penalty and Seven Hundred Fifty-Six Dollars (\$756) is deferred contingent upon Hilco's 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 Hilco fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Hilco 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 Hilco have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. 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 Hilco has not complied with one or more of the terms or conditions in this Agreed Order.
9. 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.
10. 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 Facility, Hilco is alleged to have:

1. Failed to have a sanitary control easement for the well number one, in violation of 30 TEX. ADMIN CODE § 290.41(c)(1)(F), as documented during an investigation conducted on September 13, 2006.
2. Failed to have a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN CODE § 290.42(1), as documented during an investigation conducted on September 13, 2006.
3. Failed to ensure the vertical and horizontal ground storage tanks and the pressure tank are designed in accordance with current AWWA standards, in violation of 30 TEX. ADMIN CODE § 290.43(c) and (c)(2), as documented during an investigation conducted on September 13, 2006.
4. Failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 TEX. ADMIN CODE § 290.45(b)(1)(D)(ii), as documented during an investigation conducted on September 13, 2006.

III. DENIALS

Hilco generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring the integrity and reliability of the data used in the analysis.

Secondly, the document highlights the need for a clear and consistent methodology in the data collection and analysis process. This includes defining the scope of the study, identifying the variables to be measured, and using standardized procedures to ensure comparability across different groups or time periods.

Thirdly, the document stresses the importance of transparency and accountability in the research process. This involves clearly documenting all steps taken, from data collection to analysis, and providing a detailed explanation of the methods used and the results obtained.

Finally, the document concludes by emphasizing the need for ongoing monitoring and evaluation of the data and the analysis process. This ensures that any changes or discrepancies are identified and addressed promptly, and that the results remain valid and reliable over time.

In summary, the document provides a comprehensive overview of the key principles and practices that should guide the collection, analysis, and reporting of data. By following these guidelines, researchers can ensure that their work is thorough, accurate, and transparent, and that the results are reliable and trustworthy.

The document also includes a section on the importance of data security and privacy. It outlines the measures that should be taken to protect sensitive information and ensure that the data is stored and transmitted securely, and that the privacy of individuals is protected throughout the process.

Overall, the document provides a clear and concise guide to the best practices for data collection and analysis. It is a valuable resource for anyone involved in research or data analysis, and it should be read and followed carefully to ensure the highest quality of work.

The document also includes a section on the importance of data quality. It discusses the various factors that can affect data quality, such as measurement error, non-response, and data entry errors, and provides strategies for minimizing these errors and ensuring that the data is as accurate and complete as possible.

In addition, the document provides a detailed explanation of the various statistical methods used in the analysis. It covers a range of techniques, from basic descriptive statistics to more advanced inferential statistics, and provides clear examples of how these methods are applied in practice.

The document also includes a section on the importance of data visualization. It discusses the various types of charts and graphs that can be used to present data, and provides guidelines for choosing the most appropriate visualization for each type of data and for ensuring that the visualizations are clear and easy to interpret.

Finally, the document provides a detailed explanation of the various ethical considerations that should be taken into account when conducting research. It covers issues such as informed consent, confidentiality, and the potential for harm to participants, and provides clear guidelines for how these issues should be addressed.

In conclusion, the document is a comprehensive and detailed guide to the best practices for data collection and analysis. It covers all the key aspects of the process, from data collection to analysis and reporting, and provides clear and concise guidance on how to ensure the highest quality of work. It is a valuable resource for anyone involved in research or data analysis, and it should be read and followed carefully to ensure the highest quality of work.

APPENDIX A

This appendix provides a detailed list of the data sources used in the study, including the names of the organizations, the dates of data collection, and the specific variables measured. It also includes a description of the data cleaning and preprocessing steps that were taken to ensure the accuracy and reliability of the data.

The appendix also includes a list of the statistical software packages used in the analysis, and a description of the specific commands and procedures used to perform the analyses. This information is provided to ensure the transparency and reproducibility of the research process.

Finally, the appendix includes a list of the various tables and figures that are included in the main body of the report. This provides a clear overview of the structure and content of the report, and allows the reader to quickly locate the information they are interested in.

1. It is, therefore, ordered by the TCEQ that Hilco pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Hilco's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from 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: Hilco United Services Inc., Docket No. 2006-1985-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 Hilco shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order,
 - i. Compile and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference, as required by 30 TEX. ADMIN. CODE § 290.42; and
 - ii. Obtain a sanitary control easement or exception to the easement requirement for well number one, in accordance with 30 TEX. ADMIN. CODE § 290.41.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision 2.d. below, and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 90 days after the effective date of this Agreed Order;
 - i. Ensure that the vertical and horizontal storage tanks and the pressure tanks comply with current AWWA standards, as required by 30 TEX. ADMIN. CODE § 290.43 or obtain an exception to the rule in accordance with 30 TEX. ADMIN. CODE § 290.39(l); and
 - ii. Provide a total tank capacity of 200 gallons per connection, as required by 30 TEX. ADMIN. CODE § 290.45.
 - d. Within 105 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 No. 2.c. 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

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all stakeholders. The document outlines the various methods and tools that can be used to ensure the accuracy and reliability of financial data.

The second part of the document provides a detailed overview of the accounting cycle. It explains the ten steps involved in the process, from identifying transactions to preparing financial statements. The document also discusses the importance of adjusting entries and the impact of accrual accounting on the financial results of a company.

The third part of the document focuses on the role of the auditor in the financial reporting process. It describes the various types of audits and the standards that auditors must follow to ensure the integrity of the financial statements. The document also discusses the importance of auditor independence and the role of the audit committee in overseeing the audit process.

The fourth part of the document discusses the impact of international trade on the global economy. It examines the various factors that influence trade flows and the role of trade agreements in promoting economic growth and development. The document also discusses the challenges faced by developing countries in the global market.

The fifth part of the document focuses on the role of the central bank in the financial system. It discusses the various tools and policies that central banks use to maintain financial stability and to promote economic growth. The document also discusses the importance of monetary policy in the overall economic framework.

The sixth part of the document discusses the impact of inflation on the economy. It examines the various causes of inflation and the effects of inflation on the purchasing power of consumers and on the overall economic growth. The document also discusses the role of the central bank in controlling inflation.

The seventh part of the document discusses the role of the government in the financial system. It examines the various policies and programs that governments use to regulate the financial system and to promote economic growth. The document also discusses the importance of government intervention in the financial system.

The eighth part of the document discusses the impact of the global financial crisis on the world economy. It examines the various factors that led to the crisis and the effects of the crisis on the global economy. The document also discusses the role of the international community in addressing the crisis and the challenges that remain.

The ninth part of the document discusses the role of the World Bank in the global economy. It examines the various programs and policies that the World Bank uses to promote economic growth and development in developing countries. The document also discusses the importance of the World Bank in the global financial system.

The tenth part of the document discusses the impact of the global financial crisis on the global economy. It examines the various factors that led to the crisis and the effects of the crisis on the global economy. The document also discusses the role of the international community in addressing the crisis and the challenges that remain.

The final part of the document discusses the role of the international community in addressing the global financial crisis. It examines the various policies and programs that have been implemented by the international community to promote economic growth and development. The document also discusses the importance of international cooperation in addressing the crisis.

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:

Public Water Supply Section, Manager
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. The provisions of this Agreed Order shall apply to and be binding upon Hilco. Hilco is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the 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 Hilco shall be made in writing to the Executive Director. Extensions are not effective until Hilco 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 Hilco 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.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Hilco, or three days after the date on which the Commission mails notice of the Order to Hilco, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial data and for providing a clear audit trail. The second part of the document outlines the procedures for handling any discrepancies or errors that may arise during the course of the audit.

3. Procedures for Handling Discrepancies

In the event that a discrepancy is identified, the auditor should immediately investigate the cause of the error. This may involve reviewing the original source documents, re-performing the calculations, or consulting with the client's accounting staff. Once the cause of the error has been identified, the auditor should discuss the findings with the client and agree on a course of action to correct the error.

4. Reporting

The final part of the document discusses the reporting requirements for the audit. This includes the preparation of the audit report, which should clearly state the scope of the audit, the procedures used, and the findings of the audit. The report should also include any recommendations for improving internal controls or other areas of concern.

The auditor should ensure that the report is clear, concise, and easy to understand. It should also be prepared in a timely manner, so that the client can take any necessary corrective action as soon as possible.

The auditor should also ensure that the report is prepared in accordance with the relevant professional standards and regulations. This includes ensuring that the report is signed and dated by the auditor, and that it is prepared in the appropriate format and language.

The auditor should also ensure that the report is distributed to the appropriate parties, including the client, the audit committee, and the relevant regulatory authorities. This should be done in a timely and secure manner, so that the information is not disclosed to any unauthorized parties.

The auditor should also ensure that the report is stored in a secure and accessible location, so that it can be retrieved at any time. This is important for ensuring the integrity of the audit records and for providing a clear audit trail.

The auditor should also ensure that the report is prepared in a professional and ethical manner. This includes ensuring that the auditor is objective and impartial, and that the report is prepared in accordance with the highest standards of professional conduct.

Hilco United Services Inc.
DOCKET NO. 2006-1985-PWS-E
Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

6/27/07

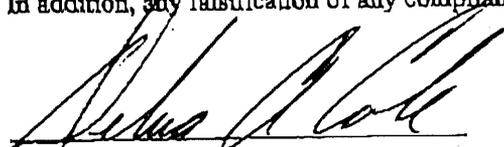
Date

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

5-25-07

Date

Debra A Cole

Name (Printed or typed)
Authorized Representative of
Hilco United Services Inc.

President

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.

10/10/10
10/10/10
10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10