## EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page DOCKET NO.: 2007-0935-PWS-E TCEQ ID: RN102683562 CASE NO.: 33793 RESPONDENT NAME: Corinne Maib dba Coleto Water

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Coleto Water, located approximately 1,000 feet southwest of the intersection of Highway 59 and Reaser Drive, Victoria County

**TYPE OF OPERATION:** Public water supply

SMALL BUSINESS: <u>X</u> Yes <u>No</u>

**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.

**INTERESTED PARTIES:** A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.

COMMENTS RECEIVED: The Texas Register comment period expired on May 26, 2008. No comments were received.

#### 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, Coleto Water, 102 Manassas Loop, Victoria, Texas 77904 **Respondent's Attorney:** Not represented by counsel on this enforcement matter Page 1 of 3

	DOCKET NO.: 2007-0935-PWS-E	
VIOLATION SUMMARY CHAR	Г:	
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: X Complaint Routine Enforcement Follow-up Records Review Date(s) of Complaints Relating to this Case: April 2, 2007	Total Assessed: \$2,365 Total Deferred: \$473 <u>X</u> Expedited Settlement Financial Inability to Pay SEP Conditional Offset: \$0	Corrective Actions Taken: The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility: a. On April 11, 2007, submitted written
Date of Investigation Relating to this Case: April 10, 2007 Date of NOV/NOE Relating to this Case: May 24, 2007 (NOE)	Total Paid (Due) to General Revenue: \$317 (remaining \$1,575 due in 5 monthly payments of \$315 each) Site Compliance History Classification	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;
Background Facts: This was a complaint investigation. WATER	High Average Poor Person Compliance History Classification High Average Poor	b. On April 12, 2007, obtained an approved diethyl-p-phenylendiamine indicator chlorine test kit;
1) Failure to provide the public water system's operating records for review during inspections [30 TEX. ADMIN. CODE § 290.46(f)(2)].	Major Source:YesXNo Applicable Penalty Policy: September 2002	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
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)].	en de la participa de la productiva de la construcción de la construcción de la construcción de la construcción Alternativa de la construcción de la Construcción de la construcción de Construcción de la construcción de	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.
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)].		Ordering Provisions: The Order will require the Respondent to: a. Within 30 days after the effective date of
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)].		this Agreed Order: i. Begin completing customer service inspection certificates prior to providing continuous water service to new construction; and
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)].		<ul><li>ii. Provide a flow measuring device for the water system well.</li><li>b. Submit written certification to demonstrate compliance with Ordering Provision of the system of the sy</li></ul>
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)].		Provision a. c. Within 90 days after the effective date of the Agreed Order, obtain a sanitary control easement or an exception to the easement

7) Failure to issue customer service		requirement that covers the land within
inspection certificates prior to providing continuous water service to new		150 feet of the well.
construction [30 Tex. ADMIN. CODE §		d. Within 105 days after the effective date
290.46(j)].		of this Agreed Order, submit written
8) Deiluse to accientain a minimum		certification and include detailed
8) Failure to maintain a minimum disinfectant residual of 0.2 mg/L free		supporting documentation including photographs, receipts, and/or other records
chlorine throughout the distribution system		to demonstrate compliance with Ordering
at all times [30 TEX. ADMIN. CODE §		Provision c.
290.110(b)(2)].		
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)].		

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Additional ID No(s).: PWS ID 2350036

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	Penalty	Calculatio	n Works	sheet (P	CW)	
Policy Revision 2 (Sep	tember 2002)				PCW Revision No	ovember 6, 2007
DATES Assigned	29-May-2007	tut i kanalisi su		· · · · · · ·		
PCW		ng 13-Jun-2007	EPA Due	· · · · · · · · · · · · · · · · · · ·		
RESPONDENT/FACILITY		a sector de la companya				
Respondent Reg. Ent. Ref. No.	Corinne Maib dba Coleto	Water		· · · · ·		
Facility/Site Region			Maior/	Minor Source	Minor	-
CASE INFORMATION	22702			Contraction (Contraction)		
Enf./Case ID No. Docket No.	2007-0935-PWS-E		NO.	of Violations Order Type		
	Public Water Supply		Enf		Stephen Thompson	
Multi-Media		· · · · · · · · · · · · ·			Enforcement Team 2	2
Admin. Penalty \$	Limit Minimum \$50	Maximum	\$1,000			*··*
	Pen	alty Calcula	tion Sec	tion		
TOTAL BASE PENAL	TY (Sum of violation	-			Subtotal 1	\$1,500
ADJUSTMENTS (+/-) Subtotals 2-7 are obtai	TO SUBTOTAL 1 ned by multiplying the Total Base	Penalfy (Subtotal 1) by	the indicated per	centage		
Compliance Hist		<ul> <li>courses and state and an an</li></ul>	Enhancement		otals 2, 3, & 7	\$495
	The Respondent has be			the second s	- dasaran azərbi də	· · · · · · · · · · · · · · · · · · ·
Notes	that contain violations current enforcement ac			المتراجب المتعربين المتراجب		
Culpability	No	0%	Enhancement		Subtotal 4	\$0
Notes	The Respondent	does not meet the	e culpability cr	iteria.		
		10.00000000000000000000000000000000000				
Good Faith Effor	and a second	0% PRP/Settlement Offer	Reduction		Subtotal 5	\$0
Extraordinary			· · · ·			
Ordinary						
N/A	X (mark with x	)			ı .	
Notes	The Respondent	does not meet the	e good faith cr	iteria.		
					J	
<sup>17</sup> ACTINGSON, S.		Comparison of the contract	Enhancement*		Subtotal 6	\$0
Approx.	Total EB Amounts \$433 Cost of Compliance \$2,020	*Capped	at the Total EB \$	Amount		
SUM OF SUBTOTAL	S 1-7				Final Subtotal	\$1,995
	S JUSTICE MAY REC		19%		Adjustment	\$370
Notes	Enhancement recon		ery of avoided	costs of		
NULES		compliance.				
	· · · · · · · · · · · · · · · · · · ·			Final Pe	nalty Amount	\$2,365
	• 1874° Nova Augusta Strand and State of Statements August 25 and a statements	The second se	na de la devina de la deventa de la deventa de la deventa de	the investment is a first sector of the first	10 v 10 00 00 00 00 00 00 00 00 00 00 00 00	
STATUTORY LIMIT A	DJUSTMENT			Final Asse	ssed Penalty	\$2,365
	alty by the indicted percentage. (	Enter number only: a o	20%	Reduction	Adjustment	-\$473
	any by the indicted percentage. (	Enter normoer only, e.g	. 2010/ 20% 1000		]	;
Notes	Deferral of	fered for expedite	d settlement.	na strana Angelander		
		<u>tri na serieta</u>	a de la composición d	<u>el de la composition de la co</u>	J .	
PAYABLE PENALTY	an a		a na tanya k		CERTIFICATION	\$1,892
	<u>e a la sécula de la secula de la</u>		er de la selección d	<u> 등 등 위험 이 있는 것 않</u>	1 Set 1 전 2016년 40 전 2017	φ1,032

	Screen	ing Date 13-Jun-2007 Docket No. 2007-0935-PWS-E			PCW
		pondent Corinne Maib dba Coleto Water	Policy R	evision 2 (Sep	Read Street Street
		se ID No. 33793	-	Revision Nove	
Rou		ence No. RN102683562			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
ixey.		[Statute] Public Water Supply			
				1	
	EIII. COO	ordinator Stephen Thompson	a de la composition		
		Compliance History Worksheet		n	
		/ Site Enhancement (Subtotal 2)		na da anti-	
	Component	Number of	Enter Number Here	Adjust.	4
	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%	1
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
	Orders	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%	
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )		0%	
	and Consent Decrees	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%	
	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%	
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	Q	0%	
r		Plea	se Enter Yes or No		٦
		Environmental management systems in place for one year or more	No	0%	
•	Other	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 F	ercentage (S	ubtotal 2)	339
Repea	it Violator (Su	btotal 3)		(n. 14) a (to nor (to n) boom) bits (n. 14) a (to nor (to n) boom) bits (to n) a (to n) bits (to n) bits (to n) bits (to n) bits (to n)	96-20402.,
Ī	N//	A Adjustment F	Percentage (S	ubtotal 3)	0%
Comp	liance History	/ Person Classification (Subtotal 7)			
. [	N/A	A Adjustment F	ercentage (S	ubtotal 7)	0%
• Comp	liance History	/ Summary			
	Compliance History Notes	The Respondent has been issued three Notices of Violation ("NOV") that contain violation same or similar to those in the current enforcement action and nine NOVs with dissimila			
		Total Adjustment Percentage	e (Subtotals :	2, 3, & 7)	33%

	ng Date 13-Jun-2007 Dondent Corinne Maib c		ocket No. 2007-0935-PWS-E	Policy Revision 2 (Se	PCW
	e ID No. 33793			PCW Revision Nov	
1 · · · · · · · · · · · · · · · · · · ·	nce No. RN102683562				
	Statute] Public Water S				
	dinator Stephen Thom	pson			1
Violation	Number 1				
Ru	le Cite(s)	30 Tex. Admin.	Code § 290.46(f)(2)		
Violation De	scription inspections.	Specifically, the Responden	stem's operating records for review at did not have records of the volun riological monitoring available for re	me of water	
			Ва	ase Penalty	\$1,000
>> Environmental, Pr	operty and Human H				
	Release Major	Harm Moderate Minor			
OR	Actual				
	Potential		Percent 0%		
>>Programmatic Mat					
Fal	sification Major	Moderate Minor	Dereast 50	7	
		X eres dans en s	Percent 5%	<u>b</u>	Ann a
				generalize in g	2
Matrix Notes	The Respondent fa	iled to comply with approxir	mately 30% of the rule requiremen	it.	and the
				n an	- 864 E.
		 ////////////////////////////////////	Adjustment	\$950	and in Nation
			, , , , , , , , , , , , , , , , , , ,	¥3300]	adat Alianti
					\$50
Violation Events					
Num	ber of Violation Events		64 Number of violation da	ays	
			· · · · · ·		
	daily monthly				
mar	k only one quarterly		Violation Ba	se Penalty	\$50
	<sup>/ith an x</sup> semiannual			· · · · · · · · · · · · · · · · · · ·	
	annual				
	single event	A Contraction of the second	•		
		One single event is rec	commended.		
Economic Benefit (EE	B) for this violation		Statutory Limit Te	est	
. 6	Estimated EB Amount	\$1	Violation Final Pe	enalty Total	\$79
		This violation F	inal Assessed Penalty (adjusted	for limits)	\$79
			mai Assessed r enaity (aujusteu		<u>ψι</u> 5

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	E	conomic l	3enefit W	orks	sheet		
Respondent	Corinne Maib d	ba Coleto Water	s an tai shadilala a da bi	an shi bi sa Bila i	er - er værð beskild á hliði viðstur - maðaru. -	a ann an 1996 an 1996 ann a' ann an 1997 ann an 1997 ann a' suidh ann a' suidh ann a' suidh ann a' suidh ann a Tha ann an 1997 ann a' suidh	ann an 1916 an - Milli Marailtea
Case ID No	33793						.13
Reg. Ent. Reference No	RN102683562						
그는 그는 그는 것 같아. 이 것 같아.	Public Water S	upply					Years of
Violation No.	1	-66.5		¢		Percent Interest	Depreciation
Toldionino		use more es.	CONTRACTOR OF STREET		- XIII BANA SA	5.0	15
	Item Cost	Dete De setue d	Final Data	V	Interest Saved	L	EB Amount
	요즘 지구 집안 가 있는 것 같아.	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			<u>dala da</u>	a and a second secon	and a start of the second s	
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Delayed Costs							and the second of the
Equipment		aghda a' ne san		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	\$100	10.0.0007	0.1	0.0	\$0	n/a	\$0
Record Keeping System	\$100	10-Apr-2007	6-Jun-2007	0.2	\$1	n/a	<u>\$1</u> \$0
Training/Sampling				0.0	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal Permit Costs					\$0	n/a n/a	\$0 \$0
Other (as needed)					\$0 \$0	n/a	\$0 \$0
Notes for DELAYED costs	The estim				system's records, ndent returned to c	calculated from the compliance.	date of the
Avoided Costs	ΔΝΝ	IIAI IZE [1] avoide	d costs before e	entering	item (excent for	one-time avoided c	osts)
Disposal				1 0.0	1 \$0	\$0	\$0
Personnel	1			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 o	costs ass	sociated with this v	iolation.	an an Arristan 🖡 🖓
e de la companya de l					1		
	· · · · · ·						
Approx. Cost of Compliance		\$100			TOTAL		\$1

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Screening Date	13-Jun-2007	Docket No	<b>b.</b> 2007-0935-PWS-E		PCW
	Corinne Maib dba Coleto Wate	er		Policy Revision 2 (Septe	mber 2002)
Case ID No.	33793			PCW Revision Novem	ber 6, 2007
Reg. Ent. Reference No.	RN102683562		· .		
Media [Statute]	Public Water Supply				
Enf. Coordinator	Stephen Thompson				
Violation Number	2				
Rule Cite(s)	30 T	ex. Admin. Code § 290	0.110(d)(3)		
Violation Description		using an approved met		ondent	
			Base	Penalty	\$1,000
>> Environmental, Property a	ind Human Health Matrix				
	Harm				
Release		Minor			
OR Actual					
Potential		X	Percent 5%		
>>Programmatic Matrix					
Falsification	Major Moderate	Minor			
Taislication			Percent 0%		
Eailure to util	lize an approved chlorine test m	ethod can prevent the	system from accurately me	asuring	
Matrix the disinfecta	ant chlorine residual which could				
	ficant amount of pollutants whic				0 2
	<u> </u>				20 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -
		自己的 化合金 计分子	Adjustment	\$950	na National de la
				*	
					\$50
Violation Events					-
Number of Vic	blation Events	64	Number of violation days		
	daily				
	monthly	•			
mark only one	quarterly		Violation Base	Penalty	\$50
with an x	semiannual		•	- 1 <u></u>	
	annual				
	single event x				
		· · · · · · · · · · · · · · · · · · ·		······	
	One single	event is recommende	d.		
Economic Benefit (EB) for th	is violation		Statutory Limit Test		
Estimated	d EB Amount	\$0	Violation Final Penal	ty Total	\$79
		e vieletien Einel Arres	and Denalty (- Buch - Fr	· limite)	¢701
	ותן היינון אינט אינט אינט אינט אינט אינט אינט אינט	S VIOLATION FINAL ASSE	essed Penalty (adjusted for	(infits)	\$79

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그는 것이 있는 것이 안 모두 그리는 것이 많이 많이 많이 없다. 것이 많이	2.4	lba Coleto Water				- a	
Case ID No	. 33793					5	
Reg. Ent. Reference No	RN102683562						4.11 4.1
Mediz	a Public Water S	vlaau					Years of
Violation No	6 X				, ÷	Percent Interest	Depreciation
Tioldton no						bard a state of the state of th	an a
						5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	<ol> <li>No commas or \$</li> </ol>	na si sense a substanti a di sense di Sepanan Sense a constante a substanti a substanti a substanti a substanti Sense a constante a substanti a substant		a de constituído Antes a constituído		v shuga ta shuka sha ka shekara. Markar	
<b>N</b> IN IA	and the set of the set			76.740.07		nandi ku ku shakar ta kuk	NATION DE LA CAL
Delayed Costs		10 4 0007	40.40007			I 60 I	<u> </u>
Equipment Buildings	\$400	10-Apr-2007	12-Apr-2007	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.0	\$0 \$0	\$0 \$0	
Engineering/construction				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.0	\$0	φυ n/a trans	\$0
Record Keeping System				0.0	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.0	\$0	n/a	<u>\$0</u> \$0
Remediation/Disposal				0.0	\$0	n/a	\$0 \$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	-			0.0	\$0	n/a	\$0 \$0
Notes for DELAYED costs	The estimate				kit calculated from rned to complianc	n the date of the inve e.	stigation to the
			ad costs before a				
Avoided Costs	Allow Allow and Allow and a strain of the	UALIZEIII avuiu		nterina	item (except for	one-time avoided c	osts)
Avoided Costs Disposal	<u> </u>			Contraining and the second		one-time avoided c	
ar and an a lot of international next, including the lot of internation of a second state of the				ntering 0.0 0.0	item (except for \$0 \$0	one-time avoided c \$0 \$0	<b>:osts)</b> \$0 \$0
Disposal				0.0	\$0	\$0	\$0
Disposal Personnel				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Disposal Personnel Inspection/Reporting/Sampling				0.0 0.0 0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			a are no avoided co	0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)				0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)				0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

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Screening Da			Docket No. 2007-093	5-PWS-E	PCW
Responde Case ID N	nt Corinne Maib d	lba Coleto Water		-	evision 2 (September 2002)
Reg. Ent. Reference N				PCW	Revision November 6, 2007
. –	e] Public Water S	upply	н. - Полония (1996)		
Enf. Coordinate			,	·	
Violation Numb					
Rule Cite	s)	30 Tex. Admin.	Code § 290.41(c)(1)(F)		
Violation Description	Failed to obtai	n a sanitary control easen Executive Director	nent covering land withir approval for an exceptic		
				Base Penalty	\$1,000
>> Environmental, Property	and Human H				
Relea	se Major	Harm Moderate Minor			
OR Actu			]		
Potent	al		Percent	5%	
>>Programmatic Matrix					
Falsificatio	n Major	Moderate Minor	-		
			] Percent	0%	
		control easement could re nount of contaminants whi	ch would not exceed lev		
		health,			
行行作用。在中国制作用			Adjustmer	t \$950	
				1	\$50
					φου
Violation Events					• • • • • •
Number of '	/iolation Events	±x.≙1≩ ·	Number of	of violation days	
	daily monthly				•
mark only on with an x				violation Base Penalty	\$50
	annual single event	X	· · ·		
					1
		One single event is r	ecommended.		
Economic Benefit (EB) for	this violation		Statuto	ry Limit Test	<b>接机时间 [1</b> 4]
Estima	ed EB Amount	\$16	] Violat	ion Final Penalty Total	\$79
•		This violation	n Final Assessed Pena	ty (adjusted for limits)	\$79

	E	conomic l	Benefit W	orks	sheet		
Respondent Case ID No.	Corinne Maib d	الها استاها الناء فواقله الأقلاع ويستحص ماعيدا ومه			nenneren over over over	n haan tarbii soo ah ah daraa iyo boligii	d - al magnerication and a distribution of
Reg. Ent. Reference No.	RN102683562						
Media Violation No.	Public Water Si 3	upply			· · · ·	Percent Interest	Years of Depreciation
	n en de anter en anter en anter en anter En anter en anter en anter en anter En anter en anter en anter en anter		Figure 41 (2014) - Construction of the second se			5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
	n konstanti Marta					na in the second	artaama jaali
Delayed Costs				1	<b>A</b> 0		
Equipment				0.0	\$0 \$0	\$0,,+* \$0	\$0
Buildings	\$200	10-Apr-2007	31-May-2008	1.1	\$0	\$0 \$15	\$0\$16
Other (as needed) Engineering/construction	<u> </u>	TU-Apr-2007	31-IVIAV-2000	0.0	\$0	\$15	\$16
Land				0.0	\$0 \$0	4* n/ar	<u>\$0</u> \$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	<ul> <li>n/a</li> </ul>	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0 \$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	requi	rement, calculated	from the date of t	ne inves	tigation to the estir	nt or exception to the nated date of compli	ance.
Disposal				0.0	\$0	\$0	\$0
Personnel			···· · · · · · · · · · · · · · · · · ·	0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	<u></u>			0.0	····· \$0 ·····	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]	·	and a second second		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 c	osts ass	ociated with this v	iolation.	
Approx. Cost of Compliance		\$200			TOTAL		\$16

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Screening Date	13-Jun-2007 Docket N	lo. 2007-0935-PWS-E
Respondent	Corinne Maib dba Coleto Water	Policy Revision 2 (September 2002)
Case ID No.		PCW Revision November 6, 2007
Reg. Ent. Reference No.		
	Public Water Supply	
Enf. Coordinator Violation Number		
Rule Cite(s)		
	30 Tex. Admin. Code § 2	90.43(C)(3)
Violation Description	Failed to provide the ground storage tank with an o a gap of no more than 1/16 inch. Specifically, the does not close	ground storage tank's overflow cover
		Base Penalty \$1,000
>> Environmental, Property a	nd Human Health Matrix	
Release	Major Moderate Minor	:
OR Actual		
Potential		Percent 10%
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
		Percent 0%
Eailure to	provide the ground storage tank with a flap for the c	overflow pine valve could expose
	f the water supply to a significant amount of contam protective of human health.	
		Adjustment \$900
· · · ·		\$100
Violation Events		
VIOIAUOIT EVEntis and a second		
Number of Vic	lation Events 64	Number of violation days
	daily	
•	monthly	
mark only one	quarterly <b>x</b> and <b>x</b>	Violation Base Penalty \$100
with an x	semiannual	
	single event	
One quarterly	event is recommended from the date of the investig case screening on June 13, 200	
Economic Benefit (EB) for th	s violation	Statutory Limit Test
Estimated	EB Amount \$0	Violation Final Penalty Total\$158
	This violation Final Ass	sessed Penalty (adjusted for limits) \$158

#### Page 2 of 2, 1/15/2009, H:\Agreed Orders\ColetoWater-CorinneMaib\2007-0935-pws-e\_pcw\_coleto water.xls

	성장 전문 문	conomic	Benefit W	orks	sheet		
Case ID No	578	ba Coleto Water	en angen an antara an angen da tanang gana d			en hallen de seur skaladerskanser, det skaladerskanser for skalader i sok 1 1	a dan dan samu dalam ya dan sa sa da sa 
Reg. Ent. Reference No Media Violation No	a Public Water Su	upply			х 1 г. г.	Percent Interest	Years of Depreciation
a de la companya de l						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$						an dia mandri di Angela di Ang Angela di Angela di An
		en el com desta de tes			oranosa nya takana ny	संदर्धीला जनवर्षा वर्षे स्वयुक्त संस्थ	
Delayed Costs Equipment	<u>}</u>	a a success a success of the state		1 0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0 \$0	<u>\$0</u> \$0
Other (as needed)	\$50	10-Apr-2007	31-May-2007	0.0	\$0	\$0	\$0 \$0
Engineering/construction		10-Apr-2007	01-14124-2001	0.0	\$0	\$0	\$0
Land		ta na parte na di		0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a 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	1/16 of an incl	n, calculated from t	he date of the inve	estigation	n to the date the R	pe valve with a gap lespondent returned	to compliance.
Notes for DELAYED costs	1/16 of an incl	n, calculated from t	he date of the inve	estigation	n to the date the R item (except for	espondent returned one-time avoided c	to compliance,
Avoided Costs Disposal	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R Item (except for \$0	espondent returned one-time avoided c \$0	to compliance. osts) \$0
Avoided Costs Disposal Personnel	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R item (except for \$0 \$0	espondent returned one-time avoided c \$0 \$0	to compliance, oosts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R item (except for \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0	to compliance, oosts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0	to compliance. <b>sosts)</b> \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0 \$0	to compliance. (osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	1/16 of an incl	n, calculated from t	he date of the inve	estigation	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	to compliance. <b>sosts)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	1/16 of an incl	n, calculated from t	he date of the inve	ntering	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0 \$0	to compliance. (osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	1/16 of an incl	n, calculated from t	he date of the inve	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	to compliance, <b>sosts)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	1/16 of an incl	n, calculated from t	he date of the inve ed costs before e	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	n to the date the R item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	espondent returned one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	to compliance, <b>sosts)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

 $\label{eq:alpha} \left\{ \begin{array}{ll} \sum_{k=1}^{N} \frac{1}{k} = \frac{1}{2} \sum_{k=1}^{N} \frac{1}{k} \sum_{k=1}^$ 

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Screening Date	13-Jun-2007	Dock	et No. 2007-0935-PWS-E	PCW
	Corinne Maib dba Coleto V	Vater		Policy Revision 2 (September 2002)
Case ID No.				PCW Revision November 6, 2007
Reg. Ent. Reference No.				
1	Public Water Supply			
Enf. Coordinator				
Violation Number Rule Cite(s)				<u> </u>
Kule Cite(s)	30	) Tex. Admin. Code §	§ 290.41(c)(3)(N)	
			-	
Violation Description	provide for the accumulat		device to measure production yie on data. Specifically, the flow m does not function.	
,	C77,2000	· · · · · · · · · · · · · · · · · · ·	Baaa	
			Base	Penalty\$1,000
>> Environmental, Property a		rix		
Release	Harm Major Moderate	Minor		
OR Actual				
Potential		X	Percent 5%	
>>Programmatic Matrix				
Falsification	Major Moderate	Minor		
			Percent 0%	
			the system from obtaining accur le to provide a sufficient water su	
			Adjustment	\$950
			Aujustinent	
	· .			\$50
Violation Events		把社会对科		
Number of Via	lation Events	No. 1	Number of violation days	3
· · · · · · · · · · · · · · · · · · ·			<u></u>	
	daily			
	monthly			P
mark only one with an x	quarterly semiannual		Violation Base	Penalty \$50
	annual			×
	single event x			· · · ·
		-		·
	One sin	igle event is recomm	iended.	
Economic Benefit (EB) for thi	s violation		Statutory Limit Tes	t.
Estimated	EB Amount	\$25	Violation Final Pena	Ity Total \$79
		This violation Final	Assessed Penalty (adjusted for	or limits) \$79

#### Page 2 of 2, 1/15/2009, H:\Agreed Orders\ColetoWater-CorinneMaib\2007-0935-pws-e\_pcw\_coleto water.xls

		ba Coleto Water					
Case ID No	- 1						
Reg. Ent. Reference No	RN102683562						•
Media	Public Water S	upply				Percent Interest	Years of
Violation No	5				1.12	Fercent interest	Depreciation
		an galanti a tiya an ara Ta san ƙƙ				5.0	- 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	그 그 같은 것이 같은 것을 많이 했다. 것은 것을 많이 했다. 것은 것은 것을 많이 없는 것은 것을 많이 없다. 것은 것은 것은 것은 것을 많이 없다. 것은 것은 것은 것을 많이 없다. 것은 것은 것을 많이 없다. 것은	Bulo Roquirou	1 mai paro	•••			227,00000
ReinDescription	I NO CONTRAS OF A	ar albra, Dalais, ann ad Sort		alinis debau			a Cadada di Sila da
Delayed Costs							
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		And the part of the second		0.0	\$0	n/a	\$0
Training/Sampling	et and and and		a series de la composición de la compos	0.0	\$0	n/a	\$0
Remediation/Disposal	an na ana maritra		and the second sec	0.0	\$0	n/a	\$0
Permit Costs			and the second	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
	Estimated c	osts to replace or re	enair the flow mete	er for the	e water system we	li calculated from th	e date of the
Notes for DELAYED costs Avoided Costs		in in	vestigation to the e	estimate ntering	ed date of complia	one-time avoided c	osts)
Avoided Costs Disposal		in in	vestigation to the e	estimate	ed date of complia	nce. one-time avoided c \$0	osts) \$0
Avoided Costs Disposal Personnel		in in	vestigation to the e	estimate	item (except for \$0 \$0	nce. one-time avoided c \$0 \$0	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		in in	vestigation to the e	estimate	ed date of complia item (except for \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		in in	vestigation to the e	estimate 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		in in	vestigation to the e	estimate 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		in in	vestigation to the e	estimate 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		in in	vestigation to the e	estimate 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		In UALIZE [1] avoide	vestigation to the e	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nce. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

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	PCW icy Revision 2 (September 2002) PCW Revision November 6, 2007
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.	at .
Base Pena	alty\$1,000
>> Environmental, Property and Human Health Matrix	
Release     Major     Moderate     Minor       OR     Actual	
>>Programmatic Matrix Falsification Major Moderate Minor	
Percent 10%	
Matrix Notes 100% of the rule requirement was not met.	
Adjustment	
	\$100
Violation Events	
Number of Violation Events	
mark only one with an x with an x annual single event	alty\$100
One single event is recommended.	
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$2 Violation Final Penalty To	otal \$158
This violation Final Assessed Penalty (adjusted for lim	its) \$158

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#### Page 2 of 2, 1/15/2009, H:\Agreed Orders\ColetoWater-CorinneMaib\2007-0935-pws-e\_pcw\_coleto water.xls

Case ID No. Reg. Ent. Reference No.	33793	dba Coleto Water					I
Media Violation No.	Public Water S 6	Supply				Percent Interest	Years of Depreciation
				s in veito		5.0	
Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs		Section Andread and a section of the					n de la composition d La composition de la c
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 tele	\$0
Record Keeping System			1	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal			a din si a	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal	system, c	d cost includes the a alculated from the d	ate of the investig	pation to	the date the Resp Item (except for \$0	ondent returned to c one-time avoided c \$0	compliance. :osts) \$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
				0.0	\$0	\$0	\$0
Financial Assurance [2]			u a startar, se	0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]			<u> </u>	0.0	\$0	\$0	\$0
5.7					ociated with this v	iolation	

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#### Page 1 of 2, 1/15/2009, H:\Agreed Orders\ColetoWater-CorinneMaib\2007-0935-pws-e\_pcw\_coleto water.xls

Screening Date 1	13-Jun-2007	Dock	ket No. 2007-0935-PWS-E	PCW
Respondent (	Corinne Maib dba Coleto	Water	Po	olicy Revision 2 (September 2002)
Case ID No. 3	33793			PCW Revision November 6, 2007
Reg. Ent. Reference No. F				
Media [Statute] F				
Enf. Coordinator	Stephen Thompson			
Violation Number	7		·.	
Rule Cite(s)		30 Tex. Admin. Co	ode § 290.46(j)	•
Violation Description	water service to new	construction. Specifi	certificates prior to providing continuo ically, there were no customer service buses connected to the water system.	
>> Environmental, Property an	nd Human Health Ma	atrix	Base Per	n <b>alty</b> \$1,000
	Harm			,
Release	Major Moderate	Minor		
OR Actual				
Potential	en de la france de la companya 🗙 👘		Percent 10%	
>>Programmatic Matrix				
Falsification	Major Moderate	Minor		
			Percent 0%	
	d expose the customers		nstruction, ensuring appropriate plumb pollutants which would not exceed le n health.	
的人物社会與其他的主要的主要的社会和			Adjustment	<u>1900</u>
				\$100 ÷
Violation Events				
	6		64 Number of violation days	
	daily			
	monthly	2		
• •	quarterly semiannual annual single event x		Violation Base Per	nalty \$600
	Six single events	(one for each house)	are recommended.	
Economic Benefit (EB) for this		2088 A.E.U.	Statutory Limit Test	
Estimated I	EB Amount	\$19	Violation Final Penalty T	otal \$946
		This violation Final	Assessed Penalty (adjusted for lin	nits) \$946

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Reg. Ent. Reference No	. 33793 RN102683562				1 I - 1		л. 1. с
	Public Water S	upply			na tel de Rocké La constante	Percent Interest	Years of Depreciation
				n ng san P Dawayong P		5.0	1
Ware Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		<u>1999 - Andre Fridaanse e</u>		n en 1977 - Andrew Alexandra, Andrew Karley An anna an anna an an an an an an an an a		ala de la composición de la composición La composición de la c
Delayed Costs	<b>,</b>						
Equipment				0.0	\$0	\$0	si
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		and the second second		0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling			entre de la com	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		cost to establish a c					
Notes for DELAYED costs Avoided Costs Disposal	cons	truction, calculated	from the date of t	ne inves ntering	tigation to the esti Item (except for \$0	mated date of compl one-time avoided c	iance. osts) \$0
Avoided Costs Disposal Personnel	cons	truction, calculated	from the date of t	ne inves ntering 0.0 0.0	tigation to the esti item (except for \$0 \$0	mated date of compl one-time avoided c \$0 \$0	iance. . <b>osts)</b> \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	cons	truction, calculated	from the date of t	ne inves ntering 0.0 0.0 0.0	tigation to the esti item (except for \$0 \$0 \$0 \$0	mated date of compl one-time avoided c \$0 \$0 \$0	iance. osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	cons	truction, calculated	from the date of t	ntering 0.0 0.0 0.0 0.0	tigation to the esti item (except for \$0 \$0 \$0 \$0 \$0	mated date of compl one-time avoided c \$0 \$0 \$0 \$0	iance. sots) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	cons	truction, calculated	from the date of t	ne inves ntering 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of compl one-time avoided c \$0 \$0 \$0 \$0 \$0	iance. so \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	cons	truction, calculated	from the date of t	ne inves	item (except for           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0	nated date of compl one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	iance. so \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	cons	truction, calculated	from the date of t	ne inves ntering 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of compl one-time avoided c \$0 \$0 \$0 \$0 \$0	iance. sots) \$0 \$0 \$0 \$0 \$0 \$0 \$0

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Screening Date	13-Jun-2007	Docke	t No. 2007-0935-PWS-E	PCW
-	Corinne Maib dba Coleto	Water		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				
Violation Number				
·Rule Cite(s)		30 Tex. Admin. Code §	290.110(b)(2)	
Violation Description	free chlorine throughout 2007, the disinfectant re	t the distribution system	dual of 0.2 milligrams per liter ("r a at all times. Specifically, on Ap o be 0.00 mg/L of free chlorine a t 411 Debbie Drive.	pril 10,
т.		•	Base	Penalty \$1,000
>> Environmental, Property a	nd Human Health Ma	atrix		
	Harm			
OR Actual	Major Moderate	Minor		
Potential			Percent 25%	
>>Programmatic Matrix	: 在目前看到了不同。			
Falsification	Major Moderate	Minor	·······	
	the static discussion		Percent 0%	
			pply customers could be expose	
Notes significant a	mounts of contaminants w	hich would exceed leve	Is that are protective of human I	nealth.
			· · · · · · · · · · · · · · · · · · ·	<u> </u>
		1348 · 제12 · 1 위기	Adjustment	\$750
				COEO
				\$250
Violation Events				
		- -	, 	
			Number of violation days	· .
	daily	3		
	monthly	의 이		
mark only one	quarterly		Violation Base	Penalty \$250
with an x	semiannual			·
	annual			
	single event x			
	One si	ingle event is recomme	nded.	
Economic Benefit (EB) for thi	s violation		Statutory Limit Test	
Estimated	EB Amount	\$120	Violation Final Penal	ty Total \$394
		Inis violation Final A	ssessed Penalty (adjusted for	r limits) \$394

Reg. Ent. Reference No Media Violation No	Public Water S	upply				Percent Interest	Years of Depreciation
	,0					5.0	Depresiation 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	ł	EB Amount
Item Description	No commas or \$			Andreas destructions	erre en seuer des la companye en la companye de la La companye de la comp	MARCH AND A SECOND	<u>22</u> 026 a Shi ur
Delayed Costs	etika faran s						
Equipment				0.0	\$0	5	:: <b>\$0</b>
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			1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	0.0	\$0	n/a	\$0
Training/Sampling		a da da da da		0.0	\$0	n/a	\$0
Remediation/Disposal	and the second second			0.0	\$0	• n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN				item (except for \$0 \$0 \$0 \$0	iolation. one-time avoided c \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0
Supplies/equipment				0.0	\$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 \$0	\$120	\$120
				0.0	\$0	\$0	\$0
Other (as needed)	· · · · · · · · · · · · · · · · · · ·	aata inaluida tha am	ount of additional	oversial	nt and maintenanc	e that could have pro	evented the low ne 0.2 mg/L

Screening Date		antist tu on the most second of the superior definition of the	Docket	No. 2007-0935-PWS-E		PCW
		dba Coleto Water	•		Policy Re	vision 2 (September 2002)
Case ID No.					PCW R	evision November 6, 2007
Reg. Ent. Reference No.						
Media [Statute]						
Enf. Coordinator Violation Number	Stephen Inon	ipson				
Rule Cite(s)	<u>ə</u> l	2			<u> </u>	
Kale one(3)	:	30 Tex. Adm	in Code §§ 290.4	14(d) and 290.46(r)		
Violation Description		ystem at all times.	Specifically, on /	unds per square inch ("psi") w April 10, 2007, the water press t 502 Holly Lane.		
		•		Base	Penalty	\$1,000
>> Environmental, Property a	nd Human I	-loalth Matrix				
	nu numan i	Harm				2
Release	Major	Moderate N	linor			
OR Actual Potential				Bassart 0594		
Potential	X	<u> </u>		Percent 25%		
>>Programmatic Matrix						
Falsification	Major	Moderate N	linor			
				Percent 0%		
				on of the water system, expos		
Notes Supply custor	ners to signific		lutants which wol man health.	uld exceed levels that are prot	ective of	
						1.75
[1] [2] [7] <b>通应制度</b> 的影响。	18.18.182		· · · · · · · · · · · · · · · · · · ·	Adjustment	\$750	· · ·
				· · · ·		
						\$250
Violation Events	新報 111-1					, et an entre andere
Number of Vio	lation Events	11 I I I I I I I I I I I I I I I I I I		Number of violation day	s	
				<u> </u>	-	
×	daily					
	monthly			Maleffer Dese	<b>D</b>	¢050
mark only one with an x	quarterly semiannual			Violation Base	Penalty	\$250
	annual					.
	single event	x				
		One single ev	/ent is recommer	nded.		
		Ť				
Economic Benefit (EB) for thi	s violation			Statutory Limit Tes	t	
Estimated	EB Amount		\$250	Violation Final Pena	Ity Total	\$394
		<b>T</b> L :	······			
		I NIS V	iolation Final As	ssessed Penalty (adjusted fo	or limits)	\$394

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	3793	ba Coleto Water			- 	1999 - 99 19	
Reg. Ent. Reference No. R	N102683562						•
Media P Violation No. 9	Public Water S	upply			1	Percent Interest	Years of Depreciation
	anny na seine an Martin Nation					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						ze Navi – operatoria Heritari Graditari
Delayed Costs	A station of the state of the						
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		en i concer an		0.0	\$0	n/a	\$0
Remediation/Disposal		n transmission and traight		0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	1			0.0	\$0	n/a	\$0
Notes for DELAYED costs		- Inore	e are no delayed c				
Notes for DELAYED costs Avoided Costs Disposal Bergened	ANN	IUALIZE [1] avoid	ed costs before e	0.0	\$0	one-time avoided c	\$0
Avoided Costs Disposal Personnel	ANN	IUALIZE [1] avoid	ed costs before e	0.0	\$0 \$0	one-time avoided c \$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	UALIZE [1] avoid	ed costs before e	0.0 0.0 0.0	\$0 \$0 \$0	one-time avoided c \$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	IUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	IUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$250	\$0 \$0 \$0 \$0 \$0 \$0 \$250
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$250	10-Apr-2007	 	0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$250 \$0

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Robert Barbon Standon am st

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# **Compliance History**

Custome	er/Respondent/Owner-Operator.	CN603194630	MAIB, CORINNE		Classification:	Rating:		
Regulate	ed Entity:	RN102683562	COLETO WATER		Classification:	Site Rating:		
ID Numb	per(s):	PUBLIC WATER WATER LICENS	SYSTEM/SUPPLY	REGIS	STRATION	2350036 2350036		
Location:			HWY 59 AND REASER DRI					
TCEQ R	egion:	REGION 14 - CC	RPUS CHRISTI					
Date Cor	mpliance History Prepared:	June 14, 2007						
Agency [	Decision Requiring Compliance History:	Enforcement						
Compliar	nce Period:	June 14, 2002 to	June 14, 2007			· · · · · · · · · · · · · · · · · · ·		
TCEQ St	taff Member to Contact for Additional Info	mation Regarding t	his Compliance History		,			
Name:	Anita Keese	Ph	one: (956) 430-6034					
		Site C	ompliance History Com	ponents				
1. Has th	ne site been in existence and/or operation			Yes				
	nere been a (known) change in ownership	-		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				
Compo	nents (Multimedia) for the Site :				,			
A.	Final Enforcement Orders, court judger	nents, and consent	decrees of the state of Texa	s and the fe	deral government.	2. 2004 2. 2004		
	N/A			· · ·		di tang sa	- #3 #	
						ting and the second s		
Β.	Any criminal convictions of the state of	Texas and the fede	ral government.					
C.	N/A Chronic excessive emissions events.	1. Sec. 1997		`	n de la companya de l Companya de la companya de la company	n ser filse Na ser		
0.	N/A		•			•	ίμ Ένω	
D.	The approval dates of investigations. (C	CEDS inv. Track I	No )			,		
D.	<sup>1</sup> 10/15/2003 (392872)	JOEDO IIIV. HEOR. I						
	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)							
	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). (CC	CEDS Inv. Track. No	).)					
	Date: 10/15/2003 (392872							
	Self Report? NO		Class	sification:	Moderate			
			er F 290.109(c)(2)(A)(ii)					
		pter 341, SubChap llect a routine monit	ter A 341.033(d) oring sample in 08/2003.					
	Self Report? NO		Class	sification:	Moderate			
		st a PN for not colle	er F 290.122(c)(2)(A) cting any routine monitoring	samples in	08/2003.			
	Self Report? NO		Class	sification:	Moderate			

Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A					
Description: Self Report?	Failure to collect a routine monitoring	g sample in 10/2003. Classification:	Moderate			
Citation: Description: Date: 01/13/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin	290.122(c)(2)(A)				
Self Report?	NO	Classification:	Moderate			
Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A	341.033(d)				
Description: Self Report?	Failure to collect a routine monitorin	Classification:	Moderate			
Citation: Description: Date: 01/28/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin 004 (393864)		n 11/2003.			
Self Report?	NO	Classification:	Moderate			
Citation: Description:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A Failure to collect a routine monitorin	341.033(d)				
Self Report?	NO	Classification:	Moderate			
Citation: Description: Date: 03/30/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin 004 (393865)		n 12/2003.			
Self Report?	NO	Classification:	Moderate		1.11	. e 🛛 😳
Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A	290.109(c)(2)(A)(ii)	,			· . • •
Description:	Failure to collect a routine monitorin	· · ·				
Self Report?	NO	Classification:	Moderate			
Citation: Description: Date: 04/05/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin 004 (268330)		o 02/2004.	на у селона 1917 г. – Селона 1917 г. – Селона Селона (1917 г. – Селона Селона) 1917 г. – Селона Селона (1917 г. – Селона Селона)		an a
Self Report?	NO	Classification:	Moderate			
Citation: Description: Date: 08/28/2	30 TAC Chapter 290, SubChapter D Failure to provide a certified operato 004 (393866)					
Self Report?	NO	Classification:	Moderate			
Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A	A 341.033(d)			•	
Description: Self Report?	Failure to collect a routine monitorin	Classification:	Moderate			
Citation: Description: Date: 01/28/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin 005 (393867)		07/2004.			
Self Report?	'NO	Classification:	Moderate			
Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A	A 341.033(d)				
Description: Self Report?	Failure to collect a routine monitorin	Classification:	Moderate			
Citation: Description: Date: 03/03/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collectin 005 (393868)		ו 12/2004.			
Self Report?	NO	Classification:	Moderate			
Citation:	30 TAC Chapter 290, SubChapter F 5A THC Chapter 341, SubChapter A	290.109(c)(2)(A)(ii) \ 341.033(d)		• •		
Description: Self Report?	Failure to collect a routine monitorin	g sample in 01/2005. Classification:	Moderate			
Citation: Description: Date: 12/16/2	30 TAC Chapter 290, SubChapter F Failure to post a PN for not collecting 005 (449662)		n 01/2005.	3		
Self Report?	NO	Classification:	Minor			
Citation: Description:	30 TAC Chapter 290, SubChapter D Failure to provide a minimum pressu under normal operating conditions.		tion system	;		
Date: 03/29/2						
Self Report?	NO	Classification:	Minor			
Citation: Description:	30 TAC Chapter 290, SubChapter D Failure to maintain a minimum free o distribution system.		throughout the			

	Date: 08/31/2	2006 (497402)						
	Self Report?	NO	Classification:	Minor				
	Citation:	<sup>-</sup> 30 TAC Chapter 290, SubChapter D 290.46(f)(3)						
	Description: Self Report?	Failed to maintain water system's records of operation 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.	Classification:	Minor				
	Self Report? Citation:	NO 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)	Classification:	WILLOF				
	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) Failure to have a functional cover on the overflow for ground storage tank.						
	Description: 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 w	vater system's wel Classification:	ll. Minor				
	Self Report? Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)	Classification,					
	Description:	Failure to have a map of the water system's distributio						
	Self Report?	NO ·	Classification:	Moderate				
	Citation: Description:	30 TAC Chapter 290, SubChapter D 290.46(j) Failure to have customer service inspection for the six	homes in the wat	er system.				
Envir	onmental audits.							
N/	A	· ·						
Туре	of environmenta	l management systems (EMSs).						
N/A								
Volur	tary on-site com	pliance assessment dates.						
N/A								
	·	ntary pollution reduction program.	. *					
Partic	·			·				
Partic N/A	·							

N/A

Sites Outside of Texas

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N/A

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# 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

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#### 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

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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-phenylendiamine ("DPD") indicator chlorine test kit;
    - 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.

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Corinne Maib dba Coleto Water DOCKET NO. 2007-0935-PWS-E Page 3

- 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.

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  - an an Antonio and an Angelia an Angelia. An Antonio and an Angelia an Angelia an Angelia an Angelia. Angelia a Angelia angelia

Corinne Maib dba Coleto Water DOCKET NO. 2007-0935-PWS-E Page 4

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#### III. DENIALS

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

#### IV. ORDERING PROVISIONS

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 Coleto 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.
    - 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

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> 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.

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### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL OUALITY

For the Commission

Executive Director

1/23/2009

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.

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WWE MAIBOBA ColetoWATER

Name (Printed or typed) Authorized Representative of Corinne Maib dba Coleto Water

Date Date

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.