

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2007-1360-PWS-E TCEQ ID: RN104810619 CASE NO.: 34461**  
**RESPONDENT NAME: T S RANCH & RETREAT, INC.**

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> 5950 Farm-to-Market Road 920, Weatherford, Parker County</p> <p><b>TYPE OF OPERATION:</b> Public Water Supply</p> <p><b>SMALL BUSINESS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on August 25, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney:</b> Ms. Anna M. Cox, Litigation Division, MC 175, (512) 239-0974  Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019  <b>TCEQ Enforcement Coordinator:</b> Mr. Tel Croston, Water Enforcement Section, MC 169, (512) 239-5717  <b>TCEQ Regional Contact:</b> Mr. Sid Slocum, DFW Regional Office, MC R-4, (817) 588-5901  <b>Respondent:</b> Mr. Cliff McClellan, President, T S Ranch &amp; Retreat, Inc., 5950 Farm-to-Market Road 920, Weatherford, Texas 76088  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter.</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b>                      N/A</p> <p><b>Date of Investigation Relating to this Case:</b>                      July 13, 2007</p> <p><b>Date of NOE Relating to this Case:</b>                      July 27, 2007</p> <p><b>Background Facts:</b></p> <p>This case was referred to the Litigation Division on April 8, 2008. The EDPRP was filed on May 20, 2008. Settlement was achieved when an Agreed Order was signed on June 15, 2008.</p> <p><b>Current Compliance Status:</b>                      Not yet in compliance</p> <p><b>PWS:</b></p> <p>1. Failed to seal the wellhead with a gasket or a pliable, crack-resistant caulking compound and failed to cover the casing vent of the well with a 16-mesh or finer corrosion-resistant screening material [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)].</p> <p>2. Failed to compile and maintain an up-to-date Facility operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(1)].</p> <p>3. Failed to maintain, design, fabricate, and erect, test and disinfect all facilities for potable water storage in strict accordance with American Water Works Association ("AWWA") standards [30 TEX. ADMIN. CODE § 290.43(c)].</p>	<p><b>Total Assessed:</b> \$3,350</p> <p><b>Total Deferred:</b> \$0</p> <p><input type="checkbox"/> Expedited Order  <input type="checkbox"/> Financial Inability to Pay  <input type="checkbox"/> SEP Conditional Offset</p> <p><b>Total Paid/Due to General Revenue:</b>                      \$281/3,069                      The Respondent has paid \$281 of the administrative penalty. The remaining amount of \$3,069 of the administrative penalty shall be payable in 11 monthly payments of \$279 each.</p> <p><b>Site Compliance History Classification:</b>                      N/A</p> <p><b>Person Compliance History Classification:</b>                      N/A</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Ordering Provisions:</b></p> <p>The Respondent shall undertake the following technical requirements:</p> <p>(1) Within 10 days:</p> <p>(a) begin maintaining the records of water works operation and maintenance activities including the amount of water treated each week and monthly operating reports;</p> <p>(b) begin monitoring the disinfectant residual at least once every seven days at representative locations throughout the distribution system; and</p> <p>(c) begin operating the water system's disinfection equipment in a manner that will maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system.</p> <p>(2) Within 30 days:</p> <p>(a) submit written documentation that certifies compliance with Ordering Provision No. 1;</p> <p>(b) compile and begin maintaining an up-to-date plant operations manual that is made available for operator review and reference.</p> <p>(c) conduct annual tank inspections of the ground storage and pressure tanks;</p> <p>(d) seal the wellhead with a gasket or a pliable crack-resistant caulking compound and cover the casing vent with 16-mesh or finer corrosion resistant screening material;</p> <p>(e) develop and begin maintaining an up-to-date chemical and microbiological monitoring plan;</p> <p>(f) submit as-built plans and specifications for the Facility's well, ground storage tank, pressure tank, service pump, and hypochlorination system; and</p>

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>4. Failed to provide a suitable sampling cock on the well discharge line prior to treatment [30 TEX. ADMIN. CODE § 290.41(c)(3)(M)].</p> <p>5. Failed to provide minimum pressure tank capacity of 220 gallons [30 TEX. ADMIN. CODE § 290.45(d)(2)(A)(ii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>6. Failed to maintain a free chlorine residual of 0.2 milligrams per liter ("mg/L") throughout the distribution system at all times [30 TEX. ADMIN. CODE § 290.46(d)(2)(A)].</p> <p>7. Failed to inspect the ground storage tank annually [30 TEX. ADMIN. CODE § 290.46(m)(l)(A)].</p> <p>8. Failed to inspect the pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(l)(B)].</p> <p>9. Failed to maintain an up-to-date chemical and microbiological monitoring plan for the water system [30 TEX. ADMIN. CODE § 290.121(a)].</p> <p>10. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days [30 TEX. ADMIN. CODE § 290.110(c)(5)(A)].</p> <p>11. Failed to maintain records of water works operation and maintenance activities [30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(ii) and (f)(3)(E)(i)].</p> <p>12. Failed to submit plans and specifications for the water system that have been prepared by a licensed, professional engineer for Commission review and approval [30 TEX. ADMIN. CODE § 290.39(e)].</p>		<p>(g) provide a sampling cock on the well discharge line.</p> <p>(3) Within 45 days, submit written documentation that certifies compliance with No. 2.</p> <p>(4) Within 90 days:</p> <p>(a) Provide a pressure tank capacity of 220 gallons; and</p> <p>(b) Provide a ground storage tank that meets AWWA standards.</p> <p>(5) Within 105 days, submit written certification demonstrating compliance with No. 4.</p>



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	30-Jul-2007	<b>Screening</b>	15-Aug-2007	<b>EPA Due</b>	
	<b>PCW</b>	14-Mar-2008				

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	T S Ranch & Retreat, Inc.		
<b>Reg. Ent. Ref. No.</b>	RN104810619		
<b>Facility/Site Region</b>	4-Dallas/Fort Worth	<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	34461	<b>No. of Violations</b>	12
<b>Docket No.</b>	2007-1360-PWS-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Public Water Supply	<b>Enf. Coordinator</b>	Tel Croston
<b>Multi-Media</b>		<b>EC's Team</b>	EnforcementTeam 2
<b>Admin. Penalty \$</b>	<b>Limit Minimum</b>	\$50	<b>Maximum</b>
			\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$2,210
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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.

<b>Compliance History</b>	5% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$110
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**Notes** Respondent was issued one Notice of Violation ("NOV") with the same or similar violations in the past five years.

<b>Culpability</b>	No	0% Enhancement	<b>Subtotal 4</b>	\$0
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**Notes** The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply</b>	0% Reduction	<b>Subtotal 5</b>	\$0
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	<b>Before NOV</b>	<b>NOV to EDPRP/Settlement Offer</b>
<b>Extraordinary</b>		
<b>Ordinary</b>		
<b>N/A</b>	X	(mark with x)

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

	0% Enhancement*	<b>Subtotal 6</b>	\$0
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<b>Total EB Amounts</b>	\$1,769	*Capped at the Total EB \$ Amount
<b>Approx. Cost of Compliance</b>	\$13,345	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$2,320
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	44%	<b>Adjustment</b>	\$1,030
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes** Enhancement recommended for recovery of avoided costs of compliance.

<b>Final Penalty Amount</b>	\$3,350
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$3,350
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<b>DEFERRAL</b>		<b>Reduction</b>	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes** Deferral not offered for non-expedited settlement.

<b>PAYABLE PENALTY</b>	\$3,350
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**Screening Date** 15-Aug-2007

**Docket No.** 2007-1360-PWS-E

**PCW**

**Respondent** T S Ranch & Retreat, Inc.

Policy Revision 2 (September 2002)

**Case ID No.** 34461

PCW Revision June 26, 2007

**Reg. Ent. Reference No.** RN104810619

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Tel Croston

**Compliance History Worksheet**

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

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

**>> 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**

Respondent was issued one Notice of Violation ("NOV") with the same or similar violations in the past five years.

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

**Screening Date** 15-Aug-2007 **Docket No.** 2007-1360-PWS-E **PCW**  
**Respondent** T S Ranch & Retreat, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 34461 *PCW Revision June 26, 2007*  
**Reg. Ent. Reference No.** RN104810619  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Tel Croston

**Violation Number**   
**Rule Cite(s)**   
**Violation Description**   
**Base Penalty**

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

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

  
**>> Programmatic Matrix**

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

  
**Matrix Notes**   
**Adjustment**

**Violation Events**  
 Number of Violation Events  Number of violation days   

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	x
	semiannual	<input type="text"/>
	annual	<input type="text"/>

**Economic Benefit (EB) for this violation** **Statutory Limit Test**  
**Estimated EB Amount**  **Violation Final Penalty Total**   
**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment	\$150	13-Jul-2007	1-Apr-2008	0.7	\$0	\$7	\$8
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**      The delayed costs include the amount to properly seal the wellhead and screen the casing vent, calculated from the date of the record review to the estimated date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$150	<b>TOTAL</b>	\$8
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**Screening Date** 15-Aug-2007  
**Respondent** T S Ranch & Retreat, Inc.  
**Case ID No.** 34461  
**Reg. Ent. Reference No.** RN104810619  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Tel Croston

**Docket No.** 2007-1360-PWS-E

**PCW**

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

**Violation Number**   
**Rule Cite(s)**   
**Violation Description**

**Base Penalty**

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

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

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="X"/>

**Violation Base Penalty**

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

## Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 2

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	13-Jul-2007	1-Apr-2008	0.7	\$7	n/a	\$7
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to prepare and maintain a plant operations manual, calculated from the date of record review to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$7

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 34461		<i>PCW Revision June 26, 2007</i>
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		

<b>Violation Number</b>	3
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.43(c)
<b>Violation Description</b>	Failed to maintain, design, fabricate and erect, all facilities for potable water storage in strict accordance with American Water Works Association ("AWWA") standards. Specifically, the 3,000 gallon ground storage tank ("GST") was made of polyurethane, had no ladder, no water level indicator and no overflow.

**Base Penalty**

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

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate		Minor
	<b>Actual</b>	<input type="text"/>	<input type="text"/>		<input type="text"/>
	<b>Potential</b>	<input type="text"/>	x	<input type="text"/>	
				<b>Percent</b> <input style="width: 50px;" type="text" value="10%"/>	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
					<b>Percent</b> <input style="width: 50px;" type="text" value="0%"/>

**Matrix Notes**  
 Failure to properly maintain and design the GSTs in strict accordance with AWWA standards could expose customers of the water supply to significant amounts 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="text"/>
	monthly	<input type="text"/>
	quarterly	x
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

**Violation Base Penalty**

One quarterly event is recommended, calculated from the date of the record review, July 13, 2007, to the date of screening, August 15, 2007.

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

<b>Estimated EB Amount</b> <input style="width: 150px;" type="text" value="\$311"/>	<b>Violation Final Penalty Total</b> <input style="width: 100px;" type="text" value="\$152"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input style="width: 100px;" type="text" value="\$152"/>	

## Economic Benefit Worksheet

**Respondent** T S Ranch & Retreat, Inc.  
**Case ID No.** 34461  
**Reg. Ent. Reference No.** RN104810619  
**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)				0.0	\$0	\$0	\$0
Engineering/construction	\$5,000	13-Jul-2007	1-Jun-2008	0.9	\$15	\$296	\$311
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 construct and equip a GST in accordance with AWWA standards, calculated from the date of the record review to the estimated date of compliance.

### Avoided Costs

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

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

Approx. Cost of Compliance

\$5,000

TOTAL

\$311

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34461	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b>	4	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.41(c)(3)(M)	
<b>Violation Description</b>	Failed to provide a suitable sampling cock on the well discharge line prior to any treatment.	
<b>Base Penalty</b>		\$1,000

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**  
 Failure to have a proper sampling cock could prevent the water system from obtaining accurate and reliable water samples which could result in customers of the water supply being exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

One quarterly event is recommended from the date of the record review July 13, 2007, to the date of screening, August 15, 2007.

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

Estimated EB Amount  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** T S Ranch & Retreat, Inc.  
**Case ID No.** 34461  
**Reg. Ent. Reference No.** RN104810619  
**Media** Public Water Supply  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment	\$200	13-Jul-2007	1-Apr-2008	0.7	\$0	\$10	\$10
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to install a proper sampling cock on the well discharge line, calculated from the date of the record review to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

**TOTAL**

\$10

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 34461		<i>PCW Revision June 26, 2007</i>
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b>	5	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.45(d)(2)(A)(ii) and Tex. Health & Safety Code § 341.0315(c)	
<b>Violation Description</b>	Failed to provide minimum pressure tank capacity of 220 gallons. Specifically the current pressure tank has a capacity of 81 gallons, which is a 63% deficiency.	
	<b>Base Penalty</b>	\$1,000

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

<b>OR</b>	<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor
	<b>Actual</b>			
<b>Potential</b>	x			<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">25%</span>

**>> Programmatic Matrix**

<b>Falsification</b>	Major	Moderate	Minor	
				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0%</span>

**Matrix Notes** Without sufficient pressure tank capacity the system could experience water outages and its ability to provide a safe and adequate water supply could be impaired.

**Adjustment** \$750

\$250

**Violation Events**

Number of Violation Events 2      33 Number of violation days

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

**Violation Base Penalty** \$500

Two monthly events are recommended from the date of the record review, July 13, 2007, to the date of screening, August 15, 2007.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px;">\$93</span>	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$758</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 2px;">\$758</span>	

## Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 5

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,500	13-Jul-2007	1-Jun-2008	0.9	\$4	\$89	\$93
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 provide adequate pressure tank capacity, calculated from the date of the record review to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$1,500	<b>TOTAL</b>	\$93
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<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 34461		<i>PCW Revision June 26, 2007</i>
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b> <input type="text" value="6"/>		
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(d)(2)(A)"/>	
<b>Violation Description</b>	<input 0.0="" 1,="" 2007="" a="" all="" at="" chlorine="" distribution="" field="" l")="" l."="" march="" mg="" of="" on="" residual="" result="" revealed="" specifically,="" system="" taken="" test="" the="" throughout="" times.="" type="text" value="Failed to maintain a free chlorine residual of 0.2 milligrams per liter ("/>	
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

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

Estimated EB Amount  Violation Final Penalty Total

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

## Economic Benefit Worksheet

**Respondent** T S Ranch & Retreat, Inc.  
**Case ID No.** 34461  
**Reg. Ent. Reference No.** RN104810619  
**Media** Public Water Supply  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

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

Notes for DELAYED costs

### Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$225	13-Jul-2007	13-Jul-2007	0.0	\$0	\$225	\$225
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount required to maintain a free chlorine residual of at least 0.2 mg/L throughout the distribution system, calculated for the date the violation was documented.

Approx. Cost of Compliance

\$225

**TOTAL**

\$225

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 34461		<i>PCW Revision June 26, 2007</i>
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b>	7	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(m)(1)(A)	
<b>Violation Description</b>	Failed to inspect the ground storage tank annually.	
	<b>Base Penalty</b>	\$1,000

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**  
 Complete failure to perform inspections on the ground storage tank could result in non-detection of tank defects that could cause loss of tank integrity, and customers of the water supply could be exposed to significant amounts of contamination that would not exceed levels that are protective of human health.

**Adjustment**

**Violation Events**

	<input type="text" value="1"/>		<input type="text" value="365"/>	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 style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>monthly</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>quarterly</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>semiannual</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>annual</td><td style="text-align: center;"><input checked="" type="checkbox"/></td></tr> <tr><td>single event</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </table>	daily	<input type="checkbox"/>	monthly	<input type="checkbox"/>	quarterly	<input type="checkbox"/>	semiannual	<input type="checkbox"/>	annual	<input checked="" type="checkbox"/>	single event	<input type="checkbox"/>			<b>Violation Base Penalty</b> <input type="text" value="\$100"/>
daily	<input type="checkbox"/>															
monthly	<input type="checkbox"/>															
quarterly	<input type="checkbox"/>															
semiannual	<input type="checkbox"/>															
annual	<input checked="" type="checkbox"/>															
single event	<input type="checkbox"/>															

One annual event is recommended.

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

<b>Estimated EB Amount</b> <input type="text" value="\$110"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$152"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$152"/>	

### Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

**Delayed Costs**

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

Notes for DELAYED costs

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$100	12-Jul-2006	13-Jul-2007	1.9	\$10	\$100	\$110
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount to conduct an annual inspection of the ground storage tank at the Facility, calculated for the one year prior to the record review date.

Approx. Cost of Compliance

\$100

**TOTAL**

\$110

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34461	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b> <input type="text" value="8"/>		
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(m)(1)(B)"/>	
<b>Violation Description</b>	<input type="text" value="Failed to inspect the pressure tank annually."/>	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**  
Complete failure to perform inspections on the pressure tank could result in non-detection of tank defects that could cause loss of tank integrity, and customers of the water supply could be exposed to significant amounts of contamination at levels that would not be protective of human health.

**Adjustment**

**Violation Events**

	<input type="text" value="1"/>		<input type="text" value="365"/>	Number of violation days
--	--------------------------------	--	----------------------------------	--------------------------

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

**Violation Base Penalty**

One annual event is recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$110"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$379"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$379"/>	

## Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

### 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]	\$100	12-Jul-2006	13-Jul-2007	1.9	\$10	\$100	\$110
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount to conduct an annual inspection of the pressure tank at the Facility, calculated for the one year prior to the record review date.

Approx. Cost of Compliance

\$100

**TOTAL**

\$110

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34461	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b>	9	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.121(a)	
<b>Violation Description</b>	Failed to maintain an up-to-date chemical and microbiological monitoring plan for the water system.	
<b>Base Penalty</b>		\$1,000

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

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

**>> Programmatic Matrix**

	<b>Falsification</b>				
		Major	Moderate		Minor
		x	<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
				<b>Percent</b> <input type="text" value="10%"/>	
<b>Matrix Notes</b>	Failed to meet 100% of the rule requirement.				
				<b>Adjustment</b> <input type="text" value="\$900"/>	

**Violation Events**

Number of Violation Events        Number of violation days

	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

**Violation Base Penalty**

One single event is recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$9"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$152"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$152"/>	

### Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**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	\$250	13-Jul-2007	1-Apr-2008	0.7	\$9	n/a	\$9
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 prepare and begin maintaining a chemical and microbiological monitoring plan for the water system, calculated from the date of the record review to the estimated date of compliance.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

**TOTAL**

\$9

<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>
<b>Respondent</b> T S Ranch & Retreat, Inc.		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 34461		<i>PCW Revision June 26, 2007</i>
<b>Reg. Ent. Reference No.</b> RN104810619		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Tel Croston		
<b>Violation Number</b>	10	
<b>Rule Cite(s)</b>	30 Tex. Admin Code § 290.110(c)(5)(A)	
<b>Violation Description</b>	Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days.	
	<b>Base Penalty</b>	\$1,000

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

<b>OR</b>	<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor
	Actual			
	Potential	x		
			<b>Percent</b>	25%

**>> Programmatic Matrix**

<b>Falsification</b>	Major	Moderate	Minor	
				<b>Percent</b>
				0%

**Matrix Notes**

Failure to monitor the disinfectant residual on a weekly basis could result in customers of the water system being exposed to significant amounts of pollutants or contamination which would exceed levels protective of human health.

**Adjustment** \$750

\$250

**Violation Events**

Number of Violation Events 2 33 Number of violation days

*mark only one with an x*

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$500

Two monthly events are recommended from the date of the record review, July 13, 2007, to the date of screening, August 15, 2007.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 0 20px;">\$533</span>	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 0 20px;">\$758</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 0 20px;">\$758</span>	

## Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 10

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

### Delayed Costs

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

Notes for DELAYED costs

### Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$520	24-Aug-2006	15-Aug-2007	1.0	\$25	\$507	\$533
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the amount to perform weekly monitoring of the disinfectant residual in the system (\$10 per week), calculated from the date of the record review to the date of screening.

Approx. Cost of Compliance \$520

**TOTAL** \$533

Screening Date 15-Aug-2007

Docket No. 2007-1360-PWS-E

PCW

Respondent T S Ranch & Retreat, Inc.

Policy Revision 2 (September 2002)

Case ID No. 34461

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN104810619

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 11

Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(3)(A)(ii) and (f)(3)(E)(i)

Violation Description Failed to maintain records of water works operation and maintenance activities. Specifically the Respondent failed to record the amount of water treated each week and failed to compile monthly operating reports.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			X	1%

Matrix Notes Less than 30% of the rule requirement was not met.

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1 Number of violation days 33

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$10

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$102

Violation Final Penalty Total \$15

This violation Final Assessed Penalty (adjusted for limits) \$15

## Economic Benefit Worksheet

**Respondent** T S Ranch & Retreat, Inc.  
**Case ID No.** 34461  
**Reg. Ent. Reference No.** RN104810619  
**Media** Public Water Supply  
**Violation No.** 11

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

### Avoided Costs

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

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	\$100	24-Aug-2006	15-Aug-2007	1.0	\$5	\$98	\$102
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the annual amount required to maintain records of the amount of water treated weekly and monthly operation records, calculated from the date of the record review to the date of screening.

Approx. Cost of Compliance	\$100	<b>TOTAL</b>	\$102
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<b>Screening Date</b> 15-Aug-2007	<b>Docket No.</b> 2007-1360-PWS-E	<b>PCW</b>			
<b>Respondent</b> T S Ranch & Retreat, Inc.	<i>Policy Revision 2 (September 2002)</i>				
<b>Case ID No.</b> 34461	<i>PCW Revision June 26, 2007</i>				
<b>Reg. Ent. Reference No.</b> RN104810619					
<b>Media [Statute]</b> Public Water Supply					
<b>Enf. Coordinator</b> Tel Croston					
<b>V12</b> 12					
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.39(e)				
<b>Violation Description</b>	Failed to submit plans and specifications for the water system that have been prepared by a licensed, professional engineer for Commission review and approval. Specifically, the water system failed to submit plans and receive Commission approval of the plans for the well, pressure tank, ground storage tank, service pump, and hypochlorination system.				
<b>Base Penalty</b>		\$1,000			
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
OR	<b>Harm</b>				
	<b>Release</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				<b>Percent</b> <input type="text" value="0%"/>	
<b>&gt;&gt; Programmatic Matrix</b>					
		<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
		<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input type="text" value="10%"/>	
<b>Matrix Notes</b>	Failed to meet 100% of the rule requirement.				
<b>Adjustment</b>				\$900	
				\$100	
<b>Violation Events</b>					
Number of Violation Events <input type="text" value="1"/>		Number of violation days <input type="text" value="33"/>			
<i>mark only one with an x</i>	daily	<input type="text"/>			
	monthly	<input type="text"/>			
	quarterly	<input type="text"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
single event	<input checked="" type="text" value="x"/>				
				<b>Violation Base Penalty</b> <input type="text" value="\$100"/>	
One single event is recommended.					
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>		
Estimated EB Amount <input type="text" value="\$252"/>		Violation Final Penalty Total <input type="text" value="\$152"/>			
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				<input type="text" value="\$152"/>	

### Economic Benefit Worksheet

**Respondent:** T S Ranch & Retreat, Inc.  
**Case ID No.:** 34461  
**Reg. Ent. Reference No.:** RN104810619  
**Media:** Public Water Supply  
**Violation No.:** 12

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$5,000	13-Jul-2007	1-Apr-2008	0.7	\$12	\$240	\$252
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 have an engineer prepare plans and specifications and obtain Commission approval for the construction of the well, tanks, pump and chlorination system, calculated from the date of the record review to the date of compliance.

**Avoided Costs**

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$5,000

**TOTAL** \$252

# Compliance History

Customer/Respondent/Owner-Operator:	CN602957821 T S Ranch & Retreat, Inc.	Classification:	Rating:
Regulated Entity:	RN104810619 TEXAS STAR RANCH & RETREAT	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION		1840160
Location:	5950 FM Road 920, Weatherford, Parker County, Tx,		
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	August 29, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	September 21, 2004 to August 29, 2007		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Tel Croston	Phone:	239-5717

## Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | No  |
| 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 | 10/12/2006 | (513590) |  |
| 2 | 03/06/2007 | (542661) |  |
| 3 | 07/26/2007 | (567673) |  |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- |   |                  |   |                       |
|---|------------------|---|-----------------------|
| 1 | Date: 10/06/2006 | (513590)  |                       |
|   | Self Report?     | NO  | Classification: Minor |
|   | Citation:        | 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  |                       |
|   | Description:     | Failure to seal the wellheads with the use of gaskets or a pliable crack-resistant caulking compound, specifically seal around the electrical cords.  |                       |
|   | Self Report?     | NO  | Classification: Minor |
|   | Citation:        | 30 TAC Chapter 290, SubChapter D 290.42(j)  |                       |
|   | Description:     | Failure to provide ANSI / NSF certification paperwork for all chemicals used in treatment of water supplied by public water systems, specifically the calcium hypochlorite.   |                       |
|   | Self Report?     | NO  | Classification: Minor |
|   | Citation:        | 30 TAC Chapter 290, SubChapter D 290.42(l)  |                       |
|   | Description:     | Failure to compile a plant operations manual for the water system. Retain the completed plan and make it available for review by agency personnel at the time of the annual survey.   |                       |
|   | Self Report?     | NO  | Classification: Minor |
|   | Citation:        | 30 TAC Chapter 290, SubChapter D 290.43(c)[G]   |                       |
|   | Description:     | Failure to cover and design, fabricate, erect, and test in strict accordance with AWWA standards all facilities for potable water storage, specifically the 3,000 gallons ground storage tank was made of polyurethane, no ladder, no water level indicator or no overflow. |                       |

Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)		
Description:	Failure to have a sampling tap on the well discharge line to facilitate the collection of samples for chemical and bacteriological analysis directly from the well.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)		
Description:	Failure to properly screen casing vent, which must face downward and be elevated so as to minimize the drawing of contaminants into the well. The screening must be 16-mesh or finer corrosion-resistant screen.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(d)(2)(A)(ii)		
Description:	Failure to provide a minimum pressure tank capacity of 220 gallons, specifically the water system is providing 81 gallons compared to the required 220 gallons.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)		
Description:	Failure to maintain at least a minimum free chlorine residual of 0.2 mg/L throughout the distribution system and finished water storage tank at all times, specifically field test produced a 0.0 mg/L.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to inspect the ground storage and pressure tanks and record results at least annually.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to compile a monitoring plan for the water system. Retain the completed plan and make it available for review by agency personnel at the time of the annual survey.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)		
Description:	Failure to perform weekly chlorine residual test on water collected from various locations within the distribution system. Public water system must maintain a logbook of recorded weekly chlorine residuals.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)		
Description:	Failure to compile monthly operating reports. Retain the completed reports and make it available for review by agency personnel at the time of the annual survey.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(i)		
Description:	Failure to have copies of bacteriological reports available for review during annual inspection of water system.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)		
Description:	Failure to record the amount of water treated each week.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to compile a map of the distribution system so that valves and mains may be easily located during emergencies.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(3)		
Description:	Failure to maintain copies of well completion data such as material setting data, geological log, and sealing information (pressure cementing and surface protection) for as long as the well remains in service.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.39(j)(1)		
Description:	Failure to secure the services of a registered professional engineer well versed in the design and construction of public water systems so that "as-built" plans and specifications can be prepared and submitted for our review. The submittal must describe the existing facilities as well as any proposed modifications whi		

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  
T S RANCH & RETREAT, INC.  
RN104810619

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2007-1360-PWS-E

### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding T S Ranch & Retreat, Inc. ("T S Ranch") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, represented by the Litigation Division, and T S Ranch appear before the Commission and together stipulate that:

1. T S Ranch owns and operates a public water supply located at 5950 Farm-to-Market Road 920, Weatherford, Parker County, Texas (the "Facility").
2. This Agreed Order is entered into pursuant to TEX. HEALTH & SAFETY CODE § 341.049. The Commission has jurisdiction of this matter pursuant to TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 and TCEQ rules.
3. The Commission and T S Ranch agree that the Commission has jurisdiction to enter this Agreed Order, and that T S Ranch is subject to the Commission's jurisdiction.
4. T S Ranch received notice of the violations alleged in Section II ("Allegations") on or about August 1, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by T S Ranch of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of three thousand three hundred fifty dollars (\$3,350.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). T S Ranch has paid two hundred eighty-one dollars (\$281.00) of the

administrative penalty. The remaining amount of three thousand sixty-nine dollars (\$3,069.00) of the administrative penalty shall be payable in 11 monthly payments of two hundred seventy-nine dollars (\$279.00) each, pursuant to 30 TEX. ADMIN. CODE § 70.9(a). The first monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall be paid not later than 30 days following the due date of the previous payment. If T S Ranch fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, T S Ranch's failure to meet the payment schedule of this Agreed Order constitutes the failure by T S Ranch to timely and satisfactorily comply with all of the terms of this Agreed Order.

7. 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.
8. The Executive Director of the TCEQ and T S Ranch have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
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 T S Ranch 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

T S Ranch is alleged to have violated:

- a. 30 TEX. ADMIN. CODE § 290.41(c)(3)(K), by failing to seal the wellhead with a gasket or a pliable, crack-resistant caulking compound and failing to cover the casing vent of the well with a 16-mesh or finer corrosion-resistant screening material as documented on July 13, 2007.

- b. 30 TEX. ADMIN. CODE § 290.42(l), by failing to compile and maintain an up-to-date Facility operations manual for operator review and reference as documented on July 13, 2007.
- c. 30 TEX. ADMIN. CODE § 290.43(c), by failing to maintain, design, fabricate, and erect, test and disinfect all facilities for potable water storage in strict accordance with American Water Works Association (“AWWA”) standards as documented on July 13, 2007. Specifically, the 3,000 gallon ground storage tank (“GST”) was made of polyurethane, had no ladder, no water level indicator, and no overflow.
- d. 30 TEX. ADMIN. CODE § 290.41(c)(3)(M), by failing to provide a suitable sampling cock on the well discharge line prior to treatment as documented on July 13, 2007.
- e. 30 TEX. ADMIN. CODE § 290.45(d)(2)(A)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), by failing to provide minimum pressure tank capacity of 220 gallons as documented on July 13, 2007. Specifically, the current pressure tank has a capacity of 81 gallons, which is a 63% deficiency.
- f. 30 TEX. ADMIN. CODE § 290.46(d)(2)(A), by failing to maintain a free chlorine residual of 0.2 milligrams per liter (“mg/L”) throughout the distribution system at all times as documented on July 13, 2007. Specifically, a chlorine residual field test taken on March 1, 2007 revealed a result of 0.0 mg/L.
- g. 30 TEX. ADMIN. CODE § 290.46(m)(1)(A), by failing to inspect the ground storage tank annually as documented on July 13, 2007.
- h. 30 TEX. ADMIN. CODE § 290.46(m)(1)(B), by failing to inspect the pressure tank annually as documented on July 13, 2007.
- i. 30 TEX. ADMIN. CODE § 290.121(a), by failing to maintain an up-to-date chemical and microbiological monitoring plan for the water system as documented on July 13, 2007.
- j. 30 TEX. ADMIN. CODE § 290.110(c)(5)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days as documented on July 13, 2007.
- k. 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(ii) and (f)(3)(E)(i), by failing to maintain records of water works operation and maintenance activities as documented on July 13, 2007. Specifically, T S Ranch failed to record the amount of water treated each week and failed to compile monthly operating reports.

- I. 30 TEX. ADMIN. CODE § 290.39(e), by failing to submit plans and specifications for the water system that have been prepared by a licensed, professional engineer for Commission review and approval as documented on July 13, 2007. Specifically, T S Ranch failed to submit plans and receive Commission approval of the plans for the well, pressure tank, ground storage tank, service pump, and hypochlorination system.

### III. DENIALS

T S Ranch generally denies each allegation in Section II (“Allegations”).

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that T S Ranch pay an administrative penalty as set forth in Section I, Paragraph 6, above. The payment of this administrative penalty and T S Ranch’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 considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to “Texas Commission on Environmental Quality” and shall be sent with the notation “Re: T S Ranch & Retreat, Inc., Docket No. 2007-1360-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. T S Ranch shall undertake the following technical requirements:
  - a. Within 10 days after the effective date of this Agreed Order, T S Ranch shall;
    - i. Begin maintaining the records of water works operation and maintenance activities including the amount of water treated each week and monthly operating reports so that those records are available for review at the time of TCEQ investigations, as required by 30 TEX. ADMIN. CODE § 290.46
    - ii. Begin monitoring the disinfectant residual at least once every seven days at representative locations throughout the distribution system as required by 30 TEX. ADMIN. CODE § 290.110.

- iii. Begin operating the water system's disinfection equipment in a manner that will maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE § 290.46.
- b. Within 30 days after the effective date of this Agreed Order, T S Ranch shall:
  - i. Submit written documentation, as detailed in Order Provision 2.e. below, that certifies compliance with Ordering Provision 2.a.
  - ii. Compile and begin maintaining an up-to-date plant operations manual that is made available for operator review and reference, as required by 30 TEX. ADMIN. CODE § 290.46.
  - iii. Conduct annual tank inspections of the ground storage and pressure tanks, as required by 30 TEX. ADMIN. CODE § 290.46.
  - iv. Seal the wellhead with a gasket or a pliable crack-resistant caulking compound and cover the casing vent with 16-mesh or finer corrosion-resistant screening material, as required by 30 TEX. ADMIN. CODE § 290.41.
  - v. Develop and begin maintaining an up-to-date chemical and microbiological monitoring plan, as required by 30 TEX. ADMIN. CODE § 290.121.
  - vi. Submit as-built plans and specifications for the Facility's well, ground storage tank, pressure tank, service pump, and hypochlorination system to the Commission for review and approval, as required by 30 TEX. ADMIN. CODE § 290.39.
  - vii. Provide a sampling cock on the well discharge line, as required by 30 TEX. ADMIN. CODE § 290.41.
- c. Within 45 days after the effective date of this Agreed Order, T S Ranch shall submit written documentation, as detailed in Ordering Provision 2.e. below, that certifies compliance with Ordering Provision 2.b.
- d. Within 90 days after the effective date of this Agreed Order, T S Ranch shall:
  - i. Provide a pressure tank capacity of 220 gallons, as required by 30 TEX. ADMIN. CODE § 290.45
  - ii. Provide a ground storage tank that meets AWWA standards, as required by 30 TEX. ADMIN. CODE § 290.43.

- e. Within 105 days after the effective date of this Agreed Order, T S Ranch shall submit written certification and detailed supporting documentation, including photographs, receipts, and other records, to demonstrate compliance with Ordering Provision Nos. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

T S Ranch shall submit the written certification and copies of documentation necessary to demonstrate compliance with Ordering Provision Nos. 2.d. to:

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

and

Sid Slocum, Water Section Manager  
Texas Commission on Environmental Quality  
Dallas/Fort Worth Regional Office  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon T S Ranch. T S Ranch 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 T S Ranch shall be made in writing to the Executive Director. Extensions are not effective until T S Ranch

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 T S Ranch 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) and TEX. GOV'T. CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to T S Ranch, or three days after the date on which the Commission mails notice of the Order to T S Ranch, 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



For the Executive Director

8/22/08

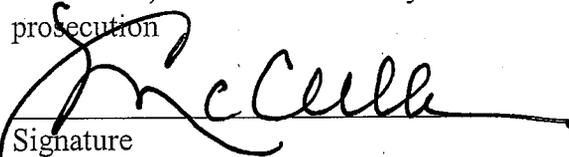
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, 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 my failure to comply with the Ordering Provisions, if any, in this order and/or T S Ranch's failure to timely pay the penalty amount, may result in:

- A negative impact on T S Ranch's compliance history;
- Greater scrutiny of any permit applications submitted by T S Ranch;
- 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 against T S Ranch;
- Automatic referral to the Attorney General's Office of any future enforcement actions against T S Ranch; and
- TCEQ seeking other relief as authorized by law.

In addition, I understand that any falsification of any compliance documents may result in criminal prosecution



Signature

C. McClellan

Name (Printed or typed)

Authorized representative of  
T S Ranch & Retreat, Inc.

6-15-08

Date

OWNER/OPERATOR

Title