

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-0755-PWS-E **TCEQ ID:** RN101392215 **CASE NO.:** 37661
RESPONDENT NAME: City of Cameron

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 Cameron, 100 South Houston Avenue, Cameron, Milam 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 October 12, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Rebecca Clausewitz, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4012; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: The Honorable David Barkemeyer, Mayor, City of Cameron, 100 South Houston Avenue, Cameron, Texas 76520 Mr. Ricky Tow, City Manager, City of Cameron, 100 South Houston Avenue, Cameron, Texas 76520 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 7, 2009</p> <p>Date of NOV/NOE Relating to this Case: May 12, 2009 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>WATER</p> <p>1) Failure to keep on file and make available for Commission review water system records [30 TEX. ADMIN. CODE § 290.46(f) and 290.46(f)(3)(B)(vi)].</p> <p>2) Failure to maintain a thorough plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>3) Failure to calibrate flow measuring devices at least once every 12 months [30 TEX. ADMIN. CODE § 290.46(s)(1)].</p> <p>4) Failure to enclose the surface water treatment plant and water storage facilities with an intruder-resistant fence [30 TEX. ADMIN. CODE §§ 290.42(m) and 290.43(e)].</p> <p>5) Failure to initiate maintenance and housekeeping practices at the Facility to ensure the good working condition and general appearance of its facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].</p> <p>6) Failure to provide an overflow cover that fits tightly with no gap over 1/16 inch for the Facility's elevated storage tank [30 TEX. ADMIN. CODE § 290.43(c)(3)].</p> <p>7) Failure to continuously monitor and record the disinfectant residual of the water</p>	<p>Total Assessed: \$3,264</p> <p>Total Deferred: \$652 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$2,612</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the City has implemented the following corrective measures at the Facility:</p> <p>a. On July 12, 2008, repaired the malfunctioning equipment to continuously monitor the disinfectant residual of the water entering the distribution;</p> <p>b. On June 5, 2009, provided the following records for review: customer service inspection reports for 2008, verification of American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standard 60 for calcium hypochlorite, alum, fluoride and ammonia, backflow prevention device test reports for two car wash stations, and a copy of the discharge water permit;</p> <p>c. On June 5, 2009, repaired the fences at the surface water treatment plant, the South Milam Street and the 22nd Street elevated storage tank location;</p> <p>d. On June 5, 2009, removed the brush, trees and vines on the fences at the surface water treatment plant and at the elevated storage tank on 22nd Street; and</p> <p>e. On June 5, 2009, installed a reduced pressure principle backflow prevention assembly at the Central Texas Hospital located at 806 North Crockett Street.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Order, update the plant operations manual to include emergency phone numbers.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision a.</p> <p>c. Within 60 days after the effective date of this Agreed Order;</p>

<p>entering the distribution system [30 TEX. ADMIN. CODE § 290.110(c)(1)(A)].</p> <p>8) Failure to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard identified in 30 TEX. ADMIN. CODE § 290.47(i) exists [30 TEX. ADMIN. CODE § 290.44(h)(1)(A)].</p>		<p>i. Properly calibrate flow measuring device used to backwash the filter; and</p> <p>ii. Ensure the overflow pipe on the elevated storage tank has a cover that fits tightly with no gap over 1/16 inch.</p> <p>d. Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision c.</p>
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Additional ID No(s): PWS ID No. 1660001



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	18-May-2009	Screening	20-May-2009	EPA Due	
	PCW	20-May-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	City of Cameron
Reg. Ent. Ref. No.	RN101392215
Facility/Site Region	9-Waco
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	37661	No. of Violations	8
Docket No.	2009-0755-PWS-E	Order Type	1680
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **\$2,720**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **32.0%** Enhancement *Subtotals 2, 3, & 7* **\$870**

Notes
The penalty enhancement is due to two prior NOV's for violations that are the same as or similar to the violations included in the current enforcement action, one dissimilar NOV and one agreed final enforcement order containing a denial of liability.

Culpability **No** **0.0%** Enhancement *Subtotal 4* **\$0**

Notes
The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments *Subtotal 5* **\$401**

Economic Benefit **0.0%** Enhancement *Subtotal 6* **\$0**

Total EB Amounts **\$292**
Approx. Cost of Compliance **\$3,820**
**Capped at the Total EB \$ Amount*

SUM OF SUBTOTALS 1-7 *Final Subtotal* **\$3,189**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** *Adjustment* **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$3,189**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **\$3,264**

DEFERRAL **20.0%** Reduction *Adjustment* **-\$652**

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 **\$2,612**

Screening Date 20-May-2009

Docket No. 2009-0755-PWS-E

PCW

Respondent City of Cameron

Policy Revision 2 (September 2002)

Case ID No. 37661

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101392215

Media [Statute] Public Water Supply

Enf. Coordinator Yullya 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)	2	10%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	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) 32%

>> **Repeat Violator (Subtotal 3)**

No

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 two prior NOVs for violations that are the same as or similar to the violations included in the current enforcement action, one dissimilar NOV and one agreed final enforcement order containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 32%

Screening Date	20-May-2009	Docket No.	2009-0755-PWS-E	PCW	
Respondent	City of Cameron			Policy Revision 2 (September 2002)	
Case ID No.	37661			PCW Revision October 30, 2008	
Reg. Ent. Reference No.	RN101392215				
Media (Statute)	Public Water Supply				
Enf. Coordinator	Yullya Dunaway				
Violation Number	<input type="text" value="1"/>				
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f) and 290.46(f)(3)(B)(vi)				
Violation Description	Failed to keep on file and make available for Commission review water system records. Specifically, at the time of the investigation, it was documented that Facility personnel failed to provide the following records from a list of records that was requested to be available for review: customer service inspection reports for 2008, verification of American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standard 60 for calcium hypochlorite, alum, fluoride and ammonia, backflow prevention device test reports for two car wash stations, and a copy of the discharge water permit for all site disposal of by-products of the surface water treatment plant.				
	Base Penalty	<input type="text" value="\$1,000"/>			
>> Environmental, Property and Human Health Matrix					
OR	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="1%"/>
Matrix Notes	<input type="text" value="Less than 30% of the rule requirements were not met."/>				
	Adjustment	<input type="text" value="\$990"/>			
		<input type="text" value="\$10"/>			
Violation Events					
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="43"/>	
	<i>mark only one with an x</i>	daily	<input type="text"/>		
		weekly	<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 <input type="text" value="\$10"/>	
	<input type="text" value="One single event is recommended."/>				
Good Faith Efforts to Comply					
	10.0% Reduction			<input type="text" value="\$1"/>	
	Before NOV	NOV to EDPRP/Settlement Offer			
	Extraordinary	<input type="text"/>	<input type="text"/>		
	Ordinary	<input type="text"/>	<input checked="" type="checkbox"/>		
	N/A	(mark with x)			
Notes	<input type="text" value="The Respondent achieved compliance as of June 5, 2009."/>				
	Violation Subtotal	<input type="text" value="\$9"/>			
Economic Benefit (EB) for this violation					
	Estimated EB Amount	<input type="text" value="\$3"/>		Violation Final Penalty Total <input type="text" value="\$12"/>	
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$50"/>			

Economic Benefit Worksheet

Respondent City of Cameron
Case ID No. 37661
Reg. Ent. Reference No. RN101392215
Media Public Water Supply
Violation No. 1

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$400	7-Apr-2009	5-Jun-2009	0.16	\$3	n/a	\$3
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$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 (\$50 per record), calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$400 **TOTAL** \$3

Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW
Respondent: City of Cameron	<small>Policy Revision 2 (September 2002)</small>	
Case ID No.: 37681	<small>PCW Revision October 30, 2008</small>	
Reg. Ent. Reference No.: RN101392215		
Media [Statute]: Public Water Supply		
Enf. Coordinator: Yullya Dunaway		
Violation Number: <input type="text" value="2"/>		
Rule Cite(s):	30 Tex. Admin. Code § 290.42(l)	
Violation Description:	Failed to maintain a thorough plant operations manual for operator review and reference. Specifically, at the time of the investigation, it was documented that the plant operations manual did not have emergency telephone numbers.	
Base Penalty	<input type="text" value="\$1,000"/>	
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Major Moderate Minor	
Release	Major	Minor
Actual	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>
	Percent <input type="text" value="0%"/>	
>> Programmatic Matrix		
	Major	Minor
Falsification	<input type="text"/>	<input type="text" value="x"/>
	Percent <input type="text" value="1%"/>	
Matrix Notes	Less than 30% of the rule requirements were not met.	
Adjustment	<input type="text" value="\$990"/>	
	<input type="text" value="\$10"/>	
Violation Events		
Number of Violation Events:	<input type="text" value="1"/>	Number of violation days: <input type="text" value="43"/>
<small>mark only one with an x</small>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text" value="x"/>
	Violation Base Penalty <input type="text" value="\$10"/>	
	One single event is recommended.	
Good Faith Efforts to Comply		
	0.0% Reduction	
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>	
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text" value="(mark with x)"/>
Notes	The Respondent does not meet the good faith criteria for this violation.	
Violation Subtotal	<input type="text" value="\$10"/>	
Economic Benefit (EB) for this violation		
Estimated EB Amount	<input type="text" value="\$1"/>	
Statutory Limit Test		
	Violation Final Penalty Total	<input type="text" value="\$13"/>
	This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$50"/>	

Economic Benefit Worksheet

Respondent: City of Cameron
Case ID No.: 37681
Reg. Ent. Reference No.: RN101392215
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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$25	7-Apr-2009	1-Jan-2010	0.74	\$1	n/a	\$1
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to update the Facility operations manual, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25

TOTAL

\$1

Screening Date 20-May-2009	Docket No. 2009-0755-PWS-E	PCW		
Respondent City of Cameron		<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 37661		<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No. RN101392215				
Media [Statute] Public Water Supply				
Enf. Coordinator Yullya Dunaway				
Violation Number 3				
Rule Cite(s)	30 Tex. Admin. Code § 290.46(s)(1)			
Violation Description	Failed to calibrate flow measuring devices at least once every 12 months. Specifically, at the time of the investigation, it was documented that the flow meter used to measure the treated water used to backwash the filters had not been calibrated in the last year.			
	Base Penalty	\$1,000		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential		X	
				Percent 10%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent 0%
Matrix Notes	Failure to have flow measuring devices properly calibrated could result in inaccurate measurement of treated water, which could cause customers of the Facility to be exposed to an insignificant amount of contaminants, which would not exceed levels protective of human health.			
	Adjustment	\$900		
				\$100
Violation Events				
	Number of Violation Events	1	Number of violation days	365
	<i>mark only one with an x</i>	daily		
		weekly		
		monthly		
		quarterly		
		semiannual		
		annual		
		single event	X	
		One single event is recommended.		Violation Base Penalty \$100
Good Faith Efforts to Comply				
		0.0% Reduction		\$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 for this violation.		
		Violation Subtotal	\$100	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$53	Violation Final Penalty Total	\$132
			This violation Final Assessed Penalty (adjusted for limits)	\$132

Economic Benefit Worksheet

Respondent City of Cameron
Case ID No. 37661
Reg. Ent. Reference No. RN101392215
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment	\$50	7-Apr-2008	7-Apr-2009	1.00	\$3	\$50	\$53
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount to perform an annual calibration test (\$50 per test) for the treated water meter, calculated for the 12 months preceding the April 7, 2009 investigation.

Approx. Cost of Compliance

\$50

TOTAL

\$53

Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW															
Respondent: City of Cameron		<i>Policy Revision 2 (September 2002)</i>															
Case ID No.: 37661		<i>PCW Revision October 30, 2008</i>															
Reg. Ent. Reference No.: RN101392215																	
Media [Statute]: Public Water Supply																	
Enf. Coordinator: Yuliya Dunaway																	
Violation Number: 4																	
Rule Cite(s):	30.Tex. Admin. Code §§ 290.42(m) and 290.43(e)																
Violation Description:	Failed to enclose the surface water treatment plant and water storage facilities with an intruder-resistant fence. Specifically, at the time of the investigation, it was documented that the fence at the surface water treatment plant had an undercut on the bottom at the east side of the plant, the fence at the South Milam Street ground storage tank had the top strand of barbed wire cut, and the fence at the 22nd Street elevated storage tank had only one strand of barbed wire.																
	Base Penalty	\$1,000															
>> Environmental, Property and Human Health Matrix																	
OR	Release	Harm															
		Major Moderate Minor															
	Actual																
	Potential		Percent <input type="text" value="10%"/>														
		<input type="text"/> <input type="text"/> <input checked="" type="text"/>															
>> Programmatic Matrix																	
	Falsification	Major Moderate Minor															
			Percent <input type="text" value="0%"/>														
		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>															
Matrix Notes	Failure to provide proper intruder-resistant protection for the Facility's surface water treatment plant, ground and elevated tanks may allow persons to enter and damage the tanks which could expose customers of the water system to an insignificant amount of pollutants which would not exceed levels that are protective of human health.																
	Adjustment	\$900															
		<input type="text" value="\$100"/>															
Violation Events																	
	Number of Violation Events	<input type="text" value="3"/>	Number of violation days														
		<input type="text" value="43"/>															
	mark only one with an x	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>weekly</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input checked="" type="text"/></td></tr> </table>	daily	<input type="text"/>	weekly	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input checked="" type="text"/>	Violation Base Penalty
daily	<input type="text"/>																
weekly	<input type="text"/>																
monthly	<input type="text"/>																
quarterly	<input type="text"/>																
semiannual	<input type="text"/>																
annual	<input type="text"/>																
single event	<input checked="" type="text"/>																
			\$300														
	Three single events (one per fence) are recommended.																
Good Faith Efforts to Comply																	
	10.0% Reduction		\$30														
	Before NOV	NOV to EDPRP/Settlement Offer															
	Extraordinary	<input type="text"/>															
	Ordinary	<input checked="" type="text"/>															
	N/A	(mark with x)															
Notes	The Respondent achieved compliance as of June 5, 2009.																
	Violation Subtotal	\$270															
Economic Benefit (EB) for this violation																	
	Estimated EB Amount	<input type="text" value="\$10"/>	Violation Final Penalty Total														
			\$366														
	This violation Final Assessed Penalty (adjusted for limits)																
			\$366														

Economic Benefit Worksheet

Respondent: City of Cameron
Case ID No.: 37861
Reg. Ent. Reference No.: RN101392215
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$900	7-Apr-2009	5-Jun-2009	0.16	\$0	\$10	\$10
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to install the barbed wire and repair the undercut on the Facility's fences (\$300 per fence), calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$900	TOTAL	\$10
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Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW				
Respondent: City of Cameron	<i>Policy Revision 2 (September 2002)</i>					
Case ID No.: 37661	<i>PCW Revision October 30, 2008</i>					
Reg. Ent. Reference No.: RN101392215						
Media [Statute]: Public Water Supply						
Enf. Coordinator: Yuliya Dunaway						
Violation Number: 5						
Rule Cite(s):	30 Tex. Admin. Code § 290.46(m)					
Violation Description:	Failed to initiate maintenance and housekeeping practices at the Facility to ensure the good working condition and general appearance of its facilities and equipment. Specifically, at the time of the investigation, it was documented that the fences at the surface water treatment plant and at the elevated storage tank on 22nd Street had excessive amounts of brush and vegetation growing through them.					
	Base Penalty	\$1,000				
>> Environmental, Property and Human Health Matrix						
OR	Harm					
	Release	Major	Moderate	Minor		
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
				Percent	10%	
>> Programmatic Matrix						
	Falsification	Major	Moderate	Minor		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent	0%
Matrix Notes	Failure to maintain the grounds around the water supply could result in customers of the water supply being exposed to an insignificant amount of contaminants which would not exceed levels that are protective of human health.					
	Adjustment		\$900			
				\$100		
Violation Events						
	Number of Violation Events	2	43	Number of violation days		
mark only one with an x	daily	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	weekly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	monthly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	quarterly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	semiannual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	annual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	single event	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Two single events are recommended (one per fence location).					
Good Faith Efforts to Comply						
	10.0% Reduction		\$20			
	Before NOV	NOV to EDPRP/Settlement Offer				
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>				
Ordinary	<input type="checkbox"/>	<input checked="" type="checkbox"/>				
N/A	(mark with x)					
Notes	The Respondent achieved compliance as of June 5, 2009.					
	Violation Subtotal		\$180			
Economic Benefit (EB) for this violation			Statutory Limit Test			
	Estimated EB Amount	\$3	Violation Final Penalty Total	\$244		
			This violation Final Assessed Penalty (adjusted for limits)			
			\$244			

Economic Benefit Worksheet

Respondent City of Cameron
Case ID No. 37661
Reg. Ent. Reference No. RN101392215
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$300	7-Apr-2009	5-Jun-2009	0.18	\$0	\$3	\$3
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to clear excessive vegetation from the Facility's fences, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurances [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

TOTAL

\$3

Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW			
Respondent: City of Cameron		<i>Policy Revision 2 (September 2002)</i>			
Case ID No.: 37661		<i>PCW Revision October 30, 2008</i>			
Reg. Ent. Reference No.: RN101392215					
Media [Statute]: Public Water Supply					
Enf. Coordinator: Yuliya Dunaway					
Violation Number: 6					
Rule Cite(s):	30 Tex. Admin. Code § 290.43(c)(3)				
Violation Description:	Failed to provide an overflow cover that fits tightly with no gap over 1/16 inch at the Facility's elevated storage tank. Specifically, at the time of the investigation, it was documented that the overflow pipe hinged flap valve on the elevated storage tank located at 7 1/2 Street and Tower Street did not close properly leaving a gap greater than 1/16 inch.				
	Base Penalty	\$1,000			
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Major	Moderate	Minor		
Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="10%"/>	
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="0%"/>
Matrix Notes	Failing to provide a proper seal on the elevated storage tank overflow cover could expose customers of the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.				
	Adjustment	\$900			
		\$100			
Violation Events					
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="43"/>	
<i>mark only one with an x</i>	daily	<input type="checkbox"/>		Violation Base Penalty <input type="text" value="\$100"/>	
	weekly	<input type="checkbox"/>			
	monthly	<input type="checkbox"/>			
	quarterly	<input type="checkbox"/>			
	semiannual	<input type="checkbox"/>			
	annual	<input type="checkbox"/>			
	single event	<input checked="" type="checkbox"/>			
	One single event is recommended.				
Good Faith Efforts to Comply		0.0% Reduction	<input type="text" value="\$0"/>		
		Before NOV	NOV to ED/PRP/Settlement Offer		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>			
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>			
N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(mark with x)		
Notes	The Respondent does not meet the good faith criteria for this violation.				
	Violation Subtotal	<input type="text" value="\$100"/>			
Economic Benefit (EB) for this violation		Statutory Limit Test			
	Estimated EB Amount	<input type="text" value="\$12"/>	Violation Final Penalty Total	<input type="text" value="\$132"/>	
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$132"/>			

Economic Benefit Worksheet

Respondent: City of Cameron
Case ID No.: 37661
Reg. Ent. Reference No.: RN101392215
Media: Public Water Supply
Violation No.: 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$200	7-Apr-2009	1-Feb-2010	0.82	\$1	\$11	\$12
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to provide a proper seal on the elevated storage tank overflow pipe flap, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$12

Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW			
Respondent: City of Cameron	<i>Policy Revision 2 (September 2002)</i>				
Case ID No.: 37861	<i>PCW Revision October 30, 2008</i>				
Reg. Ent. Reference No.: RN101392215					
Media [Statute]: Public Water Supply					
Enf. Coordinator: Yuliya Dunaway					
Violation Number: 7					
Rule Cite(s):	30 Tex. Admin. Code §.290.110(c)(1)(A)				
Violation Description:	Failed to continuously monitor and record the disinfectant residual of the water entering the distribution system. Specifically, at the time of the investigation, it was documented that the Facility did not continuously monitor the chlorine residual of water entering the distribution system on June 27, 2008 and July 11, 2008 due to malfunctioning equipment and failed to conduct grab sampling as a result of the equipment failure.				
Base Penalty		\$1,000			
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Major	Moderate	Minor		
Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="50%"/>	
Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="0%"/>
Matrix Notes	Failure to properly monitor and record the disinfectant residual of the water could cause customers of the water supply being exposed to a significant amount of contaminants which would exceed levels that are protective of human health.				
Adjustment		\$500			
		\$500			
Violation Events					
	<input type="text" value="2"/>	<input type="text" value="2"/>	Number of violation days		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	weekly	<input type="checkbox"/>	Violation Base Penalty <input type="text" value="\$1,000"/>
	monthly	<input type="checkbox"/>	quarterly	<input type="checkbox"/>	
	semiannual	<input type="checkbox"/>	annual	<input type="checkbox"/>	
	single event	<input checked="" type="checkbox"/>			
Two single events are recommended.					
Good Faith Efforts to Comply		25.0% Reduction	\$250		
		Before NOV	NOV to EDPRP/Settlement Offer		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
N/A	<input type="checkbox"/>	(mark with x)			
Notes	The Respondent achieved compliance as of July 12, 2008.				
Violation Subtotal		\$750			
Economic Benefit (EB) for this violation		Statutory Limit Test			
Estimated EB Amount	<input type="text" value="\$202"/>	Violation Final Penalty Total	<input type="text" value="\$1,070"/>		
This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$1,070"/>			

Economic Benefit Worksheet

Respondent City of Cameron
Case ID No. 37661
Reg. Ent. Reference No. RN101392215
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	27-Jun-2008	12-Jul-2008	0.04	\$2	n/a	\$2

Notes for DELAYED costs

The delayed cost includes the amount to repair the malfunctioning equipment, calculated for period when the violation occurred.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$100	27-Jun-2008	28-Jun-2008	0.00	\$0	\$100	\$100
Other (as needed)	\$100	11-Jul-2008	12-Jul-2008	0.00	\$0	\$100	\$100

Notes for AVOIDED costs

The avoided cost includes the amount for collecting and submitting grab samples (Five samples per day @ \$20 per sample), calculated for the days when the violation occurred.

Approx. Cost of Compliance

\$1,200

TOTAL

\$202

Screening Date: 20-May-2009	Docket No.: 2009-0755-PWS-E	PCW		
Respondent: City of Cameron	<i>Policy Revision 2 (September 2002)</i>			
Case ID No.: 37661	<i>PCW Revision October 30, 2008</i>			
Reg. Ent. Reference No.: RN101392215				
Media [Statute]: Public Water Supply				
Enf. Coordinator: Yuliya Dunaway				
Violation Number: 8				
Rule Cite(s):	30 Tex. Admin. Code § 290.44(h)(1)(A)			
Violation Description:	Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard identified in 30 Tex. Admin. Code § 290.47(l) exists. Specifically, at the time of the investigation, there was no backflow prevention assembly or an air gap at the Central Texas Hospital located at 806 North Crockett Street in Cameron.			
Base Penalty		\$1,000		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Percent		50%		
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Percent		0%		
Matrix Notes	Without proper backflow prevention assemblies installed, backflow and siphonage could occur and customers of the water supply could be exposed to a significant amount of contaminants which could exceed levels protective of human health.			
Adjustment		\$500		
		\$500		
Violation Events				
Number of Violation Events	2	43	Number of violation days	
<i>mark only one with an x</i>	daily	<input type="checkbox"/>		
	weekly	<input type="checkbox"/>		
	monthly	<input checked="" type="checkbox"/>		
	quarterly	<input type="checkbox"/>		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
	single event	<input type="checkbox"/>		
Violation Base Penalty		\$1,000		
Two monthly events are recommended from the date of the investigation, April 7, 2009, to the date of screening, May 20, 2009.				
Good Faith Efforts to Comply				
10.0% Reduction		\$100		
	Before NOV	NOV to EDPRP/Settlement Offer		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
N/A	(mark with x)			
Notes	The Respondent achieved compliance as of June 5, 2009.			
Violation Subtotal		\$900		
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount	\$8	Violation Final Penalty Total	\$1,220	
		This violation Final Assessed Penalty (adjusted for limits)	\$1,220	

Economic Benefit Worksheet

Respondent: City of Cameron
Case ID No.: 37661
Reg. Ent. Reference No.: RN101392215
Media: Public Water Supply
Violation No.: 8

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$745	7-Apr-2009	5-Jun-2009	0.16	\$0	\$8	\$8
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to install the backflow prevention device (\$745 is the median cost for a reduced pressure principle assembly installed on on a 3/4"-2" line) at the hospital, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$745

TOTAL

\$8

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600344162 City of Cameron	Classification: AVERAGE	Rating: 5.05
Regulated Entity:	RN101392215 CITY OF CAMERON	Classification: AVERAGE	Site Rating: 24.00
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1660001
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	MM0008F
	SLUDGE	REGISTRATION	22167
	WATER LICENSING	LICENSE	1660001
	WASTEWATER	PERMIT	WQ0010004001
Location:	100 S HOUSTON AVE, CAMERON, MILAM COUNTY, TX		
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	May 18, 2009		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	May 18, 2004 to May 18, 2009		

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
 - Effective Date: 06/05/2008 ADMINORDER 2007-1832-WQ-E
 - Classification: Moderate
 - Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 - Rqmt Prov: Permit Conditions PERMIT
 - Description: Failure by the permittee to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commisssion.
- B. Any criminal convictions of the state of Texas and the federal government.

N/A
- C. Chronic excessive emissons events.

N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	12/29/2004	(342495)
2	02/16/2005	(348832)
3	04/06/2005	(374752)
4	04/27/2006	(456276)
5	06/16/2006	(467224)
6	08/15/2006	(489752)
7	09/19/2008	(702033)
8	12/09/2008	(709216)
9	01/23/2009	(723117)
10	05/11/2009	(741347)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/29/2004 (342495) CN600344162
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)
 Description: Failure to provide a flow measuring device to measure the treated water used to backwash the filters.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to calibrate at least once every twelve months all flow measuring devices and rate-of-flow controllers.

Date: 04/30/2006 (456276) CN600344162
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)
 Description: Failure to maintain distribution system lines, water storage and pressure maintenance facilities, and related appurtenances in a watertight condition and be free of excessive solids.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)(I)
 Description: Failure to provide chemical containment.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(13)
 Description: Failure to properly identify the chemical feed lines.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(15)(E)
 Description: Failure to provide facilities to monitor the depth of the sludge-blanket at a sludge-blanket clarifier plant.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)
 Description: Failure to provide an air gap connection to waste for filter-to-waste connections.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(e)(5)
 30 TAC Chapter 290, SubChapter D 290.42(m)
 30 TAC Chapter 290, SubChapter D 290.43(e)
 Description: Failure to provide an intruder-resistant fence or lockable building in order to protect the raw water intake, 72nd street elevated tank and ground storage tank at the main plant.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)
 Description: Failure to provide an operational flow measuring device to measure the recycled decant water.

Self Report? NO Classification: Moderate
 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 290.41(e)(2)(C)
 Description: Failure to establish a restricted zone of 200 foot radius from the raw water intake works.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(1)(B)
 Description: Failure to collect water samples for bacteriological analysis according to your sample site plan.

Date: 07/28/2008 (682918)
 Self Report? NO Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 Permit Conditions, No. 2g, Pg. 7 PERMIT
 Description: Failure to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission.

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 CAMERON
RN101392215**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2009-0755-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 Cameron ("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 100 South Houston Avenue in Cameron, Milam County, Texas (the "Facility") that has approximately 3,145 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 May 17, 2009.
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 Three Thousand Two Hundred Sixty-Four Dollars (\$3,264) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The City has paid Two Thousand Six Hundred Twelve Dollars (\$2,612) of the administrative penalty and Six Hundred Fifty-Two Dollars (\$652) is deferred contingent upon the City'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 City fails

- to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the City 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 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 recognizes that the City has implemented the following corrective measures at the Facility:
 - a. On July 12, 2008, repaired the malfunctioning equipment to continuously monitor the disinfectant residual of the water entering the distribution;
 - b. On June 5, 2009, provided the following records for review: customer service inspection reports for 2008, verification of American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standard 60 for calcium hypochlorite, alum, fluoride and ammonia, backflow prevention device test reports for two car wash stations, and a copy of the discharge water permit;
 - c. On June 5, 2009, repaired the fences at the surface water treatment plant, the South Milam Street and the 22nd Street elevated storage tank location;
 - d. On June 5, 2009, removed the brush, trees and vines on the fences at the surface water treatment plant and at the elevated storage tank on 22nd Street; and
 - e. On June 5, 2009, installed a reduced pressure principle backflow prevention assembly at the Central Texas Hospital located at 806 North Crockett Street.
 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 City has not complied with one or more of the terms or conditions in this Agreed Order.
 10. The Executive Director recognizes that the Respondent has achieved continuous monitoring of the water entering the distribution system at the Facility as of August 1, 2008.
 11. 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.
 12. 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 keep on file and make available for Commission review water system records, in violation of 30 TEX. ADMIN. CODE § 290.46(f) and 290.46(f)(3)(B)(vi), as documented during an investigation conducted on April 7, 2009.
2. Failed to maintain a thorough plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l), as documented during an investigation conducted on April 7, 2009.
3. Failed to calibrate flow measuring devices at least once every 12 months, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1), as documented during an investigation conducted on April 7, 2009.
4. Failed to enclose the surface water treatment plant and water storage facilities with an intruder-resistant fence, in violation of 30 TEX. ADMIN. CODE §§ 290.42(m) and 290.43(e), as documented during an investigation conducted on April 7, 2009.
5. Failed to initiate maintenance and housekeeping practices at the Facility to ensure the good working condition and general appearance of its facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m), as documented during an investigation conducted on April 7, 2009.
6. Failed to provide an overflow cover that fits tightly with no gap over 1/16 inch for the Facility's elevated storage tank, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3), as documented during an investigation conducted on April 7, 2009.
7. Failed to continuously monitor and record the disinfectant residual of the water entering the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(1)(A), as documented during an investigation conducted on April 7, 2009.
8. Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard identified in 30 TEX. ADMIN. CODE § 290.47(i) exists, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(1)(A), as documented during an investigation conducted on April 7, 2009.

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 Cameron, Docket No. 2009-0755-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. Within 30 days after the effective date of this Order, update the plant operations manual to include emergency phone numbers, as required by 30 TEX. ADMIN. CODE § 290.42.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 60 days after the effective date of this Agreed Order :
 - i. Properly calibrate flow measuring device used to backwash the filter, as required by 30 TEX. ADMIN. CODE § 290.46; and
 - ii. Ensure the overflow pipe on the elevated storage tank has a cover that fits tightly with no gap over 1/16 inch, as required by 30 TEX. ADMIN. CODE § 290.43(c)(3).
 - d. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
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 Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srolier

For the Executive Director

9/18/09

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.

Ricky Tow

Signature

8/13/09

Date

Ricky Tow

Name (Printed or typed)
Authorized Representative of
City of Cameron

CITY MANAGER

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.