

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-1275-PWS-E **TCEQ ID:** RN101265908 **CASE NO.:** 23808

RESPONDENT NAME: S.L.C. 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: S.L.C. Water Supply Corporation, 245 County Road 775, Groesbeck, Limestone 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 22, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Rebecca Clausewitz, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4012; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Frankie Beck, Registered Agent, S.L.C. Water Supply Corporation, Route 2, Box 588, Groesbeck, Texas 76642 Mr. Alan G. Hughes, President, S.L.C. Water Supply Corporation, Route 2, Box 588, Groesbeck, Texas 76642 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: May 23, 2007</p> <p>Date of NOV/NOE Relating to this Case: June 20, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation. Eight violations were documented.</p> <p>WATER</p> <p>1) Failed to employ at least one operator who holds a valid Class B or higher surface water license [30 TEX. ADMIN. CODE § 290.46(e)(6)(A), TEX. HEALTH & SAFETY CODE § 341.033(a), and Agreed Order Docket No. 2005-0108-PWS-E, Ordering Provision 2.a.i.].</p> <p>2) Failed to provide an appropriate air gap on the filter-to-waste line at the surface water treatment facility [30 TEX. ADMIN. CODE § 290.42(d)(2)(E)].</p> <p>3) Failed to equip each filter at the surface water treatment facility with an on-line turbidimeter and recorder [30 TEX. ADMIN. CODE § 290.42(d)(11)(E)(ii)].</p> <p>4) Failed to properly screen all air release devices within the distribution system [30 TEX. ADMIN. CODE § 290.44(d)(1)].</p> <p>5) Failed to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].</p> <p>6) Failed to equip each filter with a manually adjustable rate-of-flow controller [30 TEX. ADMIN. CODE § 290.42(d)(11)(D)(i)].</p> <p>7) Failed to maintain the system's clearwell tight against leakage [30 TEX. ADMIN. CODE § 290.43(c)(6)].</p> <p>8) Failed to provide a properly sealed roof hatch on the clearwell [30 TEX. ADMIN. CODE § 290.43(c)(2)].</p>	<p>Total Assessed: \$5,182</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$5,182</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:</p> <p>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 30 days after the effective date of this Agreed Order:</p> <p>i) Employ at least one operator who holds a valid Class B or higher surface water license;</p> <p>ii) Provide an appropriate air gap on the filter-to-waste line at the surface water treatment facility;</p> <p>iii) Install 16-mesh or finer, corrosion-resistant screens on all air release devices within the distribution system;</p> <p>iv) Ensure the good working condition and general appearance of the system's facilities and equipment is maintained by removing all vines from the fence surrounding the surface water treatment facility;</p> <p>v) Repair all corrosion on the clearwell so that it is maintained tight against leakage; and</p> <p>vi) Provide a roof hatch on the clearwell that has a positive seal and prevents dust, insects, and other contaminants from entering the water supply.</p> <p>b) Within 60 days after the effective date of this Agreed Order:</p> <p>i) Submit written documentation, as described in Ordering Provision c., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p> <p>ii) Equip each filter at the surface water treatment facility with an on-line turbidimeter and recorder which allows the operator to determine the turbidity at 15-minute intervals; and</p> <p>iii) Equip each filter at the surface water treatment facility with a manually adjustable rate-of-flow controller that</p>

		<p>includes a rate-of-flow indicator or a flow control valve with an indicator.</p> <p>c) Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision b.</p>
--	--	---

Additional ID No(s): PWS 1470031



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

DATES	Assigned	1-Jul-2007	Screening	20-Jul-2007	EPA Due	
	PCW	31-Jul-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	S.L.C. Water Supply Corporation
Reg. Ent. Ref. No.	RN101265908
Facility/Site Region	9-Waco
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	23808	No. of Violations	8
Docket No.	2007-1275-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Enf. Coordinator	Rebecca Clausewitz
Multi-Media		EC's Team	EnforcementTeam 2
Admin. Penalty \$	Limit Minimum \$50	Maximum	\$1,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement Subtotals 2, 3, & 7

Notes: The compliance history enhancement is due to three prior Notices of Violation (NOVs) containing violations that are the same as or similar to the violations in the current enforcement action and for two prior agreed orders containing a denial of liability.

Culpability Enhancement Subtotal 4

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Reduction Subtotal 5

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

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

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

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

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

Notes: An enhancement is recommended for recovery of the avoided costs of compliance.

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL Reduction Adjustment

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 20-Jul-2007

Docket No. 2007-1275-PWS-E

PCW

Respondent S.L.C. Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 23808

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101265908

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (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)	2	40%
	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) 55%

>> 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 compliance history enhancement is due to three prior Notices of Violation (NOVs) containing violations that are the same as or similar to the violations in the current enforcement action and for two prior agreed orders containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 55%

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	1	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(e)(6)(A) and Agreed Order Docket No. 2005-0108-PWS E, Ordering Provision 2.a.i.	
Violation Description	Failed to employ at least one operator who holds a valid Class B or higher surface water license. Specifically, at the time of the investigation, the water supply employed one operator with a Class C license and one operator with a Class D license.	
	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"/>	x	<input type="checkbox"/>	Percent <input style="width:50px;" type="text" value="10%"/>	

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
				Percent <input style="width:50px;" type="text" value="0%"/>	
Matrix Notes	Failure to employ a Class B operator could result in improper operation of the facility, causing customers of the water supply to be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.				

Adjustment

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	x
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty

Seven quarterly events are recommended, calculated from the effective date of Agreed Order Docket No. 2005-0108-PWS-E, December 30, 2005, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input style="width:150px;" type="text" value="\$489"/>	Violation Final Penalty Total <input style="width:100px;" type="text" value="\$1,152"/>
This violation Final Assessed Penalty (adjusted for limits) <input style="width:100px;" type="text" value="\$1,152"/>	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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
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

There are no delayed costs associated with this violation.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel	\$300	30-Dec-2005	20-Jul-2007	1.6	\$23	\$466	\$489
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

The avoided costs include the amount for classes and study material for an employee to obtain his/her Class B license, calculated from the effective date of Agreed Order Docket No. 2005-0108-PWS-E, to the date of screening.

Approx. Cost of Compliance

\$300

TOTAL

\$489

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 290.42(d)(2)(E)	
Violation Description	Failed to provide an appropriate air gap on the filter-to-waste line at the surface water treatment facility. Specifically, the air gap was found to be vaulted, which fails to meet the requirements for a proper air gap on the filter-to-waste connection.	
	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 have an appropriate air gap in place could result in customers of the water supply being exposed to significant amounts of contaminants which would not 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	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty

One quarterly event is recommended, calculated from the date of the investigation, May 23, 2007, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$11"/>	Violation Final Penalty Total <input type="text" value="\$165"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$165"/>	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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
No commas or \$							

Delayed Costs

Equipment	\$200	23-May-2007	1-Mar-2008	0.8	\$1	\$10	\$11
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 an appropriate air gap on the filter-to-waste line, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$200

TOTAL \$11

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	3	
Rule Cite(s)	30 Tex. Admin. Code § 290.42(d)(11)(E)(ii)	
Violation Description	Failed to equip each filter with an on-line turbidimeter and recorder which will allow the operator to determine the turbidity at 15-minute intervals. Specifically, the water supply has two filters which have not been equipped with on-line turbidimeters and recorders.	
	Base Penalty	\$1,000

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

OR	Harm					
		Major	Moderate	Minor		
	Actual					
Potential	x					

>> **Programmatic Matrix**

	Major	Moderate	Minor	
Falsification				

Matrix Notes

Failure to continuously monitor the turbidity levels at proper intervals could result in customers of the water supply being 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	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty

Four monthly events are recommended (two monthly events per filter), calculated from the date of the investigation, May 23, 2007, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$60"/>	Violation Final Penalty Total <input type="text" value="\$1,645"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,645"/>	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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
No commas or \$							

Delayed Costs

Equipment	\$1,000	23-May-2007	1-Apr-2008	0.9	\$3	\$57	\$60
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to purchase and install two on-line turbidimeters and recorders, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$1,000

TOTAL

\$60

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	4	
Rule Cite(s)	30 Tex. Admin. Code § 290.44(d)(1)	
Violation Description	Failed to properly screen all air release devices within the distribution system with a 16-mesh or finer, corrosion-resistant screen. Specifically, there is one air release device within the distribution system that has no screen.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent
					<input type="text" value="0%"/>
Matrix Notes	Failure to screen the air release device could allow insects, dust, and contaminants into the water supply and cause customers to be exposed 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	<input type="text" value="1"/>	Number of violation days	<input type="text" value="58"/>												
<i>mark only one with an x</i>	<table style="width:100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td style="border: 1px solid black; width: 50px;"></td></tr> <tr><td style="padding: 2px;">monthly</td><td style="border: 1px solid black;"></td></tr> <tr><td style="padding: 2px;">quarterly</td><td style="border: 1px solid black; text-align: center;">x</td></tr> <tr><td style="padding: 2px;">semiannual</td><td style="border: 1px solid black;"></td></tr> <tr><td style="padding: 2px;">annual</td><td style="border: 1px solid black;"></td></tr> <tr><td style="padding: 2px;">single event</td><td style="border: 1px solid black;"></td></tr> </table>	daily		monthly		quarterly	x	semiannual		annual		single event		Violation Base Penalty	<input type="text" value="\$100"/>
daily															
monthly															
quarterly	x														
semiannual															
annual															
single event															

One quarterly event is recommended, calculated from the date of the investigation, May 23, 2007, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	Violation Final Penalty Total
\$5	\$165
This violation Final Assessed Penalty (adjusted for limits)	
\$165	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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)	\$100	23-May-2007	1-Mar-2008	0.8	\$0	\$5	\$5
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to purchase and install a proper screen on the air release device, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$100

TOTAL

\$5

Screening Date 20-Jul-2007

Docket No. 2007-1275-PWS-E

PCW

Respondent S.L.C. Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 23808

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101265908

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

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

Number of Violation Events 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 checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	23-May-2007	1-Mar-2008	0.8	\$19	n/a	\$19

Notes for DELAYED costs The delayed costs include the amount to remove the vines from the fence surrounding the surface water treatment facility, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$500

TOTAL

\$19

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code § 290.42(d)(11)(D)(i)	
Violation Description	Failed to equip each filter unit with a manually adjustable rate-of-flow controller that includes a rate-of-flow indicator or a flow control valve with an indicator. Specifically, the two filters at the surface water treatment facility do not have manually adjustable rate-of-flow controllers installed.	
	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

Failure to have adjustable rate-of-flow controllers installed could result in improper treatment of the surface water, causing 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="text"/>
	monthly	x
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Four monthly events are recommended (two monthly events per filter), calculated from the date of the investigation, May 23, 2007, to the date the case is screened and accepted for enforcement, July 20, 2007.

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 S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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
No commas or \$							

Delayed Costs

Equipment	\$2,000	23-May-2007	1-Apr-2008	0.9	\$6	\$115	\$120
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to install rate-of-flow controllers on the two filter units, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$2,000

TOTAL

\$120

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number <input type="text" value="7"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(6)	
Violation Description	Failed to maintain the system's clearwell tight against leakage. Specifically, the clearwell was noted to have several corrosion points which were leaking on the date of the investigation.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent
					0%

Matrix Notes
 Failure to maintain a water-tight clearwell could allow contaminants to enter the water supply and customers could be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment

\$100

Violation Events

	1		58	Number of violation days
<i>mark only one with an x</i>	daily		monthly	
	quarterly	x	semiannual	
	annual		single event	

Violation Base Penalty

One quarterly event is recommended, calculated from the date of the investigation, May 23, 2007, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$54"/>	Violation Final Penalty Total <input type="text" value="\$165"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$165"/>	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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)	\$1,000	23-May-2007	1-Mar-2008	0.8	\$3	\$52	\$54
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 repair the corroded areas of the clearwell so that it is water-tight, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$1,000

TOTAL

\$54

Screening Date 20-Jul-2007	Docket No. 2007-1275-PWS-E	PCW
Respondent S.L.C. Water Supply Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 23808		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101265908		
Media [Statute] Public Water Supply		
Enf. Coordinator Rebecca Clausewitz		
Violation Number	8	
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(2)	
Violation Description	Failed to provide a properly sealed roof hatch on the clearwell that prevents dust, insects, and other contaminants from entering the water supply. Specifically, on the date of the investigation, it was noted that the clearwell roof hatch did not form a positive seal and an insect cocoon was observed inside the hatch.	
	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"/>	x	<input type="text"/>	Percent <input type="text" value="10%"/>

>> 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
 Failure to have a properly sealed roof hatch could allow insects, dust, and other contaminants to enter the water supply, causing customers to be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment

Violation Events

	<input type="text" value="1"/>		<input type="text" value="58"/>	Number of violation days
<i>mark only one with an x</i>	daily		monthly	
	quarterly	x	semiannual	
	annual		single event	

Violation Base Penalty

One quarterly event is recommended, calculated from the date of the investigation, May 23, 2007, to the date the case was screened and accepted for enforcement, July 20, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$5"/>	Violation Final Penalty Total <input type="text" value="\$165"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$165"/>	

Economic Benefit Worksheet

Respondent S.L.C. Water Supply Corporation
Case ID No. 23808
Reg. Ent. Reference No. RN101265908
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)	\$100	23-May-2007	1-Mar-2008	0.8	\$0	\$5	\$5
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to properly seal the clearwell roof hatch, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance

\$100

TOTAL

\$5

Compliance History

Customer/Respondent/Owner-Operator: CN600697015 S.L.C. Water Supply Corporation Classification: Rating:
Regulated Entity: RN101265908 S L C WSC Classification: Site Rating:
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1470031
WATER LICENSING LICENSE 1470031
Location: 245 County Road 775, Limestone County
TCEQ Region: REGION 09 - WACO
Date Compliance History Prepared: July 20, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: July 20, 2002 to July 20, 2007

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

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

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 10/10/2005

ADMINORDER 2004-1133-PWS-E

Classification: Moderate

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

Description: Exceeded the MCL for TTHM during the 1st two qtrs. of 2004.

Effective Date: 12/30/2005

ADMINORDER 2005-0108-PWS-E

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(H)
Description: Failure to provide emergency power.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(6)(A)

Rqmt Prov: Ordering Provision 2.a.i. ORDER

Description: Failure to employ at least one operator who holds a valid Class B or higher surface water license.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(1)
Description: Failure to properly screen the air release devices in the distribution system.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)
Description: Failure to provide an intruder-resistant fence in order to protect the pressure tanks and standpipe.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(e)(2)(C)

Description: Failure to maintain the buoys in place at the raw water intake.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(B)

Description: Failure to properly store chlorine cylinders.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(13)[G]

Description: Failure to properly identify all water treatment plant piping.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	05/05/2003	(25562)
2	08/28/2003	(150901)
3	10/29/2003	(252468)
4	05/12/2004	(263794)
5	07/23/2004	(284486)
6	10/22/2004	(292225)
7	12/28/2004	(341683)
8	01/20/2006	(436906)
9	07/24/2006	(487102)
10	06/28/2007	(562326)

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

Date: 05/02/2003 (25562)

Self Report? NO Classification: Minor

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

Description: Failure to provide emergency power.

Self Report? NO Classification: Minor

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

Description: Failure to provide the 200,000 gallon clearwell with a properly designed hinged flap valve on the overflow pipe.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Failure to calibrate the backwash meter at the water plant at least once every 12 months.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: Failure to have the accuracy of the manual disinfectant residual analyzers verified at least once every 30 days.

Date: 04/27/2004 (263794)

Self Report? NO Classification: Minor

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

Description: Failure to provide emergency power.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(6)(A)

5A THC Chapter 341, SubChapter A 341.033(a)

Rqmt Prov: ORDER Ordering Provision 2.a.i.

Description: Failure to employ at least one operator who holds a valid Class B or higher surface water license.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)
 Description: Failure to maintain the water systems facilities and equipment.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G)
 Description: Failure to meet this Agency's "Minimum Water System Capacity Requirements."

Date: 07/20/2006 (487102)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(H)
 Description: Failure to provide emergency power.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(6)(A)
 Rqmt Prov: ORDER Ordering Provision 2.a.i.
 Description: Failure to employ at least one operator who holds a valid Class B or higher surface water license.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.

Self Report? NO Classification: Major
 Citation: 2A TWC Chapter 7, SubChapter A 7.101
 Rqmt Prov: ORDER Ordering Provisions 2.a.i.- ii., 2.b.i.
 Description: Failure to comply with the Ordering Provisions of Commission Order 2005-0108-PWS-E.

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
S.L.C. WATER SUPPLY
CORPORATION
RN101265908**

§
§
§
§
§
§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-1275-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 S.L.C. Water Supply Corporation (“SLC WSC”) under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and SLC WSC presented this agreement to the Commission.

SLC 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, SLC 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 SLC WSC.

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

I. FINDINGS OF FACT

1. SLC WSC owns and operates a public water supply at 245 County Road 775 in Limestone County, Texas (the “Facility”) that has approximately 495 service connections and serves at least 25 people per day for at least 60 days per year.
2. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not employ at least one operator who holds a valid Class B or higher surface water license. Specifically, at the time of the investigation, the water supply employed one operator with a Class C license and another operator with a Class D license.
3. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not provide an appropriate air gap on the filter-to-waste line at the surface water treatment

facility. Specifically, the air gap was found to be vaulted, which fails to meet the requirements for a proper air gap on the filter-to-waste connection.

4. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not equip each of the two filters at the surface water treatment facility with an on-line turbidimeter and recorder which allows the operator to determine the turbidity at 15-minute intervals.
5. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not properly screen an air release device within the distribution system with a 16-mesh or finer, corrosion-resistant screen.
6. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the time of the investigation, the fence at the surface water treatment facility was over grown with vines.
7. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not equip each of the two filters at the surface water treatment facility with a manually adjustable rate-of-flow controller that includes a rate-of-flow indicator or a flow control valve with an indicator.
8. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not maintain the system's clearwell tight against leakage due to several corrosion points which were observed to be leaking on the date of the investigation.
9. During an investigation conducted on May 23, 2007, TCEQ staff documented that SLC WSC did not provide a properly sealed roof hatch on the clearwell that prevents dust, insects, and other contaminants from entering the water supply. Specifically, on the date of the investigation, it was noted that the clearwell roof hatch did not form a positive seal and an insect cocoon was observed inside the hatch.
10. SLC WSC received notice of the violations on or about June 25, 2007.

II. CONCLUSIONS OF LAW

1. SLC 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, SLC WSC failed to employ at least one operator who holds a valid Class B or higher surface water license, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(6)(A), TEX. HEALTH & SAFETY CODE § 341.033(a), and Agreed Order Docket No. 2005-0108-PWS-E, Ordering Provision 2.a.i.

3. As evidenced by Findings of Fact No. 3, SLC WSC failed to provide an appropriate air gap on the filter-to-waste line at the surface water treatment facility, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(2)(E).
4. As evidenced by Findings of Fact No. 4, SLC WSC failed to equip each filter at the surface water treatment facility with an on-line turbidimeter and recorder, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(11)(E)(ii).
5. As evidenced by Findings of Fact No. 5, SLC WSC failed to properly screen all air release devices within the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.44(d)(1).
6. As evidenced by Findings of Fact No. 6, SLC WSC failed to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
7. As evidenced by Findings of Fact No. 7, SLC WSC failed to equip each filter with a manually adjustable rate-of-flow controller, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(11)(D)(i).
8. As evidenced by Findings of Fact No. 8, SLC WSC failed to maintain the system's clearwell tight against leakage, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(6).
9. As evidenced by Findings of Fact No. 9, SLC WSC failed to provide a properly sealed roof hatch on the clearwell, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(2).
10. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against SLC 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.
11. An administrative penalty in the amount of Five Thousand One Hundred Eighty-Two Dollars (\$5,182) 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). SLC WSC has paid the Five Thousand One Hundred Eighty-Two Dollar (\$5,182) administrative penalty.

III. ORDERING PROVISIONS

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

1. SLC WSC is assessed an administrative penalty in the amount of Five Thousand One Hundred Eighty-Two Dollars (\$5,182) as set forth in Section II, Paragraph 11 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and SLC 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: S.L.C. Water Supply Corporation, Docket No. 2007-1275-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. SLC WSC shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Agreed Order:

- i. Employ at least one operator who holds a valid Class B or higher surface water license, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- ii. Provide an appropriate air gap on the filter-to-waste line at the surface water treatment facility, in accordance with 30 TEX. ADMIN. CODE § 290.42;
- iii. Install 16-mesh or finer, corrosion-resistant screens on all air release devices within the distribution system, in accordance with 30 TEX. ADMIN. CODE § 290.44;
- iv. Ensure the good working condition and general appearance of the system's facilities and equipment is maintained by removing all vines from the fence surrounding the surface water treatment facility, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- v. Repair all corrosion on the clearwell so that it is maintained tight against leakage, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
- vi. Provide a roof hatch on the clearwell that has a positive seal and prevents dust, insects, and other contaminants from entering the water supply, in accordance with 30 TEX. ADMIN. CODE § 290.43.

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

- i. Submit written documentation, as described in Ordering Provision 2.c. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.
- ii. Equip each filter at the surface water treatment facility with an on-line turbidimeter and recorder which allows the operator to determine the turbidity at 15-minute intervals, in accordance with 30 TEX. ADMIN. CODE § 290.42; and
- iii. Equip each filter at the surface water treatment facility with a manually adjustable rate-of-flow controller that includes a rate-of-flow indicator or a flow

control valve with an indicator, in accordance with 30 TEX. ADMIN. CODE § 290.42.

- c. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

The certification shall be submitted to:

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

with a copy to:

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

3. The provisions of this Agreed Order shall apply to and be binding upon SLC WSC. SLC 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 SLC WSC shall be made in writing to the Executive Director. Extensions are not effective until SLC 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 SLC WSC if the Executive

Director determines that SLC 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 SLC 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


For the Executive Director

11/21/2008
~~11/5/07~~
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of S.L.C. Water Supply Corporation. I am authorized to agree to the attached Agreed Order on behalf of S.L.C. 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, S.L.C. 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.


Signature

11/5/07
Date

ALAN G. Hughes
Name (Printed or typed)
Authorized Representative of
S.L.C. 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.

10/10/10

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures that the financial statements are reliable and can be audited without any issues. The document also mentions that the records should be kept for a minimum of seven years, as required by law.

In the second part, the author talks about the need for regular reconciliation of bank accounts. This process involves comparing the bank's records with the company's books to ensure that they match. Any discrepancies should be investigated immediately to prevent any potential fraud or errors. The document also highlights the importance of having a clear understanding of the company's cash flow and how it is being managed.

10/10/10

10/10/10