

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2007-1507-PWS-E **TCEQ ID:** RN102324217 **CASE NO.:** 34662

**RESPONDENT NAME:** Palo Duro Service Company, Inc.

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Glider Base Estates PWS, 3505 Williams Road, Benbrook, Wise County</p> <p><b>TYPE OF OPERATION:</b> Public water supply</p> <p><b>SMALL BUSINESS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> A complaint was received on August 1, 2007, alleging the water system is frequently experiencing low pressure and customer service is very poor. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> A complaint was received but the complainant has not expressed the design to protest this action or speak at Agenda.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on March 3, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Mr. Christopher Keffer, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-5610; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  <b>Respondent:</b> Mr. Richard Micheletti, President, Palo Duro Service Company, Inc., 3505 Williams Road, Benbrook, Texas 76116-7029  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input checked="" type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b>                      August 1, 2007</p> <p><b>Date of Investigations/Record Review Relating to this Case:</b> August 1 and August 8, 2007</p> <p><b>Date of NOE Relating to this Case:</b>                      September 5, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a complaint investigation and record review.</p> <p><b>WATER</b></p> <p>1) Failure to comply with the maximum contaminant level ("MCL") for chloride of 300 milligrams per liter ("mg/L") and total dissolved solids ("TDS") of 1,000 mg/L. Specifically, the samples collected on January 16, 2003 were 1,053 mg/L for chloride and 2,090 mg/L for TDS, and samples collected on April 26, 2004 were 1,077 mg/L for chloride and 2,135 mg/L for TDS [30 TEX. ADMIN. CODE § 290.105(b) and TEX. HEALTH AND SAFETY CODE § 341.0315(c)].</p> <p>2) Failure to maintain a free chlorine residual of at least 0.2 mg/L at all monitoring points throughout the distribution system at all times. Specifically, a field test conducted on August 1, 2007 revealed a chlorine residual reading of 0.00 mg/L, and a field test conducted on August 8, 2007 revealed a chlorine residual reading of 0.04 mg/L [30 TEX. ADMIN. CODE § 290.46(d)(2)(A)].</p> <p>3) Failure to provide an intruder-resistant fence to protect well no. 1 and well no. 2. Specifically, it was noted that the barbed wire and perimeter fence at well no. 1 (Pump Station 1) and well no. 2 (Pump Station 2) were loose and sagging. In addition, the support posts at well no. 2 were leaning and sagging [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].</p>	<p><b>Total Assessed:</b> \$962</p> <p><b>Total Deferred:</b> \$192  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$770</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>1) The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a) On September 25, 2007, submitted chlorine residual logs showing the chlorine residual is being maintained at adequate levels throughout the distribution system; and</p> <p>b) On October 11, 2007, submitted a letter containing information and pictures verifying the fences around well no. 1 (Pump Station 1) and well no. 2 (Pump Station 2) are repaired.</p> <p><b>Ordering Provisions:</b></p> <p>2) The Order will require the Respondent to:</p> <p>a) Immediately upon the effective date of this Agreed Order, and on a quarterly basis thereafter, notify each customer in writing of the existing water quality violations and provide a copy of this notice to the Commission. This notification requirement shall continue until the Respondent can provide water that meets the Commission's Drinking Water Standards. The notice shall be in accordance with 30 TEX. ADMIN. CODE § 290.122;</p> <p>b) Within 60 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.;</p> <p>c) Within 90 days after the effective date of this Agreed Order, conduct a feasibility investigation which will evaluate all alternate water sources and viable treatment technologies to correct the violation(s);</p>

		<p>d) Within 120 days after the effective date of this Agreed Order, submit a written report to the TCEQ, in accordance with Provision 2.e. below, which outlines the results of the feasibility investigation; and</p> <p>e) Within 150 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public.</p>
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Additional ID No(s): PWS 2490028





Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

DATES	Assigned	10-Sep-2007	Screening	19-Sep-2007	EPA Due	1-Jun-2008
	PCW	19-Sep-2007				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Palo Duro Service Company, Inc.
Reg. Ent. Ref. No.	RN102324217
Facility/Site Region	4
Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	34662	No. of Violations	4
Docket No.	2007-1507-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Christopher Keffer
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 \$750

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

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

**Compliance History** 15% Enhancement Subtotals 2, 3, & 7 \$112

Notes: The penalty is enhanced due to three prior NOV's containing violations that are the same or similar violations to those cited in this enforcement action.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

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

**Approx. Cost of Compliance** 0% Enhancement\* Subtotal 6 \$0  
 Total EB Amounts \$2,261  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** Final Subtotal \$862

**OTHER FACTORS AS JUSTICE MAY REQUIRE** 12% Adjustment \$100

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

Notes: Recommended adjustment to capture avoided cost associated with the violations.

**Final Penalty Amount** \$962

**STATUTORY LIMIT ADJUSTMENT** Final Assessed Penalty \$962

**DEFERRAL** 20% Reduction Adjustment -\$192

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

Notes: Deferral offered for expedited settlement.

**PAYABLE PENALTY** \$770

**Screening Date** 19-Sep-2007  
**Respondent** Palo Duro Service Company, Inc.  
**Case ID No.** 34662  
**Reg. Ent. Reference No.** RN102324217  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Christopher Keffer

**Docket No.** 2007-1507-PWS-E

**PCW**

Policy Revision 2 (September 2002)  
 PCW Revision June 26, 2007

**Compliance History Worksheet**

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	3	15%
	Other written NOV's	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 15%

>> Repeat Violator (Subtotal 3)

N/A

**Adjustment Percentage (Subtotal 3)** 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

**Adjustment Percentage (Subtotal 7)** 0%

>> Compliance History Summary

**Compliance History Notes**

The penalty is enhanced due to three prior NOV's containing violations that are the same or similar violations to those cited in this enforcement action.

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

<b>Screening Date</b> 19-Sep-2007	<b>Docket No.</b> 2007-1507-PWS-E	<b>PCW</b>
<b>Respondent</b> Palo Duro Service Company, Inc.	<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 34662	<small>PCW Revision June 26, 2007</small>	
<b>Reg. Ent. Reference No.</b> RN102324217		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Christopher Keffer		
<b>Violation Number</b> <input type="text" value="1"/>		
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.105(b) and Tex. Health and Safety Code § 341.0315(c)"/>	
<b>Violation Description</b>	<input ("mg="" ("tds")="" 1,000="" 1,077="" 1053="" 16,="" 2,090="" 2003="" 2004="" 2135="" 26,="" 300="" and="" april="" chloride="" collected="" dissolved="" for="" january="" l="" l")="" l.="" liter="" mcl")="" mg="" milligrams="" of="" on="" per="" samples="" solids="" specifically="" tds,="" tds."="" the="" total="" type="text" value="Failed to comply with the maximum contaminant level (" were=""/>	
<b>Base Penalty</b>	<input type="text" value="\$1,000"/>	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	<b>Falsification</b>	Major	Moderate	Minor	
<b>Matrix Notes</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="text" value="Exceeding the MCL for chloride and TDS has exposed customers of the water supply to insignificant amounts of contaminants that do not 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"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	x

**Violation Base Penalty**

Two single events are recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$2,088"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$257"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$257"/>	

## Economic Benefit Worksheet

**Respondent:** Palo Duro Service Company, Inc.  
**Case ID No.:** 34662  
**Reg. Ent. Reference No.:** RN102324217  
**Media:** Public Water Supply  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$5,000	16-Jan-2003	1-Jan-2009	6.0	\$99	\$1,988	\$2,088
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated cost evaluates alternative methods to ensure the water meets the secondary standards for chloride and TDS. Date required is the date when samples were first collected. Final date is 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

\$2,088

<b>Screening Date</b> 19-Sep-2007	<b>Docket No.</b> 2007-1507-PWS-E	<b>PCW</b>
<b>Respondent</b> Palo Duro Service Company, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34662	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN102324217		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Christopher Keffer		

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

**>> Programmatic Matrix**

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

**Violation Base Penalty**

One single event is recommended.

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

**Estimated EB Amount**  **Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

### Economic Benefit Worksheet

Respondent Palo Duro Service Company, Inc.  
 Case ID No. 34662  
 Reg. Ent. Reference No. RN102324217  
 Media Public Water Supply  
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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				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)	\$100	1-Aug-2007	25-Sep-2007	1.1	\$5	\$100	\$105

Notes for AVOIDED costs

Estimated cost to increase chlorine dosage and ensure chlorine equipment is being operated to maintain adequate chlorine residual. Date required is the date of the chlorine residual test. Final date is date of compliance.

Approx. Cost of Compliance

\$100

TOTAL

\$105

<b>Screening Date</b> 19-Sep-2007	<b>Docket No.</b> 2007-1507-PWS-E	<b>PCW</b>
<b>Respondent</b> Palo Duro Service Company, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34662	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN102324217		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Christopher Keffer		
<b>Violation Number</b> <input type="text" value="3"/>		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.41(c)(3)(O)	
<b>Violation Description</b>	Failed to provide an intruder-resistant fence to protect well no. 1 and well no. 2. Specifically, at the time of the record review, it was noted that the barbed wire and perimeter fence at well no. 1 (Pump Station 1) and well no. 2 (Pump Station 2) were loose and sagging. In addition, the support posts at well no. 2 were leaning or sagging.	
<b>Base Penalty</b>	<input type="text" value="\$1,000"/>	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

**Matrix Notes**  
Failing to provide an intruder-resistant fence for the water wells may allow persons to enter and vandalize the wells which may compromise the systems ability to provide a safe and adequate water supply by exposing customers to a significant amount of pollutants which would not exceed levels that are protective of human health.

**Adjustment**

Violation Events

Number of Violation Events   Number of violation days

<i>mark only one with an x</i>	daily	<input type="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 (one for each well), calculated from the record review date of August 1, 2007 to the screening date of September 19, 2007.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$68"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$257"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$257"/>	

## Economic Benefit Worksheet

Respondent Palo Duro Service Company, Inc.  
 Case ID No. 34662  
 Reg. Ent. Reference No. RN102324217  
 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	Overtime 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)	\$5,000	1-Aug-2007	11-Oct-2007	0.2	\$3	\$65	\$68
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost includes the amount to repair the intruder-resistant fences around well no. 1 and well no. 2. Date required is the record review date. Final date is 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

\$68

<b>Screening Date</b> 19-Sep-2007	<b>Docket No.</b> 2007-1507-PWS-E	<b>PCW</b>
<b>Respondent</b> Palo Duro Service Company, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34662	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN102324217		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Christopher Keffer		

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

**>> Programmatic Matrix**

	Major	Moderate	Minor	
<b>Falsification</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <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	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: Palo Duro Service Company, Inc.  
 Case ID No. 34662  
 Reg. Ent. Reference No. RN102324217  
 Media: Public Water Supply  
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

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

Notes for DELAYED costs

### Avoided Costs

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

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

Notes for AVOIDED costs

The economic benefit for this violation is included in violation no. 2.

Approx. Cost of Compliance \$0

TOTAL \$0

# Compliance History

Customer/Respondent/Owner-Operator:	CN600640031 Palo Duro Service Company, Inc.	Classification:	Rating:
Regulated Entity:	RN102324217 GLIDER BASE ESTATES PWS	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	2490028
	WATER LICENSING	LICENSE	2490028
Location:	3505 WILLIAMS RD, BENBROOK, TX		
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	October 10, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	October 10, 2002 to October 10, 2007		

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

Name: Christopher Keffer Phone: (512) 239-5610

## 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.

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

- |   |            |          |
|---|------------|----------|
| 1 | 01/28/2003 | (18498)  |
| 2 | 05/18/2005 | (380677) |
| 3 | 09/02/2005 | (404043) |
| 4 | 01/30/2006 | (452835) |
| 5 | 06/14/2006 | (467637) |

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

Date: 01/23/2003 (18498)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.105(b)  
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Excessive chlorides (1,053 mg/L) and total dissolved solids (2,090 mg/L) noted in 2003.  
Excessive chlorides (1,077mg/L) and total dissolved solids (2,135 mg/L) noted in 2004.

Date: 05/18/2005 (380677)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(G)  
30 TAC Chapter 290, SubChapter D 290.46(d)(1)  
30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)  
30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)  
30 TAC Chapter 290, SubChapter D 290.46(d)(2)(G)  
30 TAC Chapter 290, SubChapter D 290.46(d)(G)  
30 TAC Chapter 290, SubChapter D 290.46(f)(1)  
30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(G)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(G)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(I)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(2)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(4)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(2)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(3)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(G)

**Description:** Violation of: §290.46(d)(2)(A)  
 Failure to maintain a free chlorine residual of at least 0.2 mg/L at all points throughout the distribution.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)  
 30 TAC Chapter 290, SubChapter D 290.41(c)(4)(D)  
 30 TAC Chapter 290, SubChapter D 290.41(d)(4)

**Description:** Violation of: §290.41(c)(3)(N)  
 Failure to provide working well meters on Well 1 (G2490028A) and Well 3 (G2490028C).

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter F 290.121(G)

**Description:** Violation of: §290.121(G)  
 Failure to complete and provide a monitoring plan.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(III)

**Description:** Violation of: §290.45(b)(1)(D)(III)  
 Failure to provide two or more service pumps at the Well #2 (G2490028B) site (Pump Station 2).

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.38(25)

**Description:** Violation of: §290.38(25)  
 Failure to maintain the barbed wire on the perimeter fence at the Well #2 site (Pump Station 2).

**Date:** 09/02/2005 (404043)

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter F 290.105(b)  
 5A THC Chapter 341, SubChapter A 341.0315(c)

**Description:** Excessive chlorides (1,053 mg/L) and total dissolved solids (2,090 mg/L) noted in 2003.  
 Excessive chlorides (1,077mg/L) and total dissolved solids (2,135 mg/L) noted in 2004.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(G)  
 30 TAC Chapter 290, SubChapter D 290.46(d)(1)  
 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)  
 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)  
 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(G)  
 30 TAC Chapter 290, SubChapter D 290.46(d)(G)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(1)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(G)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(III)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(G)  
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(2)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(4)  
 30 TAC Chapter 290, SubChapter F 290.110(b)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(2)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(3)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(G)  
 30 TAC Chapter 290, SubChapter F 290.110(c)(G)

**Description:** Violation of: §290.46(d)(2)(A)  
 Failure to maintain a free chlorine residual of at least 0.2 mg/L at all points throughout the distribution.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)  
 30 TAC Chapter 290, SubChapter D 290.41(c)(4)(D)  
 30 TAC Chapter 290, SubChapter D 290.41(d)(4)

**Description:** Violation of: §290.41(c)(3)(N)  
 Failure to provide working well meters on Well 1 (G2490028A) and Well 3 (G2490028C).

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter F 290.121(G)

Description: Violation of: §290.121(G)  
Failure to complete and provide a monitoring plan.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(iii)

Description: Violation of: §290.45(b)(1)(D)(iii)  
Failure to provide two or more service pumps at the Well #2 (G2490028B) site (Pump Station 2).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.38(25)

Description: Violation of: §290.38(25)  
Failure to maintain the barbed wire on the perimeter fence at the Well #2 site (Pump Station 2).

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  
PALO DURO SERVICE  
COMPANY, INC.  
RN102324217

§  
§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2007-1507-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 Palo Duro Service Company, Inc. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a public water supply at 3505 Williams Road in Benbrook, Wise County, Texas (the "Facility") that has approximately 78 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about September 10, 2007.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.



5. An administrative penalty in the amount of Nine Hundred Sixty-Two Dollars (\$962) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Hundred Seventy Dollars (\$770) of the administrative penalty and One Hundred Ninety-Two Dollars (\$192) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. On September 25, 2007, submitted chlorine residual logs showing the chlorine residual is being maintained at adequate levels throughout the distribution system; and
  - b. On October 11, 2007, submitted a letter containing information and pictures verifying the fences around well no. 1 (Pump Station 1) and well no. 2 (Pump Station 2) are repaired.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

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

1. Failed to comply with the maximum contaminant level ("MCL") for chloride of 300 milligrams per liter ("mg/L") and total dissolved solids ("TDS") of 1,000 mg/L, in violation of 30 TEX. ADMIN. CODE § 290.105(b) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review on August 1, 2007. Specifically, the samples collected on January 16, 2003 were 1,053 mg/L for chloride and 2,090 mg/L for TDS, and samples collected on April 26, 2004 were 1,077 mg/L for chloride and 2,135 mg/L for TDS.



2. Failed to maintain a free chlorine residual of at least 0.2 mg/L at all monitoring points throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE § 290.46(d)(2)(A), as documented during an investigation conducted on August 1, 2007 and August 8, 2007. Specifically, a field test conducted on August 1, 2007 revealed a chlorine residual reading of 0.00 mg/L, and a field test conducted on August 8, 2007 revealed a chlorine residual reading of 0.04 mg/L.
3. Failed to provide an intruder-resistant fence to protect well no. 1 and well no. 2, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O), as documented during a record review conducted on August 1, 2007. Specifically, it was noted that the barbed wire and perimeter fence at well no. 1 (Pump Station 1) and well no. 2 (Pump Station 2) were loose and sagging. In addition, the support posts at well no. 2 were leaning or sagging.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent'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: Palo Duro Service Company, Inc., Docket No. 2007-1507-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 Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Agreed Order, and on a quarterly basis thereafter, notify each customer in writing of the existing water quality violations and provide a copy of this notice to the Commission. This notification requirement shall continue until the Respondent can provide water that meets the Commission's Drinking Water Standards. The notice shall be in accordance with 30 TEX. ADMIN. CODE § 290.122.



- b. Within 60 days after the effective date of this agreed order, submit written certification as described in provision 2.e., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
- c. Within 90 days after the effective date of this Agreed Order, conduct a feasibility investigation which will evaluate all alternate water sources and viable treatment technologies to correct the violation(s).
- d. Within 120 days after the effective date of this Agreed Order, submit a written report to the TCEQ, in accordance with Provision 2.e. below, which outlines the results of the feasibility investigation.

The certification shall be submitted to:

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

with a copy to:

Public Drinking Water Section  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- e. Within 150 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.d. 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  
Dallas/Fort Worth Regional Office  
Texas Commission on Environmental Quality  
2309 Gravel Dr.  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent 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 Respondent 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 Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

John Srdic  
\_\_\_\_\_  
For the Executive Director

3/11/2008  
\_\_\_\_\_  
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.

Richard Micheletti  
\_\_\_\_\_  
Signature

12-8-07  
\_\_\_\_\_  
Date

Richard Micheletti  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Palo Duro Service Company, Inc.

President  
\_\_\_\_\_  
Title

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

