

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 4
DOCKET NO.: 2007-1113-PWS-E **TCEQ ID:** RN101454130 **CASE NO.:** 34173
RESPONDENT NAME: Leggett Water Supply Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" 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: Leggett WSC, Upper Leggett Road, Livingston, Polk 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 January 28, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Epifanio Villarreal, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4033; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. John Johnston, President, Leggett Water Supply Corporation, P.O. Box 757, Livingston, Texas 77351 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 26, 2007</p> <p>Date of NOV/NOE Relating to this Case: December 12, 2002, July 22, 2006, and March 22, 2006 (NOVs) June 22, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation. Thirteen violations were documented.</p> <p>WATER</p> <p>1) Failed to secure sanitary control easements covering all property within 150 feet of well nos. 1, 4, 5, 6, and 7 [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>2) Failed to properly maintain and annotate the amount of chemicals used each day on the water works operation [30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(i)(II)].</p> <p>3) Failed to initiate a maintenance program to maintain the general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].</p> <p>4) Failed to have backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester [30 TEX. ADMIN. CODE 290.44(h)(4)].</p> <p>5) Failed to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE. § 290.46(v)].</p> <p>6) Failed to keep on file and make available for Commission review an up-to-date chemical and microbiological</p>	<p>Total Assessed: \$4,830</p> <p>Total Deferred: \$0 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$1,230 (remaining \$3,600 due in 36 monthly payments of \$100 each)</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: The Respondent has three repeated enforcement actions over the prior five year period for the same violations.</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 10 days after the effective date of this Agreed Order:</p> <p>i. Begin compiling and maintain properly completed monthly water works operation reports and maintenance records, including but not limited to the amounts of chemicals used each week;</p> <p>ii. Initiate good housekeeping practices including but not limited to the following: remove all overgrown vegetation on the fence surrounding plant no. 2, remove the stagnant water adjacent to the 75,000 gallon storage tank at plant no. 1, and remove a large pool of standing water adjacent to well no. 5;</p> <p>iii. Begin maintaining an up-to-date chemical and microbiological monitoring plan for the Facility;</p> <p>iv. Begin completing and maintain copies of service inspection certificates prior to providing continuous water service to new construction; and</p> <p>v. Provide a small fresh bottle of ammonia solution outside the chlorinator room.</p> <p>b. Within 15 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p> <p>c. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Ensure that the water system electrical wiring for well no. 5 is installed in a conduit in compliance with local or national electrical code; and</p> <p>ii. Conduct an inspection of the pressure tank's interior surface.</p> <p>d. Within 45 days after the effective date</p>

monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].

7) Failed to plug and seal public water supply abandoned wells nos. 1, 3, and 4 or return the wells to a non-deteriorated condition [30 TEX. ADMIN. CODE § 290.46(u)].

8) Failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association design standards [30 TEX. ADMIN. CODE § 290.43(c)(3) and (c)(8)].

9) Failed to provide a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface [30 TEX. ADMIN. CODE § 290.41(c)(3)(B)].

10) Failed to conduct customer service inspections prior to providing continuous water service to new construction [30 TEX. ADMIN. CODE § 290.46(j) and 290.46(f)(3)(E)(iv)].

11) Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room immediately available to the operator in the event of an emergency [30 TEX. ADMIN. CODE § 290.42(e)(4)(A)].

12) Failed to conduct an inspection of the interior of the pressure tank at least once every five years [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].

13) Failed to provide an intruder-resistant fence around plant no. 1 [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].

of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision c.

e. Within 60 days after the effective date of this Agreed Order:

i. Ensure that the backflow prevention assembly at the Timberwood nursing home is tested by a recognized backflow prevention assembly tester and the backflow assembly is certified that it is operating within specifications;

ii. Increase the height of the well casings on well nos. 1 and 8 such that it is a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface;

iii. Repair the 10-foot gap on the fence surrounding well no. 1 to render it intruder resistant;

iv. Repair the overflow flap cover on the ground storage tank at plant no. 1 so that the cover fits snugly and the gap is no greater than 1/16 of an inch; and

v. Provide a 16-mesh or finer corrosion resistant screen on the roof vent of the storage tank at the booster plant and install a flap valve on the overflow pipe of the storage tank and repair the roof of the tank where areas are peeling.

f. Within 75 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision e.

g. Within 90 days after the effective date of this Agreed Order:

i. Obtain sanitary control easements or submit exceptions to the easement requirement that covers the land within 150 feet of the well nos. 1, 4, 5, 6, and 7; and

ii. Ensure abandoned public water supply well nos. 1, 3, and 4 are properly plugged with cement or repaired to a non-deteriorated condition.

		<p>h. Within 105 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision g.</p>
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Additional ID No(s): PWS 1870007



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

DATES	Assigned	2-Jul-2007	Screening	12-Jul-2007	EPA Due	
	PCW	12-Jul-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Leggett Water Supply Corporation		
Reg. Ent. Ref. No.	RN101454130		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	34173	No. of Violations	13
Docket No.	2007-1113-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Enf. Coordinator	Epifanio Villarreal
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	\$4,200
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>			
Compliance History	15% Enhancement	Subtotals 2, 3, & 7	\$630
Notes	The penalty enhancement is due to three prior Notices of Violation containing violations that are the same as or similar to the violations in the current enforcement action.		
Culpability	No 0% Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the culpability criteria.		
Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	X	(mark with x)	
Notes	The Respondent does not meet the good faith criteria.		
	0% Enhancement*	Subtotal 6	\$0
	<small>*Capped at the Total EB \$ Amount</small>		
Total EB Amounts	\$6,372		
Approx. Cost of Compliance	\$16,000		
SUM OF SUBTOTALS 1-7		Final Subtotal	\$4,830
OTHER FACTORS AS JUSTICE MAY REQUIRE		Adjustment	\$0
<small>Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)</small>			
Notes			
		Final Penalty Amount	\$4,830
STATUTORY LIMIT ADJUSTMENT		Final Assessed Penalty	\$4,830
DEFERRAL	0% Reduction	Adjustment	\$0
<small>Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)</small>			
Notes	No deferral is recommended for Findings Orders.		
PAYABLE PENALTY			\$4,830

Screening Date 12-Jul-2007

Docket No. 2007-1113-PWS-E

PCW

Respondent Leggett Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 34173

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101454130

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

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)	3	15%
	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%

Please Enter Yes or No

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) 15%

>> 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 penalty enhancement is due to three prior Notices of Violation containing violations that are the same as or similar to the violations in the current enforcement action.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 15%

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	1	
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(1)(F)	
Violation Description	Failed to secure sanitary control easements covering all property within 150 feet of well nos. 1, 4, 5, 6, and 7.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
					Percent
					0%
Matrix Notes	Failing to secure sanitary control easements could cause an insignificant amount of contaminants to enter the water supply which do not exceed levels protective of human health.				

Adjustment

Violation Events

Number of Violation Events	<input type="text" value="5"/>		<input type="text" value="77"/>	Number of violation days
<i>mark only one with an x</i>	daily		monthly	
	quarterly		semiannual	
	annual		single event	x
				Violation Base Penalty
				\$250

Five single events are recommended (one event per well).

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	Violation Final Penalty Total
<input type="text" value="\$71"/>	<input type="text" value="\$288"/>
This violation Final Assessed Penalty (adjusted for limits)	
<input type="text" value="\$288"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
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
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	26-Apr-2007	1-May-2008	1.0	\$3	\$68	\$71
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 obtain sanitary control easements or exceptions to the easement requirement, 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

Approx. Cost of Compliance

\$1,000

TOTAL

\$71

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)(3)(A)(i)(II)	
Violation Description	Failed to properly maintain and annotate the amount of chemicals used each day on the water works operation records. Specifically, at the time of the investigation, the water works monthly operation reports lacked the amount of gas chlorine and polyphosphates used each day.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="100"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	x	<input type="text"/>	
				Percent <input type="text" value="5"/>
Matrix Notes	Between 30% and 70% of the rule requirement was not met.			

Adjustment

Violation Events

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="77"/>	Number of violation days
mark only one with an x daily <input type="text"/> monthly <input type="text"/> quarterly <input type="text"/> semiannual <input type="text"/> annual <input type="text"/> single event <input type="text" value="x"/>	Violation Base Penalty <input type="text" value="\$50"/>	

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$19"/>	Violation Final Penalty Total <input type="text" value="\$58"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$58"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation

Case ID No. 34173

Reg. Ent. Reference No. RN101454130

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
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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	\$500	26-Apr-2007	1-Feb-2008	0.8	\$19	n/a	\$19
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 properly prepare and maintain a record of chemicals used each day, 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

Approx. Cost of Compliance

\$500

TOTAL

\$19

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	3	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)	
Violation Description	Failed to initiate a maintenance program to maintain the general appearance of the system's facilities and equipment. Specifically, at the time of the investigation, it was observed that the perimeter fence at plant no. 2 was overgrown with vegetation. In addition, stagnant water was also noted close to the overflow flap valve at plant no. 1 and a large pool of standing water was noted a few feet from the sealing block of well no. 5.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification				
	Major	Moderate	Minor		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent	0%
Matrix Notes	Failure to maintain the grounds around the water supply could result in customers of the water supply being exposed to insignificant amounts of contaminants which would not exceed levels that are protective of human health.				
Adjustment					\$950

\$50

Violation Events

Number of Violation Events	3		77	Number of violation days
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<i>mark only one with an x</i>	daily	<input type="checkbox"/>	
	monthly	<input type="checkbox"/>	
	quarterly	<input type="checkbox"/>	
	semiannual	<input type="checkbox"/>	
	annual	<input type="checkbox"/>	
	single event	<input checked="" type="checkbox"/>	

Violation Base Penalty \$150

Three single events are recommended (one per each location).

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$11
	Violation Final Penalty Total \$173
This violation Final Assessed Penalty (adjusted for limits) \$173	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
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
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	26-Apr-2007	1-Feb-2008	0.8	\$1	\$10	\$11
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 remove the overgrown vegetation at plant no. 2, remove the stagnant water close to the overflow flap valve at plant no. 1, and remove the pool of standing water near the sealing block for well no. 5, 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

Approx. Cost of Compliance

\$200

TOTAL

\$11

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	4	
Rule Cite(s)	30 Tex. Admin. Code 290.44(h)(4)	
Violation Description	Failed to have backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester. Specifically, the backflow prevention assembly at the Timberwood nursing home was not tested by a recognized backflow prevention assembly tester in the twelve months preceding the April 26, 2007 investigation.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Potential	x	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input style="width:50px;" type="text" value="25%"/>

>> Programmatic Matrix

	Falsification				
	Major	Moderate	Minor		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					Percent <input style="width:50px;" type="text" value="0%"/>
Matrix Notes	Failure to have backflow prevention assemblies tested could cause customers of the water supply to be exposed to significant amounts of contaminants which would exceed levels that are protective of human health.				

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	x
single event	<input type="checkbox"/>	

Violation Base Penalty

One annual event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input style="width:150px;" type="text" value="\$105"/>	Violation Final Penalty Total <input style="width:100px;" type="text" value="\$288"/>
This violation Final Assessed Penalty (adjusted for limits) <input style="width:100px;" type="text" value="\$288"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
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				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	26-Apr-2006	26-Apr-2007	1.0	\$5	\$100	\$105
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 cost includes the amount to test the backflow prevention assembly device at the Timberwood nursing home, calculated for the 12 month period proceeding the date of the investigation;

Approx. Cost of Compliance \$100

TOTAL \$105

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number <input type="text" value="5"/>		
Rule Cite(s)	30 Tex. Admin. Code. § 290.46(v)	
Violation Description	Failed to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, at the time of the investigation, approximately 2 feet of wire was not installed in a conduit at well no. 5.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>

Matrix Notes

Improperly installed electrical wires may cause equipment to malfunction resulting in low pressure or outages which could result in exposure to insignificant amounts of pollutants which would not exceed levels that are protective of human health.

Adjustment

Violation Events

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="77"/>	Number of violation days
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<i>mark only one with an x</i>	daily	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text" value="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="\$6"/>	Violation Final Penalty Total <input type="text" value="\$58"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$58"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media 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
No commas or \$							

Delayed Costs

Equipment	\$100	26-Apr-2007	1-Mar-2008	0.8	\$0	\$6	\$6
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to install 2 feet of electrical wiring at well no. 5 in compliance with a local or national code, calculated from the date of the investigation to 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

Approx. Cost of Compliance

\$100

TOTAL

\$6

Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 34173	<small>PCW Revision June 26, 2007</small>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number <input type="text" value="6"/>		
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.121(a) and (b)"/>	
Violation Description	<input type="text" value="Failed to keep on file and make available for Commission review an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements. Specifically, it was noted that the system did not have a monitoring plan at the time of the investigation."/>	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="0%"/>	

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>		<input type="text"/>
				Percent <input type="text" value="10%"/>	
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>				
Adjustment				<input type="text" value="\$900"/>	

Violation Events

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="77"/>	Number of violation days
mark only one with an x daily <input type="text"/> monthly <input type="text"/> quarterly <input type="text"/> semiannual <input type="text"/> annual <input type="text"/> single event <input type="text" value="x"/>	Violation Base Penalty <input type="text" value="\$100"/>	
<input type="text" value="One single event is recommended."/>		

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$4"/>	Violation Final Penalty Total <input type="text" value="\$115"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$115"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media 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
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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	\$100	26-Apr-2007	1-Feb-2008	0.8	\$4	n/a	\$4
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 prepare and begin maintaining a chemical and microbiological monitoring plan, 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:

Approx. Cost of Compliance	\$100	TOTAL	\$4
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Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	7	
Rule Cite(s)	30 Tex. Admin.Code § 290.46(u)	
Violation Description	Failed to plug and seal abandoned public water supply well nos. 1, 3, and 4 in accordance with 16 Tex. Admin. Code Chapter 76 (relating to water well drillers and water pump installers) or return the wells to a non-deteriorated condition. Specifically, at the time of the investigation, it was noted that that well no. 3 has been abandoned and capped while public water supply well nos. 1 and 4 are disconnected and out of service.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor		
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>		
					Percent	0%
Matrix Notes	Failing to ensure that the wells are properly cemented and protected could expose the water supply's source water to be contaminated with a significant level of pollutants which would exceed levels protective of human health.					

Adjustment

Violation Events

	<input type="text" value="9"/>		<input type="text" value="77"/>	Number of violation days												
<i>mark only one with an x</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td style="text-align: center;">x</td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	x	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>			Violation Base Penalty <input type="text" value="\$2,250"/>
daily	<input type="text"/>															
monthly	x															
quarterly	<input type="text"/>															
semiannual	<input type="text"/>															
annual	<input type="text"/>															
single event	<input type="text"/>															

Nine monthly events are recommended (three monthly events per each well) from the date of the investigation, April 26, 2007 to the date of screening, July 12, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$712"/>	Violation Final Penalty Total <input type="text" value="\$2,588"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,588"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media 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
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$10,000	26-Apr-2007	1-May-2008	1.0	\$34	\$678	\$712
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 plug the abandoned public water supply wells or return the wells to a non deteriorated condition, 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

Approx. Cost of Compliance	\$10,000	TOTAL	\$712
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PCW

Screening Date 12-Jul-2007

Docket No. 2007-1113-PWS-E

Policy Revision 2 (September 2002)

Respondent Leggett Water Supply Corporation

Case ID No. 34173

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101454130

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Matrix Notes

Adjustment

Violation Events

	<input type="text" value="2"/>	<input type="text" value="77"/>	Number of violation days	
mark only one with an x	daily	<input type="text"/>		Violation Base Penalty <input type="text" value="\$100"/>
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="checkbox"/>		

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 Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media Public Water Supply
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$1,000	26-Apr-2007	1-Apr-2008	0.9	\$3	\$62	\$65
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 repair the overflow flap cover on the ground storage tank at plant no. 1, install a 16-mesh or finer corrosion resistant screen on the roof vent of the 10,000 gallon tank at the booster plant, install a flap valve on the 10,000 gallon tank at the booster plant, and repaint the 10,000 gallon tank at the booster plant, 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

Approx. Cost of Compliance	\$1,000	TOTAL	\$65
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Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 34173	<small>PCW Revision June 26, 2007</small>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	9	
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(B)	
Violation Description	Failed to provide well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface. Specifically, it was noted that the casings for well nos. 1 and 8 extended twelve inches.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
				Percent <input type="text" value="0%"/>	
Matrix Notes	Failure to provide a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface, may allow the well to be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health.				
				Adjustment <input type="text" value="\$900"/>	

Violation Events

Number of Violation Events	<input type="text" value="2"/>		<input type="text" value="77"/>	Number of violation days
<small>mark only one with an x</small>	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 <input type="text" value="\$200"/>

Two quarterly events are recommended (one event per well) from the date of the investigation, April 26, 2007, to the date of screening, July 12, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$65"/>	Violation Final Penalty Total <input type="text" value="\$230"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$230"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	26-Apr-2007	1-Apr-2008	0.9	\$3	\$62	\$65
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 extend the casings a minimum of 18 inches above ground surface for well nos. 1 and 8, 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

Approx. Cost of Compliance

\$1,000

TOTAL

\$65

PCW

Screening Date 12-Jul-2007

Docket No. 2007-1113-PWS-E

Respondent Leggett Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 34173

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101454130

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>
Potential	<input type="text"/>				

>> Programmatic Matrix

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

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text" value="x"/>
	single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$150	26-Apr-2007	1-Feb-2008	0.8	\$6	n/a	\$6
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 prepare and begin maintaining customer service inspection reports, 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

Approx. Cost of Compliance	\$150	TOTAL	\$6
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Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101454130		
Media [Statute] Public Water Supply		
Enf. Coordinator Epifanio Villarreal		
Violation Number	11	
Rule Cite(s)	30 Tex. Admin. Code § 290.42(e)(4)(A)	
Violation Description	Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room immediately available to the operator in the event of an emergency.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Major	Moderate	Minor	
Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>

Matrix Notes

Failure to provide a bottle of fresh ammonia solution for testing for chlorine leakage could allow an insignificant amount of chlorine gas to impact the operator's health which would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media Public Water Supply
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$50	26-Apr-2007	1-Feb-2008	0.8	\$0	\$3	\$3
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 provide a bottle of fresh ammonia solution, 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

Approx. Cost of Compliance	\$50	TOTAL	\$3	
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Screening Date 12-Jul-2007	Docket No. 2007-1113-PWS-E	PCW		
Respondent Leggett Water Supply Corporation	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 34173	<i>PCW Revision June 26, 2007</i>			
Reg. Ent. Reference No. RN101454130				
Media [Statute] Public Water Supply				
Enf. Coordinator Epifanio Villarreal				
Violation No. <input type="text" value="12"/>				
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)(B)			
Violation Description	Failed to conduct an inspection of the interior of the pressure tank at least once every five years. Specifically, it was noted that the interior of the 10,000 gallon pressure tank at plant no. 2 has not been inspected within the past five years.			
Base Penalty		<input type="text" value="\$1,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="25%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Complete failure to perform the required inspections of the pressure tank could result in non-detection of a tank defect which could result in a loss of tank integrity compromising the sytem's ability to supply water which could result in an significant amount of contaminants exceeding levels that are protective of human health.			
Adjustment		<input type="text" value="\$750"/>		
		<input type="text" value="\$250"/>		
Violation Events				
Number of Violation Events <input type="text" value="1"/>		Number of violation days <input type="text" value="365"/>		
<i>mark only one with an x</i>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$250"/>	
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text" value="x"/>		
One single event is recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount <input type="text" value="\$5,253"/>		Violation Final Penalty Total <input type="text" value="\$288"/>		
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$288"/>		

Economic Benefit Worksheet

Respondent: Leggett Water Supply Corporation
Case ID No.: 34173
Reg. Ent. Reference No.: RN101454130
Media: Public Water Supply
Violation No.: 12

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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

Notes for DELAYED costs

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	\$1,000	26-Apr-2002	26-Apr-2007	5.0	\$250	\$5,003	\$5,253
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 cost includes the amount to inspect the interior surface on the pressure tank, calculated for the five years prior to the date of the investigation.

Approx. Cost of Compliance	\$1,000	TOTAL	\$5,253
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Screening Date	12-Jul-2007	Docket No.	2007-1113-PWS-E	PCW
Respondent	Leggett Water Supply Corporation	Policy Revision 2 (September 2002)		
Case ID No.	34173	PCW Revision June 26, 2007		
Reg. Ent. Reference No.	RN101454130			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			
Violation Number	13			
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(O)			
Violation Description	Failed to provide an intruder-resistant fence around plant no. 1. Specifically, at the time of the investigation, the investigator observed a 10-foot gap in the fence surrounding plant no.1.			
Base Penalty				\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual				
	Potential		x		
				Percent 10%	

>> Programmatic Matrix

Matrix Notes	Harm				
	Falsification	Major	Moderate		Minor
				Percent 0%	
Failure to properly secure the water plant may allow persons to enter and damage the tanks which may compromise the system's ability to provide a safe and adequate water supply and could expose the public to significant amounts of contaminants which would not exceed levels that are protective of human health.					

Adjustment \$900

\$100

Violation Events

Number of Violation Events Number of violation days

mark only one with an 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 \$100

One quarterly event is recommended from the date of the investigation, April 26, 2007, to the date of screening, July 12, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$52"/>	Violation Final Penalty Total <input type="text" value="\$115"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$115"/>	

Economic Benefit Worksheet

Respondent Leggett Water Supply Corporation
Case ID No. 34173
Reg. Ent. Reference No. RN101454130
Media Public Water Supply
Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$800	26-Apr-2007	1-Apr-2008	0.9	\$2	\$50	\$52
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 costs to repair the 10-foot gap on the perimeter fence at plant no. 1, 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

Approx. Cost of Compliance

\$800

TOTAL

\$52

Compliance History

Customer/Respondent/Owner-Operator:	CN600639769	Leggett Water Supply Corporation	Classification:	Rating:
Regulated Entity:	RN101454130	LEGGETT WSC	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING	REGISTRATION LICENSE		1870007 1870007
Location:	UPPER LEGGETT RD, LIVINGSTON, TX, 77351			
TCEQ Region:	REGION 10 - BEAUMONT			
Date Compliance History Prepared:	July 12, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	July 12, 2002 to July 12, 2007			

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

Name: Epi Villarreal Phone: (210) 403-4033

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.)

12/11/2002	(16397)
09/10/2003	(247812)
10/24/2003	(253034)
09/15/2004	(289322)
07/21/2005	(396770)
03/22/2006	(458367)
12/19/2006	(533418)
06/25/2007	(558714)

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

Date: 12/12/2002 (16397)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)[G]

Description: Failure to take daily chlorine residual samples from November 2001 to July 2002, at representative locations in the distribution.

During the investigation, it was noted that the operator was taking 3 to 8 samples per month during the period of November 2001 to July 2002. Sample locations were not being recorded.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(4)(A)		
Description:	Failure to provide a full-face self-contained breathing apparatus (SCBA) at each water plant using chlorine gas.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.44(h)(4)(C)		
Description:	Failure to install the required backflow prevention assembly on the water line to the nursing home.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(u)		
Description:	Failure to plug Well # 1 and Well # 4 at Water Plant # 1.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to provide recorded copies of sanitary control easements for all land within 150 feet of wells Nos 1, 3, 4, 5, 6, and 7.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)		
Description:	Failure to provide a well casing extending at least 18 inches above the natural ground surface (well # 1 and well #5).		
	During the investigation, it was noted that the well casing on Well # 2 extended about 13 inches above the natural surface of the ground.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)		
Description:	Failure to seal the well casings around the submersible pump wiring on Well # 2 and Well # 3.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure to install all electrical wiring in conduit on the ground storage tank and in the chlorination room at Water Plant # 1, and to install all electrical wiring in conduit or appropriate covered electrical boxes at the Booster Plant.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)		
Description:	Failure to replace the broken well meter on Well # 3.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(G)		
Description:	Failure to maintain records on a daily basis, of the amount of chemicals used, the volume of water treated, and signed by the certified operator.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to have all known flush valves, gate valves, water lines, and line sizes on the distribution map.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(1)		
Description:	Failure to install an adequate roof vent screen on the ground storage tank at Water Plant # 2.		
	During the investigation, it was noted that the roof vent screen on the ground storage tank at Water Plant # 2, was outside of a large number of empty 0.5 inch bolt holes. These holes appear to provide unscreened access.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(2)		
Description:	Failure to provide the ground storage tank at Water Plant # 1 with a 30 inch access opening.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(5)		
Description:	Failure to install a lift pipe inside of the ground storage tank at Water Plant # 1.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(G)		
Description:	Failure to perform the annual tank inspections.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(3)		
Description:	Failure to repair an excessive gap on the overflow flap on the ground storage tank at Water Plant # 1.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(3)		
Description:	Failure to make the overflow flap accessible for inspection on the elevated storage tank.		

Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)		
Description:	Failure to maintain records of all water quality, pressure, or outage complaints.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain the paint on the exterior of the elevated storage tank.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain the ground storage tanks at Water Plant # 1 and the Booster Plant.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to cut the vegetation away from the fence at Water Plant # 2.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(2)		
Description:	Failure to disinfect the water from Well # 2 and Well # 3 before storage.		
Date	07/22/2005	(396770)	
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to provide recorded copies of sanitary control easements for all land within 150 feet of wells Nos 1, 3, 4, 5, 6, and 7.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)		
Description:	Failure to provide a well casing extending at least 18 inches above the natural ground surface (well # 1 and well #5).		
	During the investigation, it was noted that the well casing on Well # 2 extended about 13 inches above the natural surface of the ground.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)[G]		
Description:	Failure to maintain records on a daily basis, of the amount of chemicals used, the volume of water treated, and signed by the certified operator.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to have all known flush valves, gate valves, water lines, and line sizes on the distribution map.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to cut the vegetation away from the fence at Water Plant # 2.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.110(b)(4)		
Description:	Failure to chlorinate the water (chlorinator at plant #1 was down following a cl2 leak).		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.44(h)(4)(C)		
Description:	Failure to conduct annual test of an existing backflow prevention device.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure to install all electrical wiring in conduit (wellhead of well #5).		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)		
Description:	Failure to provide a raw water sample tap on Well # 5.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(t)		
Description:	Failure to have a legible sign at the sites of well #5 and well #7.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.121[G]		
Description:	Failure to have a monitoring plan.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to inspect the water system's pressure tanks.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)[G]		
Description:	Failure to inspect the water system's storage tanks.		

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(u)
 Description: Failure to plug abandoned water wells.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)
 Description: Failure to provide a tight fitting cover for the ground storage overflow at plant 1.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(A)
 Description: Failure to provide a bottle of fresh ammonia solution outside the chlorinator room (plant #1).

Date 03/22/2006 (458367)

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)
 Description: Failure to have an 18" casing on well #8 (old well #1) for Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)
 Description: Failure to provide sample tap before treatment for well #8 and well #9 at Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)
 Description: Failure to provide a fence around well #8 and well #9.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)
 Description: Failure to have an appropriate water level indicator, for ground storage tank at Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(6)
 Description: Failure to have sufficient flush valves.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain roof vent, for ground storage tank, at seven oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)
 Description: Failure to have watertight service pumps at Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)
 Description: Failures to provide ownership sign for Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(v)
 Description: Failure to have electrical wiring in conduit.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to have Seven Oaks distribution added to Leggett's monitoring plan.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)
 Description: Failure to have a distribution map with all known main and valves.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to provide annual tank inspection for ground storage and pressure tanks for Seven Oaks water plant.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)
 Description: Failure to have a key that will open the lock on the ground storage tank.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(4)
 Description: Failure to adequately chlorinate the water.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)[G]
 Description: Failure to seal old probe wire holes on ground storage tank roof.

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
LEGGETT WATER SUPPLY
CORPORATION
RN101454130**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2007-1113-PWS-E**

At its _____ agenda, the Texas Commission on Environmental Quality (“the Commission” or “TCEQ”) considered this agreement of the parties, resolving an enforcement action regarding Leggett Water Supply Corporation (“Leggett WSC”) under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Leggett WSC presented this agreement to the Commission.

Leggett WSC understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Leggett WSC agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon Leggett WSC.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. Leggett WSC owns and operates a public water supply at Upper Leggett Road in Livingston, Polk County, Texas (the “Facility”) that has approximately 699 service connections and serves at least 25 people per day for at least 60 days per year.

2. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not secure sanitary control easements covering all property within 150 feet of well nos. 1, 4, 5, 6, and 7.
3. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not properly maintain and annotate the amount of chemicals used each day on the water works operation records. Specifically, at the time of the investigation, the water works monthly operation reports lacked the amount of gas chlorine and polyphosphates used each day.
4. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not initiate a maintenance program to maintain the general appearance of the system's facilities and equipment. Specifically, at the time of the investigation, it was observed that the perimeter fence at plant no. 2 was overgrown with vegetation. In addition, stagnant water was also noted close to the overflow flap valve at plant no.1 and a large pool of standing water was noted a few feet from the sealing block of well no. 5.
5. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not have backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester. Specifically, the backflow prevention assembly at the Timberwood nursing home was not tested by a recognized backflow prevention assembly tester in the twelve months preceding the April 26, 2007 investigation.
6. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, at the time of the investigation, approximately 2 feet of wire was not installed in a conduit at well no. 5.
7. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not keep on file and make available for Commission review an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements. Specifically, it was noted that the system did not have a monitoring plan at the time of the investigation.
8. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not plug and seal abandoned public water supply well nos. 1, 3, and 4 in accordance with 16 TEX. ADMIN. CODE Chapter 76 (relating to water well drillers and water pump installers) or return the wells to a non-deteriorated condition. Specifically, at the time of the investigation, it was noted that that well no. 3 has been abandoned and capped while public water supply well nos. 1 and 4 are disconnected and out of service.
9. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") design standards. Specifically, it was noted that the overflow

flap's cover on the ground storage tank at plant no. 1 closes with a gap greater than 1/16 of an inch, the 10,000 gallon tank at the booster plant did not have a 16-mesh or finer corrosion-resistant screen on the tank's roof vent, the overflow pipe did not have a flap valve, and the paint on roof of the tank has peeled off in several places.

10. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not provide well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface. Specifically, it was noted that the casings for well nos. 1 and 8 extended 12 inches.
11. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not conduct customer service inspections prior to providing continuous water service to new construction. Specifically, at the time of the investigation, the operator stated that no customer service inspections were performed for new construction during the past 3 years.
12. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room immediately available to the operator in the event of an emergency.
13. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not conduct an inspection of the interior of the pressure tank at least once every five years. Specifically, it was noted that the interior of the 10,000 gallon pressure tank at plant no. 2 has not been inspected within the past five years.
14. During an investigation conducted on April 26, 2007, TCEQ staff documented that Leggett WSC did not provide an intruder-resistant fence around plant no. 1. Specifically, at the time of the investigation, the investigator observed a 10-foot gap in the fence surrounding plant no 1.
15. Leggett WSC received notices of the violations dated December 12, 2002, July 22, 2005, March 22, 2006, and June 22, 2007.

II. CONCLUSIONS OF LAW

1. Leggett WSC is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, Leggett WSC failed to secure sanitary control easements covering all property within 150 feet of well nos. 1, 4, 5, 6, and 7, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F).
3. As evidenced by Findings of Fact No. 3, Leggett WSC failed to properly maintain and annotate the amount of chemicals used each day on the water works operation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(i)(II).

4. As evidenced by Findings of Fact No. 4, Leggett WSC failed to initiate a maintenance program to maintain the general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
5. As evidenced by Findings of Fact No. 5, Leggett WSC failed to have backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester, in violation of 30 TEX. ADMIN. CODE 290.44(h)(4).
6. As evidenced by Findings of Fact No. 6, Leggett WSC failed to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE. § 290.46(v).
7. As evidenced by Findings of Fact No. 7, Leggett WSC failed to keep on file and make available for Commission review an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
8. As evidenced by Findings of Fact No. 8, Leggett WSC failed to plug and seal public water supply abandoned wells nos. 1, 3, and 4 in accordance with 16 TEX. ADMIN. CODE Chapter 76 (relating to water well drillers and water pump installers) or return the wells to a non-deteriorated condition, in violation of 30 TEX. ADMIN.CODE § 290.46(u).
9. As evidenced by Findings of Fact No. 9, Leggett WSC failed to maintain the facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") design standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3) and (c)(8).
10. As evidenced by Findings of Fact No. 10, Leggett WSC failed to provide a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(B).
11. As evidenced by Findings of Fact No. 11, Leggett WSC failed to conduct customer service inspections prior to providing continuous water service to new construction, in violation of 30 TEX. ADMIN. CODE § 290.46(j) and 290.46(f)(3)(E)(iv).
12. As evidenced by Findings of Fact No. 12, Leggett WSC failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room immediately available to the operator in the event of an emergency, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(A).
13. As evidenced by Findings of Fact No. 13, Leggett WSC failed to conduct an inspection of the interior of the pressure tank at least once every five years, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
14. As evidenced by Findings of Fact No. 14, Leggett WSC failed to provide an intruder-resistant fence around plant no. 1, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).

15. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Leggett WSC for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
16. An administrative penalty in the amount of Four Thousand Eight Hundred Thirty Dollars (\$4,830) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). Leggett WSC has paid One Thousand Two Hundred Thirty Dollars (\$1,230) of the administrative penalty. The remaining amount of Three Thousand Six Hundred Dollars (\$3,600) of the administrative penalty shall be payable in 36 monthly payments of One Hundred Dollars (\$100) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Leggett WSC fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Leggett WSC to meet the payment schedule of this Agreed Order constitutes the failure by Leggett WSC to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Leggett WSC is assessed an administrative penalty in the amount of Four Thousand Eight Hundred Thirty Dollars (\$4,830) as set forth in Section II, Paragraph 16 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Leggett WSC's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Leggett Water Supply Corporation, Docket No. 2007-1113-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. Leggett WSC shall undertake the following technical requirements:
 - a. Within 10 days after the effective date of this Agreed Order:

- i. Begin compiling and maintain properly completed monthly water works operation reports and maintenance records, including but not limited to the amounts of chemicals used each week, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - ii. Initiate good housekeeping practices, in accordance with 30 TEX. ADMIN. CODE § 290.46, including but not limited to the following: remove all overgrown vegetation on the fence surrounding plant no. 2, remove the stagnant water adjacent to the 75,000 gallon storage tank at plant no. 1, and remove a large pool of standing water adjacent to well no. 5;
 - iii. Begin maintaining an up-to-date chemical and microbiological monitoring plan for the Facility, in accordance with 30 TEX. ADMIN. CODE § 290.121;
 - iv. Begin completing and maintain copies of service inspection certificates prior to providing continuous water service to new construction, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - v. Provide a small fresh bottle of ammonia solution outside the chlorinator room, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- b. Within 15 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.h., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.
- c. Within 30 days after the effective date of this Agreed Order:
- i. Ensure that the water system electrical wiring for well no. 5 is installed in a conduit in compliance with local or national electrical code, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - ii. Conduct an inspection of the pressure tank's interior surface, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- d. Within 45 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.h., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.
- e. Within 60 days after the effective date of this Agreed Order:
- i. Ensure that the backflow prevention assembly at the Timberwood nursing home is tested by a recognized backflow prevention assembly tester and the backflow assembly is certified that it is operating within specifications, in accordance with 30 TEX. ADMIN. CODE § 290.44;

- ii. Increase the height of the well casings on well nos. 1 and 8 such that it is a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface, in accordance with 30 TEX. ADMIN. CODE § 290.41;
 - iii. Repair the 10-foot gap on the fence surrounding well no. 1 to render it intruder resistant, in accordance with 30 TEX. ADMIN. CODE § 290.41;
 - iv. Repair the overflow flap cover on the ground storage tank at plant no. 1 so that the cover fits snugly and the gap is no greater than 1/16 of an inch, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
 - v. Provide a 16-mesh or finer corrosion resistant screen on the roof vent of the storage tank at the booster plant and install a flap valve on the overflow pipe of the storage tank and repair the roof of the tank where areas are peeling, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- f. Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.h., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.e.
- g. Within 90 days after the effective date of this Agreed Order:
- i. Obtain sanitary control easements or submit exceptions to the easement requirement that covers the land within 150 feet of the well nos. 1, 4, 5, 6, and 7, in accordance with 30 TEX. ADMIN. CODE § 290.41; and
 - ii. Ensure abandoned public water supply well nos. 1, 3, and 4 are properly plugged with cement according to 16 TEX. ADMIN. CODE ch. 76 or repaired to a non-deteriorated condition, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- h. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.g. 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 fines 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
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

3. The provisions of this Agreed Order shall apply to and be binding upon Leggett WSC. Leggett WSC is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
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 Leggett WSC shall be made in writing to the Executive Director. Extensions are not effective until Leggett WSC receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Leggett WSC if the Executive Director determines that Leggett WSC has not complied with one or more of the terms or conditions in this Agreed Order.
6. 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.
7. This Agreed Order, issued by the Commission, shall not be admissible against Leggett WSC in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdin
For the Executive Director

1/29/2008
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Leggett Water Supply Corporation. I am authorized to agree to the attached Agreed Order on behalf of Leggett Water Supply Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Leggett Water Supply Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

John H. Johnston
Signature

11/29/07
Date

John H. Johnston
Name (Printed or typed)
Authorized Representative of
Leggett Water Supply Corporation

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.

1/1/19

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