

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0935-PWS-E **TCEQ ID:** RN102683562 **CASE NO.:** 33793

RESPONDENT NAME: Corinne Maib dba Coletto Water

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: Coletto Water, located approximately 1,000 feet southwest of the intersection of Highway 59 and Reaser Drive, Victoria County</p> <p>TYPE OF OPERATION: Public water supply</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received April 2, 2007, alleging that the drinking water was discolored and had an unpleasant odor. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 26, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Stephen Thompson, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-2558; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Corinne Maib, Owner, Coletto Water, 102 Manassas Loop, Victoria, Texas 77904 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 checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: April 2, 2007</p> <p>Date of Investigation Relating to this Case: April 10, 2007</p> <p>Date of NOV/NOE Relating to this Case: May 24, 2007 (NOE)</p> <p>Background Facts: This was a complaint investigation.</p> <p>WATER</p> <p>1) Failure to provide the public water system's operating records for review during inspections [30 TEX. ADMIN. CODE § 290.46(f)(2)].</p> <p>2) Failure to monitor free chlorine residual to a minimum accuracy of plus or minus 0.1 milligrams per liter ("mg/L") using an approved method [30 TEX. ADMIN. CODE § 290.110(d)(3)].</p> <p>3) Failure to obtain a sanitary control easement covering land within 150 feet of the well, or Executive Director approval for an exception [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>4) Failure to provide the ground storage tank with an overflow pipe flap valve assembly with a gap of no more than 1/16 inch [30 TEX. ADMIN. CODE § 290.43(c)(3)].</p> <p>5) Failure to provide a functional flow measuring device to measure production yields and provide for the accumulation of water production data [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].</p> <p>6) Failure to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].</p>	<p>Total Assessed: \$2,365</p> <p>Total Deferred: \$473 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$317 (remaining \$1,575 due in 5 monthly payments of \$315 each)</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a. On April 11, 2007, submitted written certification that the public water system began maintaining a minimum disinfectant residual of 0.2 mg/L free chlorine and a minimum water pressure of at least 35 psi throughout the distribution system at all times;</p> <p>b. On April 12, 2007, obtained an approved diethyl-p-phenyldiamine indicator chlorine test kit;</p> <p>c. On May 31, 2007, installed a flap on the overflow pipe valve on the ground storage tank that does not have a gap greater than 1/16 of an inch; and</p> <p>d. On June 6, 2007, submitted operating records of bacteriological samples from January through May 2007, records of amount of water treated weekly from December 2006 through May 2007, and a map of the distribution system showing locations of valves and mains.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Begin completing customer service inspection certificates prior to providing continuous water service to new construction; and</p> <p>ii. Provide a flow measuring device for the water system well.</p> <p>b. Submit written certification to demonstrate compliance with Ordering Provision a.</p> <p>c. Within 90 days after the effective date of the Agreed Order, obtain a sanitary control easement or an exception to the easement</p>

<p>7) Failure to issue customer service inspection certificates prior to providing continuous water service to new construction [30 TEX. ADMIN. CODE § 290.46(j)].</p> <p>8) Failure to maintain a minimum disinfectant residual of 0.2 mg/L free chlorine throughout the distribution system at all times [30 TEX. ADMIN. CODE § 290.110(b)(2)].</p> <p>9) Failure to maintain a minimum pressure of 35 pounds per square inch ("psi") within the distribution system at all times [30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r)].</p>		<p>requirement that covers the land within 150 feet of the well.</p> <p>d. Within 105 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 2350036



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

TCEQ

DATES	Assigned	29-May-2007	Screening	13-Jun-2007	EPA Due	
	PCW	20-Jun-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Corinne Maib dba Coeto Water
Reg. Ent. Ref. No.	RN102683562
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION				
Enf./Case ID No.	33793	No. of Violations	9	
Docket No.	2007-0935-PWS-E	Order Type	1660	
Media Program(s)	Public Water Supply	Enf. Coordinator	Stephen Thompson	
Multi-Media		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	\$1,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	33% Enhancement	Subtotals 2, 3, & 7	\$495
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Notes
The Respondent has been issued three Notices of Violation ("NOV") that contain violations that are the same or similar to those in the current enforcement action and nine NOV's with dissimilar violations.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes
The Respondent does not meet the culpability criteria.

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

Total EB Amounts	\$433	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$2,020	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,995
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OTHER FACTORS AS JUSTICE MAY REQUIRE	19%	Adjustment	\$370
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes
Enhancement recommended for recovery of avoided costs of compliance.

Final Penalty Amount	\$2,365
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$2,365
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DEFERRAL	20% Reduction	Adjustment	-\$473
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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	\$1,892
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PCW

Screening Date 13-Jun-2007

Docket No. 2007-0935-PWS-E

Respondent Corinne Maib dba Coletowater

Policy Revision 2 (September 2002)

Case ID No. 33793

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102683562

Media [Statute] Public Water Supply

Enf. Coordinator Stephen Thompson

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%
	Other written NOVs	9	18%
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) 33%

>> **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 Respondent has been issued three Notices of Violation ("NOV") that contain violations that are the same or similar to those in the current enforcement action and nine NOVs with dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 33%

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW		
Respondent Corinne Maib dba Coletto Water	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>			
Reg. Ent. Reference No. RN102683562				
Media [Statute] Public Water Supply				
Enf. Coordinator Stephen Thompson				
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)(2)			
Violation Description	Failed to provide the public water system's operating records for review during inspections. Specifically, the Respondent did not have records of the volume of water treated weekly and records of bacteriological monitoring available for review.			
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 type="checkbox"/>
		Percent	0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
		Percent	5%	
Matrix Notes	The Respondent failed to comply with approximately 30% of the rule requirement.			
		Adjustment	\$950	
		\$50		
Violation Events				
Number of Violation Events		1	Number of violation days	
		64		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	Violation Base Penalty	
	monthly	<input type="checkbox"/>		
	quarterly	<input type="checkbox"/>		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
single event	X	\$50		
One single event is recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount		\$1	Violation Final Penalty Total	
		\$79		
This violation Final Assessed Penalty (adjusted for limits)			\$79	

Economic Benefit Worksheet

Respondent Corinne Maib dba Coletto Water
Case ID No. 33793
Reg. Ent. Reference No. RN102683562
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$100	10-Apr-2007	6-Jun-2007	0.2	\$1	n/a	\$1
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The estimated cost to prepare and maintain the water system's records, calculated from the date of the investigation to the date the Respondent returned to 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$100 **TOTAL** \$1

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletowater	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 5, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 290.110(d)(3)	
Violation Description	Failed to monitor free chlorine residual to a minimum accuracy of plus or minus 0.1 milligrams per liter ("mg/L") using an approved method. Specifically, the Respondent was utilizing an unapproved color comparator test kit to measure free chlorine levels.	
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 <input type="text" value="5%"/>	

>> 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 utilize an approved chlorine test method can prevent the system from accurately measuring the disinfectant chlorine residual which could result in customers of the water supply being exposed to an insignificant amount of pollutants which would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

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: Corinne Maib dba Coletowater
Case ID No.: 33793
Reg. Ent. Reference No.: RN102683562
Media: Public Water Supply
Violation No.: 2

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	\$400	10-Apr-2007	12-Apr-2007	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 The estimated cost to purchase an approved chlorine test kit calculated from the date of the investigation to the date the Respondent returned to 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$400 **TOTAL** \$0

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletto Water	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	3	
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(1)(F)	
Violation Description	Failed to obtain a sanitary control easement covering land within 150 feet of the well, or Executive Director approval for an exception.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
 Failure to obtain a sanitary control easement could result in the exposure of customers of the water system to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="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 Corinne Maib dba Coletowater
Case ID No. 33793
Reg. Ent. Reference No. RN102683562
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	10-Apr-2007	31-May-2008	1.1	\$1	\$15	\$16
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to obtain a sanitary control easement or exception to the easement requirement, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance	\$200	TOTAL	\$16
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Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletowater	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	4	
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(3)	
Violation Description	Failed to provide the ground storage tank with an overflow pipe flap valve assembly with a gap of no more than 1/16 inch. Specifically, the ground storage tank's overflow cover does not close.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate		Minor	
	Actual	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
	Potential	<input type="checkbox"/>	x	<input type="checkbox"/>	Percent	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 provide the ground storage tank with a flap for the overflow pipe valve could expose customers of the water supply to a significant amount of contaminants that would not exceed levels protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty \$100

One quarterly event is recommended from the date of the investigation on April 10, 2007 to the date of case screening on June 13, 2007.

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Corinne Maib dba Coletowater
Case ID No. 33793
Reg. Ent. Reference No. RN102683562
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$50	10-Apr-2007	31-May-2007	0.1	\$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
 Estimated cost to equip the ground storage tank with a flap for the overflow pipe valve with a gap no greater than 1/16 of an inch, calculated from the date of the investigation to the date the Respondent returned to 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs
 There are no avoided costs associated with this violation.

Approx. Cost of Compliance	\$50	TOTAL	\$0
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Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletto Water	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 33793	<small>PCW Revision November 6, 2007</small>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	5	
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(N)	
Violation Description	Failed to provide a functional flow measuring device to measure production yields and provide for the accumulation of water production data. Specifically, the flow meter for the water system's well does not function.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes Failure to have a functioning flow measuring device prevents the system from obtaining accurate well production data and may result in the system not being able to provide a sufficient water supply.

Adjustment \$950

\$50

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="checkbox"/>
monthly	<input type="checkbox"/>
quarterly	<input type="checkbox"/>
semiannual	<input type="checkbox"/>
annual	<input type="checkbox"/>
single event	<input checked="" type="checkbox"/>

Violation Base Penalty \$50

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 Corinne Maib dba Coletowater
Case ID No. 33793
Reg. Ent. Reference No. RN102683562
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$400	10-Apr-2007	28-Feb-2008	0.9	\$1	\$24	\$25
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 Estimated costs to replace or repair the flow meter for the water system well, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$400 **TOTAL** \$25

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletto Water	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(n)(2)	
Violation Description	Failed to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes 100% of the rule requirement was not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	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: Corinne Maib dba Coletowater
Case ID No.: 33793
Reg. Ent. Reference No.: RN102683562
Media: Public Water Supply
Violation No.: 6

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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	10-Apr-2007	6-Jun-2007	0.2	\$0	\$2	\$2
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to create and begin maintaining an up-to-date map of the distribution system, calculated from the date of the investigation to the date the Respondent returned to 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance **\$200** **TOTAL** **\$2**

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletto Water	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="7"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(j)	
Violation Description	Failed to issue customer service inspection certificates prior to providing continuous water service to new construction. Specifically, there were no customer service inspection reports available for six new houses connected to the water system.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate	Minor		Percent <input type="text" value="10%"/>
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>		
Potential	<input type="text"/>	x	<input 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 conduct customer service inspections for new construction, ensuring appropriate plumbing practices, could expose the customers of the water supply to pollutants which would not exceed levels that are protective of human health.

Adjustment

Violation Events

	<input type="text" value="6"/>	<input type="text" value="64"/>	Number of violation days												
<i>mark only one with an x</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><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 style="text-align: center;">x</td></tr> </table>	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 <input type="text" value="\$600"/>
daily	<input type="text"/>														
monthly	<input type="text"/>														
quarterly	<input type="text"/>														
semiannual	<input type="text"/>														
annual	<input type="text"/>														
single event	x														

Six single events (one for each house) are recommended.

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

Estimated EB Amount <input type="text" value="\$19"/>	Violation Final Penalty Total <input type="text" value="\$946"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$946"/>	

Economic Benefit Worksheet

Respondent Corinne Maib dba Coletto Water
Case ID No. 33793
Reg. Ent. Reference No. RN102683562
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$300	10-Apr-2007	28-Feb-2008	0.9	\$1	\$18	\$19
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to establish a customer service inspection program to ensure that inspections occur for all new construction, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

There are no avoided costs associated with this violation.

Approx. Cost of Compliance	\$300	TOTAL	\$19
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Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletowater	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	8	
Rule Cite(s)	30 Tex. Admin. Code § 290.110(b)(2)	
Violation Description	Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") free chlorine throughout the distribution system at all times. Specifically, on April 10, 2007, the disinfectant residual was measured to be 0.00 mg/L of free chlorine at 502 Holly Lane and 0.05 mg/L at 411 Debbie Drive.	
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 <input type="text" value="25%"/>	

>> 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 Without proper disinfection of the water supply, the water supply customers could be exposed to significant amounts of contaminants which would exceed levels that are protective of human health.

Adjustment

Violation Events

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

Violation Base Penalty

One single event is recommended.

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

Estimated EB Amount <input type="text" value="\$120"/>	Violation Final Penalty Total <input type="text" value="\$394"/>
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This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: Corinne Maib dba Coletto Water
Case ID No.: 33793
Reg. Ent. Reference No.: RN102683562
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

There are no delayed costs associated with this violation.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				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]	\$120	10-Apr-2007	11-Apr-2007	0.0	\$0	\$120	\$120
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount of additional oversight and maintenance that could have prevented the low chlorine residuals from occurring, calculated for the date that the chlorine residual was below the 0.2 mg/L minimum.

Approx. Cost of Compliance

\$120

TOTAL

\$120

Screening Date 13-Jun-2007	Docket No. 2007-0935-PWS-E	PCW
Respondent Corinne Maib dba Coletto Water	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33793	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN102683562		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	9	
Rule Cite(s)	30 Tex. Admin Code §§ 290.44(d) and 290.46(r)	
Violation Description	Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") within the distribution system at all times. Specifically, on April 10, 2007, the water pressure was documented to be 30 psi at 502 Holly Lane.	
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 <input type="text" value="25%"/>

>> 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 maintain adequate pressure could lead to contamination of the water system, exposing water supply customers to significant amounts of pollutants which would exceed levels that are protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="checkbox"/>
monthly	<input type="checkbox"/>
quarterly	<input type="checkbox"/>
semiannual	<input type="checkbox"/>
annual	<input type="checkbox"/>
single event	<input checked="" type="checkbox"/>

Violation Base Penalty

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: Corinne Maib dba Coieto Water
Case ID No.: 33793
Reg. Ent. Reference No.: RN102683562
Media: Public Water Supply
Violation No.: 9

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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

Notes for DELAYED costs

There are no delayed costs associated with this violation.

Avoided Costs

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

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]	\$250	10-Apr-2007	11-Apr-2007	0.0	\$0	\$250	\$250
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount of additional oversight and maintenance that could have prevented the low pressure from occurring, calculated for the date that the pressure was below the 35 psi minimum.

Approx. Cost of Compliance	\$250	TOTAL	\$250
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Compliance History

Customer/Respondent/Owner-Operator:	CN603194630 MAIB, CORINNE	Classification:	Rating:
Regulated Entity:	RN102683562 COLETO WATER	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING	REGISTRATION LICENSE	2350036 2350036
Location:	1000 FT SW OF HWY 59 AND REASER DRIVE, VICTORIA COUNTY		
TCEQ Region:	REGION 14 - CORPUS CHRISTI		
Date Compliance History Prepared:	June 14, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	June 14, 2002 to June 14, 2007		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Anita Keese	Phone:	(956) 430-6034

Site Compliance History Components

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

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- | | | |
|----|------------|----------|
| 1 | 10/15/2003 | (392872) |
| 2 | 11/17/2003 | (252745) |
| 3 | 12/03/2003 | (393265) |
| 4 | 01/13/2004 | (393863) |
| 5 | 01/28/2004 | (393864) |
| 6 | 03/30/2004 | (393865) |
| 7 | 04/16/2004 | (268330) |
| 8 | 08/28/2004 | (393866) |
| 9 | 01/28/2005 | (393867) |
| 10 | 03/03/2005 | (393868) |
| 11 | 07/07/2005 | (398262) |
| 12 | 04/03/2006 | (460995) |
| 13 | 08/29/2006 | (497402) |
| 14 | 01/10/2007 | (535190) |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	10/15/2003 (392872)	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii) 5A THC Chapter 341, SubChapter A 341.033(d)		
Description:	Failure to collect a routine monitoring sample in 08/2003.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
Description:	Failure to post a PN for not collecting any routine monitoring samples in 08/2003.		
Date:	12/03/2003 (393265)		
Self Report?	NO	Classification:	Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 10/2003.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 10/2003.
 Date: 01/13/2004 (393863)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 11/2003.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 11/2003.
 Date: 01/28/2004 (393864)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 12/2003.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 12/2003.
 Date: 03/30/2004 (393865)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 02/2004.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 02/2004.
 Date: 04/05/2004 (268330)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)[G]
 Description: Failure to provide a certified operator.
 Date: 08/28/2004 (393866)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 07/2004.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 07/2004.
 Date: 01/28/2005 (393867)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 12/2004.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 12/2004.
 Date: 03/03/2005 (393868)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 Description: Failure to collect a routine monitoring sample in 01/2005.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 Description: Failure to post a PN for not collecting any routine monitoring samples in 01/2005.
 Date: 12/16/2005 (449662)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)
 Description: Failure to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions.
 Date: 03/29/2006 (460170)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
 Description: Failure to maintain a minimum free chlorine residual of at least 0.2 mg/l throughout the distribution system.

Date: 08/31/2006 (497402)

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)		
Description:	Failed to maintain water system's records of operation.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(3)(C)(i)		
Description:	Failure to have proper DPD chlorine test kit.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to have a copy of the sanitary control easement for the water system's well.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(3)		
Description:	Failure to have a functional cover on the overflow for ground storage tank.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)		
Description:	Failure to have a properly function flow meter for the water system's well.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to have a map of the water system's distribution system.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(j)		
Description:	Failure to have customer service inspection for the six homes in the water system.		

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
CORINNE MAIB DBA COLETO
WATER
RN102683562

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-0935-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 Corinne Maib dba Coleto Water ("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 approximately 1,000 feet southwest of the intersection of Highway 59 and Reaser Drive, Victoria County, Texas (the "Facility") that has approximately 468 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 May 29, 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 Two Thousand Three Hundred Sixty-Five Dollars (\$2,365) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Three Hundred Seventeen Dollars (\$317) of the

administrative penalty and Four Hundred Seventy-Three Dollars (\$473) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all the requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of One Thousand Five Hundred Seventy-Five Dollars (\$1,575) of the administrative penalty shall be payable in five monthly payments of Three Hundred Fifteen Dollars (\$315) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's opinion, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and the 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 April 11, 2007, submitted written certification that the public water system began maintaining a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") free chlorine and a minimum water pressure of at least 35 pounds per square inch ("psi") throughout the distribution system at all times;
 - b. On April 12, 2007, obtained an approved diethyl-p-phenyldiamine ("DPD") indicator chlorine test kit;
 - c. On May 31, 2007, installed a flap on the overflow pipe valve on the ground storage tank that does not have a gap greater than 1/16 of an inch; and
 - d. On June 6, 2007, submitted operating records of bacteriological samples from January through May 2007, records of amount of water treated weekly from December 2006 through May 2007, and a map of the distribution system showing locations of valves and mains.
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 provide the public water system's operating records for review during inspections, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), as documented during an investigation conducted on April 10, 2007.
2. Failed to monitor free chlorine residual to a minimum accuracy of plus or minus 0.1 mg/L using an approved method, in violation of 30 TEX. ADMIN. CODE § 290.110(d)(3), as documented during an investigation conducted on April 10, 2007.
3. Failed to obtain a sanitary control easement covering land within 150 feet of the well, or executive director approval for an exception, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F), as documented during an investigation conducted on April 10, 2007.
4. Failed to provide the ground storage tank with an overflow pipe flap valve assembly with a gap of no more than 1/16 inch, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3), as documented during an investigation conducted on April 10, 2007.
5. Failed to provide a functional flow measuring device to measure production yields and provide for the accumulation of water production data, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(N), as documented during an investigation conducted on April 10, 2007.
6. Failed to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2), as documented during an investigation conducted on April 10, 2007.
7. Failed to issue customer service inspection certificates prior to providing continuous water service to new construction, in violation of 30 TEX. ADMIN. CODE § 290.46(j), as documented during an investigation conducted on April 10, 2007.
8. Failed to maintain a minimum disinfectant residual of 0.2 mg/L free chlorine throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE § 290.110(b)(2), as documented during an investigation conducted on April 10, 2007.
9. Failed to maintain a minimum pressure of 35 psi within the distribution system at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r), as documented during an investigation conducted on April 10, 2007.

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: Corinne Maib dba Coletto Water, Docket No. 2007-0935-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. Within 30 days after the effective date of the Agreed Order,
 - i. Begin completing customer service inspection certificates prior to providing continuous water service to new construction, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - ii. Provide a flow measuring device for the water system well, in accordance with 30 TEX. ADMIN. CODE § 290.41.
 - b. Submit written certification, as described in Ordering Provision 2.d. below, to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 90 days after the effective date of the Agreed Order, obtain a sanitary control easement or an exception to the easement requirement that covers the land within 150 feet of the well, in accordance with 30 TEX. ADMIN. CODE § 290.41.
 - d. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No 2.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

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the role of data in decision-making. It explains how data-driven insights can help identify trends, anticipate challenges, and make informed strategic decisions that drive the organization's success.

4. The fourth part of the document discusses the importance of data security and privacy. It outlines the measures that should be implemented to protect sensitive information and ensure compliance with relevant regulations and standards.

5. The fifth part of the document addresses the challenges of data integration and interoperability. It discusses the need for standardized data formats and protocols to facilitate the seamless exchange of information across different systems and departments.

6. The sixth part of the document explores the future of data and analytics. It discusses emerging technologies and trends that are expected to shape the data landscape in the coming years, such as artificial intelligence and machine learning.

7. The seventh part of the document provides a summary of the key findings and recommendations. It emphasizes the need for a data-driven culture and the importance of investing in data infrastructure and talent to maximize the organization's potential.

8. The eighth part of the document includes a list of references and sources used in the research. It provides a comprehensive overview of the literature and resources that informed the analysis and conclusions of the document.

9. The ninth part of the document contains a list of appendices and supplementary materials. These include detailed data sets, charts, and tables that provide further context and support for the findings presented in the main body of the document.

10. The tenth part of the document is a concluding statement that reiterates the main message of the document. It expresses the hope that the insights and recommendations provided will be helpful and actionable for the organization's leadership and stakeholders.

11. The eleventh part of the document is a list of acknowledgments. It expresses gratitude to the individuals and organizations that provided support, resources, and feedback throughout the research and writing process.

12. The twelfth part of the document is a list of contact information for the author and other relevant parties. It provides a way for interested parties to reach out for more information or to discuss the document's findings in greater detail.

13. The thirteenth part of the document is a list of disclaimers. It clarifies the scope and limitations of the research and states that the findings and recommendations are based on the data and information available at the time of writing.

14. The fourteenth part of the document is a list of footnotes and references. It provides additional details and sources for the information presented in the document, ensuring that all claims and statements are properly supported and cited.

15. The fifteenth part of the document is a list of page numbers and a table of contents. It provides a clear and concise overview of the document's structure and allows readers to navigate to the specific sections they are interested in.

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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

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 Sordier
For the Executive Director

2/21/08 1/23/2009
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.

Corinne L. Maib
Signature

2/21/08
Date

CORINNE MAIB dba Coletto Water
Name (Printed or typed)
Authorized Representative of
Corinne Maib dba Coletto Water

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.

