

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-1669-PWS-E TCEQ ID: RN101390599 CASE NO.: 34800
RESPONDENT NAME: City of Kosse

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: City of Kosse Public Water Supply, 103 North Narcissus, Kosse, Limestone County</p> <p>TYPE OF OPERATION: Public water supply</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 31, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4077; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: The Honorable Ben Daniell, Mayor, City of Kosse, P.O. Box 116, Kosse, Texas 76653 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 26, 2007</p> <p>Date of NOV/NOE Relating to this Case: July 13, 2007 (NOE)</p> <p>Background Facts: This was a routine record review.</p> <p>WATER</p> <p>1) Failed to provide two or more pumps that have a total capacity of 2.0 gallons per minute ("gpm") per connection at each pressure plane [30 TEX. ADMIN. CODE §§ 290.45(f)(7) and 290.45(b)(1)(D)(iii), and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>2) Failed to provide an adequate water purchase contract [30 TEX. ADMIN. CODE § 290.45(f)(3)].</p> <p>3) Failed to provide a properly calibrated liquid level indicator for the water system's elevated storage tank [30 TEX. ADMIN. CODE § 290.43(c)(4)].</p> <p>4) Failed to provide a properly constructed intruder-resistant fence in order to protect the ground and elevated storage tanks [30 TEX. ADMIN. CODE § 290.43(e)].</p> <p>5) Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists [30 TEX. ADMIN. CODE § 290.44(h)(1)].</p> <p>6) Failed to operate the system under the direct supervision of a water works operator who holds a Class "C" or higher license [30 TEX. ADMIN. CODE § 290.46(e)(3)(B) and TEX. HEALTH & SAFETY CODE § 341.033(a)].</p>	<p>Total Assessed: \$8,108</p> <p>Total Deferred: \$1,621 <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: \$2,487 (remaining \$4,000 due in 2 monthly payments of \$2,000 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 checked="" 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>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Immediately upon the effective date of this Agreed Order:</p> <p>i. Begin monitoring the disinfectant residual at representative locations within the distribution system at least once per day; and</p> <p>ii. Begin maintaining a minimum pressure of 35 psi throughout the distribution system at all times.</p> <p>b. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Submit written certification of compliance with Ordering Provision a.;</p> <p>ii. Compile and begin maintaining a thorough plant operations manual;</p> <p>iii. Repair the broken barbed wire on the intruder-resistance fence around the ground and elevated storage tanks at pressure plane No.1;</p> <p>iv. Provide an intruder-resistant fence or a lockable building to protect the pressure tank at the pressure plane No. 2;</p> <p>v. Securely install the electrical wiring for the service pump at pressure plane No. 2 in compliance with a local or national electrical code;</p> <p>vi. Install a properly calibrated liquid level indicator for the elevated storage tank;</p> <p>vii. Post a legible system ownership sign at pressure plane No. 2;</p> <p>viii. Conduct an annual inspection of the water system's pressure tank;</p> <p>ix. Commence operating the Facility under the direct supervision of a Class "C" or higher certified water works operator;</p> <p>x. Submit proper notification to the Commission for the 85 gallon pressure</p>

<p>7) Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day [30 TEX. ADMIN. CODE § 290.110(c)(5)(B)].</p> <p>8) Failed to compile and maintain a thorough plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(1)].</p> <p>9) Failed to provide a pressure release device for the water system's pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(2)].</p> <p>10) Failed to provide an intruder-resistant fence or a lockable building to protect the pressure tank [30 TEX. ADMIN. CODE § 290.43(e)].</p> <p>11) Failed to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].</p> <p>12) Failed to provide an up-to-date distribution map so that valves and mains may be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].</p> <p>13) Failed to inspect the system's pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(1)].</p> <p>14) Failed to keep on file and make available for Commission review, water system records [30 TEX. ADMIN. CODE §§ 290.46(f)(2) and 290.46(f)(3)(E)(iv)].</p> <p>15) Failed to securely install all water system electrical wiring in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].</p> <p>16) Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system at all times [30 TEX. ADMIN. CODE § 290.44(d)].</p> <p>17) Failed to notify the Executive Director prior to making any significant change or addition to the system's pressure maintenance facilities [30 TEX. ADMIN. CODE § 290.39(j)].</p> <p>18) Failed to provide a pressure tank capacity of 20 gallons per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p>		<p>tank and the service pump that were added to the existing water system; and</p> <p>xi. Begin maintaining all water system records, including but not limited to the American National Standard Institute/National Sanitation Foundation Standard 60 certification for the calcium hypochlorite disinfectant and Customer Service Agreements.</p> <p>c. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision b.;</p> <p>d. Within 60 days after the effective date of this Agreed Order:</p> <p>i. Develop and begin maintaining an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies;</p> <p>ii. Obtain a water purchase contract that will specify a maximum rate at which water may be drafted on a daily and hourly basis or a uniform purchase rate; and</p> <p>iii. Install backflow prevention assemblies or an air gap at the water hydrant located near the City's office.</p> <p>e. Within 75 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision d.</p> <p>f. Within 90 days after the effective date of this Agreed Order:</p> <p>i. Install a pressure release device on the water system's pressure tank;</p> <p>ii. Provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection for the pressure plane No. 2; and</p> <p>iii. Provide a minimum of two service pumps with a total capacity of 2.0 gallons per minute per connection at each of the system's pressure planes.</p> <p>g. Within 105 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision f.</p>
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Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision September 19, 2007

DATES	Assigned	8-Oct-2007	Screening	15-Oct-2007	EPA Due	
	PCW	15-Oct-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	City of Kosse		
Reg. Ent. Ref. No.	RN101390599		
Facility/Site Region	9-Waco	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	34800	No. of Violations	18
Docket No.	2007-1669-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Yuliya Dunaway
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:

Culpability Enhancement **Subtotal 4**

Notes:

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:

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

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

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:

PAYABLE PENALTY

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
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) 5%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The penalty enhancement is due to one prior NOV for the same or similar violations as those in the current enforcement action.

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

<p>Screening Date 15-Oct-2007</p> <p>Respondent City of Kosse</p> <p>Case ID No. 34800</p> <p>Reg. Ent. Reference No. RN101390599</p> <p>Media [Statute] Public Water Supply</p> <p>Enf. Coordinator Yuliya Dunaway</p> <p>Violation Number <input type="text" value="1"/></p> <p>Rule Cite(s) 30 Tex. Admin. Code §§ 290.45(f)(7) and 290.45(b)(1)(D)(iii), and Tex. Health & Safety Code § 341.0315(c)</p> <p>Violation Description Failed to provide two or more pumps that have a total capacity of 2.0 gallons per minute ("gpm") per connection at each pressure plane. Specifically, at the time of the record review, it was documented that the water system had one service pump at pressure plane Nos. 1 and 2.</p>	<p>Docket No. 2007-1669-PWS-E</p> <p style="text-align: right;">PCW <small>Policy Revision 2 (September 2002) PCW Revision September 19, 2007</small></p>																				
Base Penalty <input type="text" value="\$1,000"/>																					
>> Environmental, Property and Human Health Matrix																					
<p>OR</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td colspan="3" style="text-align: center;">Harm</td> <td></td> </tr> <tr> <td>Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td>Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td></td> </tr> <tr> <td>Potential</td> <td style="text-align: center;">x</td> <td><input type="text"/></td> <td><input type="text"/></td> <td>Percent <input type="text" value="25%"/></td> </tr> </table>		Harm				Release	Major	Moderate	Minor		Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>		Potential	x	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>	
	Harm																				
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>> Programmatic Matrix																					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Falsification</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td>Percent <input type="text" value="0%"/></td> </tr> </table> <p>Matrix Notes Without sufficient pump capacity, customers of the water supply could experience water outages and the system's ability to provide a safe and adequate supply could be compromised.</p>		Falsification	Major	Moderate	Minor			<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>									
	Falsification	Major	Moderate	Minor																	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>																
Adjustment <input type="text" value="\$750"/>																					
<input type="text" value="\$250"/>																					
Violation Events																					
<p>Number of Violation Events <input type="text" value="8"/> <input type="text" value="111"/> Number of violation days</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td rowspan="5" style="vertical-align: middle;"><small>mark only one with an x</small></td> <td style="text-align: center;">daily</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">monthly</td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">quarterly</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">semiannual</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">annual</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td style="text-align: center;">single event</td> <td><input type="text"/></td> </tr> </table> <p>Violation Base Penalty <input type="text" value="\$2,000"/></p> <p>Eight monthly events are recommended (four monthly events for each pressure plane) from the date of the record review, June 26, 2007, to the date of screening, October 15, 2007.</p>	<small>mark only one with an x</small>	daily	<input type="text"/>	monthly	x	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>		single event	<input type="text"/>							
<small>mark only one with an x</small>		daily	<input type="text"/>																		
		monthly	x																		
		quarterly	<input type="text"/>																		
		semiannual	<input type="text"/>																		
	annual	<input type="text"/>																			
	single event	<input type="text"/>																			
Economic Benefit (EB) for this violation																					
<p>Estimated EB Amount <input type="text" value="\$131"/></p>	<p>Statutory Limit Test</p> <p>Violation Final Penalty Total <input type="text" value="\$2,145"/></p> <p>This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,145"/></p>																				

Economic Benefit Worksheet

Respondent: City of Kosse
Case ID No.: 34800
Reg. Ent. Reference No.: RN101390599
Media: Public Water Supply
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment	\$2,000	26-Jun-2007	1-Jun-2008	0.9	\$6	\$125	\$131
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 provide two or more pumps at each of the water system's pressure planes, calculated from the date of the record review 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

\$2,000

TOTAL

\$131

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.45(f)(3)	
Violation Description	Failed to provide an adequate water purchase contract. Specifically, at the time of the record review, it was documented that the water contract with Tri County Special Utility District does not establish a maximum rate at which water may be drafted on a daily or hourly basis or a uniform purchase rate.	
	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"/>	x	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<small>mark only one with an x</small>	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

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$30"/>	Violation Final Penalty Total <input type="text" value="\$107"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$107"/>	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$500	26-Jun-2007	1-May-2008	0.8	\$1	\$28	\$30
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 obtain a water purchase contract that establishes a maximum rate at which water may be drafted on a daily or hourly basis or a uniform purchase rate, calculated from the date of the record review 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

\$30

Screening Date 15-Oct-2007 **Docket No.** 2007-1669-PWS-E **PCW**
Respondent City of Kosse *Policy Revision 2 (September 2002)*
Case ID No. 34800 *PCW Revision September 19, 2007*
Reg. Ent. Reference No. RN101390599
Media [Statute] Public Water Supply
Enf. Coordinator Yuliya Dunaway

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="5%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<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 City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$500	26-Jun-2007	1-Apr-2008	0.8	\$1	\$26	\$27
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to install a properly calibrated liquid level indicator on the elevated storage tank, calculated from the date of the record review 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

\$27

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number	4	
Rule Cite(s)	30 Tex. Admin. Code § 290.43(e)	
Violation Description	Failed to provide a properly constructed intruder-resistant fence in order to protect the ground and elevated storage tanks. Specifically, at the time of the record review, it was noted that the fence around the ground and elevated storage tanks at pressure plane No. 1 had broken barbed wire.	

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual				
Potential			x	Percent 5%	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0%

Matrix Notes

Failure to provide a proper intruder-resistant fence for the ground and elevated storage tanks may allow persons to enter and damage the tanks exposing customers of the water system to an insignificant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 111 Number of violation days

<small>mark only one with an x</small>	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
single event	x	

Violation Base Penalty \$50

One single event is recommended.

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

Estimated EB Amount \$11 **Violation Final Penalty Total** \$54

This violation Final Assessed Penalty (adjusted for limits) \$54

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	26-Jun-2007	1-Apr-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 costs include the amount to repair the broken barbed wire on the system's intruder-resistant fence, calculated from the date of the record review 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 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="5"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.44(h)(1)	
Violation Description	Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists. Specifically, it was noted during the record review that there was no backflow prevention assembly installed at the water hydrant located near the City's office, which is used as a designated filling point for the fire trucks.	
	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
 Failure to have backflow prevention assemblies installed could cause customers of the water supply to be exposed to a significant amount of contaminants which would exceed levels that are protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<small>mark only one with an x</small>	daily	<input type="text"/>
	monthly	<input type="text" value="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 from the date of the record review, June 26, 2007, to the date of screening, October 15, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$30"/>	Violation Final Penalty Total <input type="text" value="\$1,072"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,072"/>	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$500	26-Jun-2007	1-May-2008	0.8	\$1	\$28	\$30
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 The delayed costs include the amount to have a backflow prevention assembly installed, calculated from the date of the record review 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** **\$30**

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

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

Percent

>> Programmatic Matrix

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

Percent

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

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
 Case ID No. 34800
 Reg. Ent. Reference No. RN101390599
 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
<small>No commas or \$</small>							

Delayed Costs

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

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$70	26-Jun-2007	1-Apr-2008	1.7	\$6	\$70	\$76
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount to take the examination for a Class "C" license for the water system operator, calculated from the date of the record review to the estimated date of compliance.

Approx. Cost of Compliance \$70

TOTAL \$76

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="7"/>		
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.110(c)(5)(B)"/>	
Violation Description	<input type="text" value="Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day."/>	

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

Adjustment

Violation Events

	<input type="text" value="4"/>	<input type="text" value="111"/>	Number of violation days
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$1,000"/>
	monthly	<input checked="" type="checkbox"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
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)				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	\$100	26-Jun-2007	1-Apr-2008	0.8	\$4	n/a	\$4
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 monitor the disinfectant residual at least once per day, calculated from the date of the record review to the estimated day 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
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TOTAL

	\$4
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Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="8"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.42(l)	
Violation Description	Failed to compile and maintain a thorough plant operations manual for operator review and reference.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
			Percent	0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	
	x			Percent
				10%

Matrix Notes 100% of the rule requirements were not met.

Adjustment \$900

\$100

Violation Events

	<input type="text" value="1"/>		<input type="text" value="111"/>	Number of violation days
<small>mark only one with an x</small>	daily			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		Violation Base Penalty \$100

One single event is recommended.

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

Estimated EB Amount \$12	Violation Final Penalty Total \$107
This violation Final Assessed Penalty (adjusted for limits) \$107	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
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
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$300	26-Jun-2007	1-Apr-2008	0.8	\$12	n/a	\$12
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 prepare and maintain a plant operations manual, calculated from the date of the record review 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

\$300

TOTAL

\$12

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" 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" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$250	26-Jun-2007	1-Jun-2008	0.9	\$1	\$16	\$16
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 equip the pressure tank with a pressure release device, calculated from the date of the record review 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

\$250

TOTAL

\$16

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number

Rule Cite(s)

Violation Description

Failed to provide an intruder-resistant fence or a lockable building to protect the pressure tank. Specifically, at the time of the record review, it was noted that the pressure tank was located inside a structure that is not lockable or designed to prevent intruder access.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

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

Percent

>> Programmatic Matrix

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

Percent

Matrix Notes

Failure to provide proper intruder-resistant protection for the pressure tank could expose customers of the water system to a significant amount of contaminants which would not exceed levels that are protective of human health.

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 checked="" type="text" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Two quarterly events are recommended from the date of the record review, June 26, 2007, to the date of screening, October 15, 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 City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
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
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No commas or \$

Delayed Costs

Equipment	\$500	26-Jun-2007	1-Apr-2008	0.8	\$1	\$26	\$27
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The delayed costs include the amount to repair the pressure tank structure to ensure that it is lockable and intruder-resistant or provide an intruder-resistant fence around the structure, calculated from the date of the record review 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 **TOTAL**

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="11"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(t)	
Violation Description	Failed to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted. Specifically, at the time of the record review, it was noted that pressure plane No. 2 did not have an ownership sign.	
	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 checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="10%"/>	
Matrix Notes	100% of the rule requirements were not met.				

Adjustment

Violation Events

Number of Violation Events	<input type="text" value="1"/>		<input type="text" value="111"/>	Number of violation days
<small>mark only one with an x</small>	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"/>			

One single event is recommended.

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="\$107"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$107"/>	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	26-Jun-2007	1-Apr-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 costs include the amount to post a legible ownership sign at the pressure plane No. 2, calculated from the date of the record review 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 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

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="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

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

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 City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
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
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	\$400	26-Jun-2007	1-May-2008	0.8	\$17	n/a	\$17
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 compile and maintain an up-to-date distribution map, calculated from the date of the record review 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

\$400

TOTAL

\$17

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(1)

Violation Description Failed to inspect the system's pressure tank annually. Specifically, at the time of the record review, it was noted that the facility's pressure tank was not inspected in the 12 months preceding the June 26, 2007 record review.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Failure to inspect the system's pressure tank could result in non-detection of a tank defect and a loss of tank integrity compromising the system's ability to supply a safe and adequate supply of water resulting in customers of the water supply being exposed to a significant amount of contaminants which would exceed levels that are protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1 Number of violation days 365

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

Violation Base Penalty \$250

One annual event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$105

Violation Final Penalty Total \$268

This violation Final Assessed Penalty (adjusted for limits) \$268

Economic Benefit Worksheet

Respondent City of Kosse
 Case ID No. 34800
 Reg. Ent. Reference No. RN101390599
 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
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-Jun-2006	26-Jun-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 costs include the amount to perform an annual pressure tank inspection, calculated 12 months preceeding the June 26, 2007 record review date.

Approx. Cost of Compliance

\$100

TOTAL

\$105

Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number

Rule Cite(s)

Violation Description

Failed to keep on file and make available for Commission review, water system records. Specifically, at the time of the record review, it was documented that system personnel failed to provide the following records from a list of records that was requested to be available for review: American National Standard Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 certification for the calcium hypochlorite disinfectant and completed Customer Service Agreement records upon request.

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="0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1%"/>

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"/>
	single event	<input type="text" value="x"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$200	26-Jun-2007	1-Apr-2008	0.8	\$8	n/a	\$8
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 keep on file and make all water system records available for review, calculated from the date of the record review 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

\$8

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 34800		<small>PCW Revision September 19, 2007</small>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="15"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(v)	
Violation Description	Failed to securely install all water system electrical wiring in compliance with a local or national electrical code. Specifically, at the time of the record review, it was noted that electrical wiring for the service pump at pressure plane No. 2 was exposed and not compliant with a local or national electrical code.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

Failure to install all water system electrical wiring in compliance with a local or national electrical code could compromise the system's ability to provide a safe and adequate supply of water and/or result in exposing customers of the water supply to a significant amount of pollutants which would exceed levels that are protective of human health.

Adjustment

\$250

Violation Events

Number of Violation Events Number of violation days

<small>mark only one with an x</small>		daily	
		monthly	x
		quarterly	
		semiannual	
		annual	
		single event	

Violation Base Penalty

Four monthly events are recommended from the date of the record review, June 26, 2007, to the date of screening, October 15, 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="\$1,072"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,072"/>	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 15

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)	\$200	26-Jun-2007	1-Apr-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 costs include the amount to install the facility's electrical wiring in compliance with a local or national electrical code at the pressure plane No. 2, calculated from the date of the record review 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 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

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="10%"/>
Potential	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

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

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"/>
	single event	<input type="text" value="x"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 16

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment			0.0	\$0	\$0	\$0
Buildings			0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	26-Jun-2007	1-Apr-2008	0.8	\$5	\$102
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 develop a program to consistently maintain the required minimum pressure throughout the distribution system at all times, calculated from the date of the record review 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	\$2,000	TOTAL	\$107
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Screening Date 15-Oct-2007

Docket No. 2007-1669-PWS-E

PCW

Respondent City of Kosse

Policy Revision 2 (September 2002)

Case ID No. 34800

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN101390599

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number

Rule Cite(s)

Violation Description

Failed to notify the Executive Director prior to making any significant change or addition to the system's pressure maintenance facilities. Specifically, at the time of the record review, it was noted that a service pump and an 87 gallon pressure tank were added to the system without the initial notification to the Executive Director.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

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

Percent

>> Programmatic Matrix

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

Percent

Matrix Notes

100% of the rule requirements were not met.

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

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 17

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	26-Jun-2007	1-Apr-2008	0.8	\$8	n/a	\$8
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 prepare and submit a proper notification to the agency prior to making any changes to the water system, calculated from the date of the record review 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

\$8

Screening Date 15-Oct-2007	Docket No. 2007-1669-PWS-E	PCW
Respondent City of Kosse		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 34800		<i>PCW Revision September 19, 2007</i>
Reg. Ent. Reference No. RN101390599		
Media [Statute] Public Water Supply		
Enf. Coordinator Yuliya Dunaway		
Violation Number <input type="text" value="18"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(D)(iv) and Tex. Health & Safety Code § 341.0315(c)	
Violation Description	Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, at the time of the record review, it was noted that the pressure tank capacity for pressure plane No. 2 was 87 gallons instead of the required 160 gallons for 8 connections served by this pressure plane, which is a 46% deficiency.	
	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"/>	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 Without sufficient pressure tank capacity, customers of the water supply could experience water outages and the system's ability to provide a safe and adequate supply could be compromised.

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

Violation Base Penalty

Two quarterly events are recommended from the date of the record review, June 26, 2007, to the date of screening, October 15, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$327"/>	Violation Final Penalty Total <input type="text" value="\$214"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$214"/>	

Economic Benefit Worksheet

Respondent City of Kosse
Case ID No. 34800
Reg. Ent. Reference No. RN101390599
Media Public Water Supply
Violation No. 18

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	\$5,000	26-Jun-2007	1-Jun-2008	0.9	\$16	\$311	\$327
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to increase a pressure tank capacity at the pressure plane No. 2, calculated from the date of the record review 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

\$5,000

TOTAL

\$327

Compliance History

Customer/Respondent/Owner-Operator:	CN600665129	City of Kosse	Classification: AVERAGE	Rating: 2.84
Regulated Entity:	RN101390599	CITY OF KOSSE	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1470003	
	WATER LICENSING	LICENSE	1470003	
Location:	103 N NARCISSUS STREET, KOSSE, TX			
TCEQ Region:	REGION 09 - WACO			
Date Compliance History Prepared:	October 09, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	October 09, 2002 to October 09, 2007			

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

Name: Yuliya Dunaway Phone: (210)403-4077

Site Compliance History Components

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

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- | | | | |
|---|------------|----------|--|
| 1 | 11/21/2006 | (517670) | |
| 2 | 06/13/2007 | (560351) | |
| 3 | 10/03/2007 | (565688) | |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- | | | | |
|--------------|---|----------|--------------------------|
| Date: | 11/24/2006 | (517670) | |
| Self Report? | NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.45(f)(7) | | |
| Description: | Failure to provide two or more service pumps at each pump station or pressure plane. | | |
| Self Report? | NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.45(f)(3) | | |
| Description: | Failure to provide a suitable water purchase contract. | | |
| Self Report? | NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.43(c)(4) | | |
| Description: | Failure to provide a proper liquid level indicator for the elevated tank. | | |
| Self Report? | NO | | Classification: Moderate |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.38(25)
30 TAC Chapter 290, SubChapter D 290.43(e) | | |
| Description: | Failure to provide an intruder-resistant fence to protect the elevated tank and ground storage tank. | | |
| Self Report? | NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.44(h)(1)[G] | | |
| Description: | Failure to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists. | | |
| Self Report? | NO | | Classification: Minor |
| Citation: | 30 TAC Chapter 290, SubChapter D 290.46(e)(3)(B) | | |

Description: Failure to employ an adequately licensed water operator.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)
 Description: Failure to monitor the disinfectant residual at representative locations in the distribution system.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 30 TAC Chapter 290, SubChapter F 290.121(b)[G]
 Description: Failure to provide a chemical and microbiological monitoring plan.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)
 Description: Failure to provide a plant operations manual.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(1)(A)
 Description: Failure to collect samples for bacteriological analysis at connections which are representative of water throughout the distribution system.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(2)
 Description: Failure to provide a pressure release device for the pressure tank.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.38(25)
 30 TAC Chapter 290, SubChapter D 290.43(e)
 Description: Failure to provide an intruder-resistant fence or a lockable building to protect the pressure tank.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)
 Description: Failure to post an ownership sign at the pressure tank site.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
 Description: Failure to maintain and up-to-date distribution system map.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to inspect all ground, elevated, and pressure tanks at least annually.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 Description: Failure to provide water system records that needed to be reviewed at the time of the investigation.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(v)
 Description: Failure to properly install all water system electrical wiring.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)[G]
 Description: Failure to design and maintain a water distribution system to provide at all times a minimum pressure of 35 pounds per square inch (psi) at flow rates of at least 1.5 gallons per minute at each service outlet or connection.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)[G]
 Description: Failure to notify the TCEQ of changes in an existing system or supply.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.45(f)(7)
 Description: Failure to meet this Agency's "Minimum Water System Capacity Requirements" to include an adequate pressure tank capacity.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF KOSSE
RN101390599**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-1669-PWS-E

I. JURISDICTION AND STIPULATIONS

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

1. The City owns and operates a public water supply at 103 North Narcissus Street in Kosse, Limestone County, Texas (the "Facility") that has approximately 253 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and the City agree that the Commission has jurisdiction to enter this Agreed Order, and that the City is subject to the Commission's jurisdiction.
3. The City received notice of the violations alleged in Section II ("Allegations") on or about July 18, 2007.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the City of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Eight Thousand One Hundred Eight Dollars (\$8,108) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The City has paid Two Thousand Four Hundred Eighty-Seven Dollars (\$2,487) of the administrative penalty and One Thousand Six Hundred Twenty-One Dollars (\$1,621) is deferred contingent upon the City's timely and satisfactory compliance with all the terms of this Agreed Order. If the City fails to timely and satisfactorily comply with all requirements of this

Agreed Order, including the payment schedule, the Executive Director may require the City to pay all or part of the deferred penalty.

The remaining amount of Four Thousand Dollars (\$4,000) of the administrative penalty shall be payable in two monthly payments of Two Thousand Dollars (\$2,000) 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 the City 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 the City to meet the payment schedule of this Agreed Order constitutes the failure by the City to timely and satisfactorily comply with all the terms of this Agreed Order.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and the City have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
9. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
10. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the City is alleged to have:

1. Failed to provide two or more pumps that have a total capacity of 2.0 gallons per minute ("gpm") per connection at each pressure plane, in violation of 30 TEX. ADMIN. CODE §§ 290.45(f)(7) and 290.45(b)(1)(D)(iii), and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on June 26, 2007.
2. Failed to provide an adequate water purchase contract, in violation of 30 TEX. ADMIN. CODE § 290.45(f)(3), as documented during a record review conducted on June 26, 2007.
3. Failed to provide a properly calibrated liquid level indicator for the water system's elevated storage tank, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4), as documented during a record review conducted on June 26, 2007.

4. Failed to provide a properly constructed intruder-resistant fence in order to protect the ground and elevated storage tanks, in violation of 30 TEX. ADMIN. CODE § 290.43(e), as documented during a record review conducted on June 26, 2007.
5. Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(1), as documented during a record review conducted on June 26, 2007.
6. Failed to operate the system under the direct supervision of a water works operator who holds a Class "C" or higher license, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(3)(B) and TEX. HEALTH & SAFETY CODE § 341.033(a), as documented during a record review conducted on June 26, 2007.
7. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(5)(B), as documented during a record review conducted on June 26, 2007.
8. Failed to compile and maintain a thorough plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l), as documented during a record review conducted on June 26, 2007.
9. Failed to provide a pressure release device for the water system's pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(2), as documented during a record review conducted on June 26, 2007.
10. Failed to provide an intruder-resistant fence or a lockable building to protect the pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(e), as documented during a record review conducted on June 26, 2007.
11. Failed to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t), as documented during a record review conducted on June 26, 2007.
12. Failed to provide an up-to-date distribution map so that valves and mains may be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2), as documented during a record review conducted on June 26, 2007.
13. Failed to inspect the system's pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1), as documented during a record review conducted on June 26, 2007.
14. Failed to keep on file and make available for Commission review, water system records, in violation of 30 TEX. ADMIN. CODE §§ 290.46(f)(2) and 290.46(f)(3)(E)(iv), as documented during a record review conducted on June 26, 2007.
15. Failed to securely install all water system electrical wiring in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v), as documented during a record review conducted on June 26, 2007.

16. Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE § 290.44(d), as documented during a record review conducted on June 26, 2007.
17. Failed to notify the Executive Director prior to making any significant change or addition to the system's pressure maintenance facilities, in violation of 30 TEX. ADMIN. CODE § 290.39(j), as documented during a record review conducted on June 26, 2007.
18. Failed to provide a pressure tank capacity of 20 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on June 26, 2007.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the City pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Kosse, Docket No. 2007-1669-PWS-E" to:

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

2. It is further ordered that the City shall undertake the following technical requirements:
 - a. Immediately, upon the effective date of this Agreed Order:
 - i. Begin monitoring the disinfectant residual at representative locations within the distribution system at least once per day, as required by 30 TEX. ADMIN. CODE § 290.110; and
 - ii. Begin maintaining a minimum pressure of 35 psi throughout the distribution system at all times, as required by 30 TEX. ADMIN. CODE § 290.44;
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Submit written certification of compliance as described below in Ordering Provision No. 2.g., that demonstrates compliance with Ordering Provision No. 2.a.;

- ii. Compile and begin maintaining a thorough plant operations manual, as required by 30 TEX. ADMIN. CODE § 290.42;
 - iii. Repair the broken barbed wire on the intruder-resistance fence around the ground and elevated storage tanks at pressure plane No.1, as required by 30 TEX. ADMIN. CODE § 290.43;
 - iv. Provide an intruder-resistant fence or a lockable building to protect the pressure tank at the pressure plane No. 2, as required by 30 TEX. ADMIN. CODE § 290.43;
 - v. Securely install the electrical wiring for the service pump at pressure plane No. 2 in compliance with a local or national electrical code, as required by 30 TEX. ADMIN. CODE § 290.46;
 - vi. Install a properly calibrated liquid level indicator for the elevated storage tank, as required by 30 TEX. ADMIN. CODE § 290.43;
 - vii. Post a legible system ownership sign at pressure plane No. 2, as required by 30 TEX. ADMIN. CODE § 290.46;
 - viii. Conduct an annual inspection of the water system's pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46;
 - ix. Commence operating the Facility under the direct supervision of a Class "C" or higher certified water works operator, as required by 30 TEX. ADMIN. CODE § 290.46;
 - x. Submit proper notification to the Commission for the 85 gallon pressure tank and the service pump that were added to the existing water system, as required by 30 TEX. ADMIN. CODE § 290.39. This documentation shall be submitted to:

Rate Analysis & Plan Review Team, Utilities & Districts Section
Water Supply Division, MC 153
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
 - xi. Begin maintaining all water system records, including but not limited to the ANSI/NSF Standard 60 certification for the calcium hypochlorite disinfectant and Customer Service Agreements, as required by 30 Tex. Admin. Code § 290.46;
- c. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance as described below in Ordering Provision No. 2.g., that demonstrates compliance with Ordering Provision No. 2.b.;
 - d. Within 60 days after the effective date of this Agreed Order:

- i. Develop and begin maintaining an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, as required by 30 TEX. ADMIN. CODE § 290.46;
 - ii. Obtain a water purchase contract that will specify a maximum rate at which water may be drafted on a daily and hourly basis or a uniform purchase rate, as required by 30 TEX. ADMIN. CODE § 290.45; and
 - iii. Install backflow prevention assemblies or an air gap at the water hydrant located near the City's office, as required by 30 TEX. ADMIN. CODE § 290.44;
- e. Within 75 days after the effective date of this Agreed Order, submit written certification of compliance as described below in Ordering Provision No. 2.g., that demonstrates compliance with Ordering Provision No. 2.d.
- f. Within 90 days after the effective date of this Agreed Order:
- i. Install a pressure release device on the water system's pressure tank, as required by 30 TEX. ADMIN. CODE § 290.43;
 - ii. Provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection for the pressure plane No. 2, as required by 30 TEX. ADMIN. CODE § 290.45; and
 - iii. Provide a minimum of two service pumps with a total capacity of 2.0 gallons per minute per connection at each of the system's pressure planes, as required by 30 TEX. ADMIN. CODE § 290.45;
- g. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.f. 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 the City. The City 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 the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

City of Kosse
DOCKET NO. 2007-1669-PWS-E
Page 8

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdin
For the Executive Director

3/21/2008
Date

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

I also understand that 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.

Ben A. Daniell
Signature

1-9-08
Date

Ben Daniell (Mayor)
Name (Printed or typed)
Authorized Representative of
City of Kosse

MAYOR
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.

Section 1: Introduction
This document outlines the key findings and recommendations of the study.

Executive Summary

The study was conducted to evaluate the effectiveness of the proposed system.

The results indicate that the system significantly improves performance.

Key findings include a 20% increase in efficiency.

Recommendations are provided for further optimization.

The study was conducted over a period of six months, involving a comprehensive analysis of the current system and the proposed changes. The data collected shows a clear trend towards improved performance and user satisfaction.

The primary objective of the study was to determine the impact of the new system on various key performance indicators. The results demonstrate a positive impact across all measured metrics.

It is recommended that the organization proceed with the implementation of the proposed system, as the benefits outweigh the costs and risks.

Further research is suggested to explore the long-term effects of the system and to identify additional areas for improvement.

Conclusion
The study has successfully identified the benefits of the proposed system.

Recommendations
Implement the system and monitor performance closely.

Appendix A
Detailed data and charts are provided in the following pages.

Appendix B
Additional information and supporting documents are included here.

The information provided in this document is confidential and should be handled accordingly.