

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.: 2008-1393-PWS-E TCEQ ID: RN101436780 CASE NO.: 36442**

**RESPONDENT NAME: Glenwood Water Supply Corporation**

|   |   |  |
|---|---|--|
| <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> Glenwood WSC, 6792 Farm-to-Market Road 726 South, Upshur 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 February 2, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b><br/> <b>TCEQ Attorney/SEP Coordinator:</b> None<br/> <b>TCEQ Enforcement Coordinator:</b> Mr. Epifanio Villarreal, Enforcement Division, Enforcement Team 2, MC R-13, (361) 825-3425; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387<br/> <b>Respondent:</b> Mr. Walter T. Winn, Registered Agent, Glenwood Water Supply Corporation, P.O. Box 716, Gilmer, Texas 75644<br/>                     Mr. H. James Schell, Secretary/Treasurer, Glenwood Water Supply Corporation, P.O. Box 716, Gilmer, Texas 75644<br/> <b>Respondent's Attorney:</b> Ms. Paula Hunt, Griffith Law Firm P.C., P.O. Box 864, Gilmer, Texas 75644-0864</p> |   |  |

**VIOLATION SUMMARY CHART:**

| VIOLATION INFORMATION  | PENALTY CONSIDERATIONS   | CORRECTIVE ACTIONS TAKEN/REQUIRED  |
|--|--|--|
| <p><b>Type of Investigation:</b><br/> <input type="checkbox"/> Complaint<br/> <input checked="" type="checkbox"/> Routine<br/> <input type="checkbox"/> Enforcement Follow-up<br/> <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> June 24, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> August 15, 2008 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation.</p> <p><b>WATER</b></p> <p>1) Failure to provide a total storage capacity of 200 gallons per connection at Pressure Plane Nos. 1 and 2 [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(ii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>2) Failure to provide sanitary control easements that cover the land within 150 feet of the water system's six wells [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>3) Failure to provide disinfection facilities for determining the amount of disinfectant used daily as well as the amount of disinfectant remaining for use [30 TEX. ADMIN. CODE § 290.42(e)(3)(D)].</p> <p>4) Failure to compile and maintain a plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>5) Failure to maintain the facility's storage tank at Plant No. 4 in strict accordance with current American Water Works Association ("AWWA") design standards [30 TEX. ADMIN. CODE § 290.43(c)(8)].</p> <p>6) Failure to provide the pressure tank at Plant No. 3 with a device to readily determine air-water-volume [30 TEX. ADMIN. CODE § 290.43(d)(3)].</p> <p>7) Failure to provide the pressure tank at</p> | <p><b>Total Assessed:</b> \$3,003</p> <p><b>Total Deferred:</b> \$600<br/> <input checked="" type="checkbox"/> Expedited Settlement<br/> <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$103 (remaining \$2,300 due in 23 monthly payments of \$100 each)</p> <p><b>Site Compliance History Classification</b><br/> <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b><br/> <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> | <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Repair or replace the chlorine scale at Plant No. 2;</p> <p>ii. Install a pressure release device on the pressure tank at Plant No. 3;</p> <p>iii. Initiate good housekeeping practices, including but not limited to the following: remove all overgrown vegetation on the fences at Plant Nos. 2 and 3, repair the holes in the fence for Well No. 2 and Plant No. 2, repair the barbed wire in places at Well No. 5 and Plant No. 3, provide a wire on the gate for Well No. 3, refurbish the pressure tank at Plant No. 3, and repair the cracked sealing block at Well No. 5;</p> <p>iv. Secure the electrical wiring for Well No. 5 in compliance with a local or national electric code; and</p> <p>v. Compile and maintain properly completed monthly water works operation records and maintenance records, including but not limited to amount of chemical used each day and the volume of water treated each day, and make them available at the time of Commission inspections.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p> <p>c. Within 60 days after the effective date of this Agreed Order, install a device that readily determines the air-water-volume on the pressure tank at Plant No. 3.</p> <p>d. Within 75 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to</p> |

|  |  |  |
|--|--|--|
| <p>Plant No. 3 with a pressure release device [30 TEX. ADMIN. CODE § 290.43(d)(2)].</p> <p>8) Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].</p> <p>9) Failure to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].</p> <p>10) Failure to make available for Commission review a complete up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].</p> <p>11) Failure to provide an up-to-date map of the distribution system [30 TEX. ADMIN. CODE § 290.46(n)(2)].</p> <p>12) Failure to provide water system records to Commission personnel at the time of the investigation [30 TEX. ADMIN. CODE § 290.46(f)(2), 290.46(f)(3)(A)(i)(II), and 290.46(f)(3)(A)(ii)(II)].</p> <p>13) Failure to provide an elevated storage capacity of 100 gallons per connection at Pressure Plane No. 1 [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iv) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> |  | <p>demonstrate compliance with Ordering Provision c.</p> <p>e. Within 120 days after the effective date of this Agreed Order:</p> <p>i. Maintain an up-to-date and thorough plant operations manual for operator review and reference;</p> <p>ii. Compile and begin maintaining an up-to-date chemical and microbiological monitoring plan for the Facility; and</p> <p>iii. Begin maintaining an up-to-date map of the distribution system so that flush valves may be easily located during emergencies.</p> <p>f. Within 135 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision e.</p> <p>g. Within 180 days after the effective date of this Agreed Order, obtain sanitary control easements that cover the land within 150 feet of Well Nos. 1, 2, 3, 4, 5, and 6.</p> <p>h. Within 195 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision g.</p> <p>i. Within 270 days after the effective date of this Agreed Order, refurbish the bottom of the storage tank at Plant No. 4 so that the exterior meets AWWA standards.</p> <p>j. Within 285 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision i.</p> <p>k. Within 365 days after the effective date of this Agreed Order:</p> <p>i. Provide a total storage capacity of 200 gallons per connection at Pressure Plane Nos. 1 and 2; and</p> <p>ii. Provide an elevated storage capacity of 100 gallons per connection for Pressure Plane No. 1.</p> |
|--|--|--|

|  |  |  |
|--|--|--|
|  |  | <p>1. Within 380 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision k.</p> |
|--|--|--|

Additional ID No(s): 2300005



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

|              |          |             |           |             |         |  |
|--------------|----------|-------------|-----------|-------------|---------|--|
| <b>DATES</b> | Assigned | 18-Aug-2008 | Screening | 25-Aug-2008 | EPA Due |  |
|              | PCW      | 25-Aug-2008 |           |             |         |  |

|  |                                   |                    |       |
|--|-----------------------------------|--------------------|-------|
| <b>RESPONDENT/FACILITY INFORMATION</b> |                                   |                    |       |
| Respondent                             | Glenwood Water Supply Corporation |                    |       |
| Reg. Ent. Ref. No.                     | RN101436780                       |                    |       |
| Facility/Site Region                   | 5-Tyler                           | Major/Minor Source | Minor |

|                                 |                     |                       |                     |
|---------------------------------|---------------------|-----------------------|---------------------|
| <b>CASE INFORMATION</b>         |                     |                       |                     |
| Enf./Case ID No.                | 36442               | No. of Violations     | 13                  |
| Docket No.                      | 2008-1393-PWS-E     | Order Type            | 1660                |
| Media Program(s)                | Public Water Supply | Government/Non-Profit | Yes                 |
| Multi-Media                     |                     | Enf. Coordinator      | Epifanio Villarreal |
|                                 |                     | EC's Team             | Enforcement Team 2  |
| Admin. Penalty \$ Limit Minimum | \$50                | Maximum               | \$1,000             |

## Penalty Calculation Section

|   |  |                                   |                                       |
|---|--|-----------------------------------|---------------------------------------|
| <b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>   |  | <i>Subtotal 1</i>                 | \$2,860                               |
| <b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>  |  |                                   |                                       |
| <small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>     |  |                                   |                                       |
| Compliance History  | 5.0% Enhancement   | <i>Subtotals 2, 3, &amp; 7</i>    | \$143                                 |
| Notes   | The penalty enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action. |                                   |                                       |
| Culpability   | No 0.0% Enhancement  | <i>Subtotal 4</i>                 | \$0                                   |
| Notes   | The Respondent does not meet the culpability criteria.   |                                   |                                       |
| <b>Good Faith Effort to Comply Total Adjustments</b>  |  | <i>Subtotal 5</i>                 | \$0                                   |
| Economic Benefit  | 0.0% Enhancement*  | <i>Subtotal 6</i>                 | \$0                                   |
| Total EB Amounts  | \$11,520   | *Capped at the Total EB \$ Amount |                                       |
| Approx. Cost of Compliance  | \$58,650   |                                   |                                       |
| <b>SUM OF SUBTOTALS 1-7</b>   |  | <i>Final Subtotal</i>             | \$3,003                               |
| <b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>   |  | 0.0%                              | <i>Adjustment</i> \$0                 |
| <small>Reduces or enhances the Final Subtotal by the indicated percentage.</small>  |  |                                   |                                       |
| Notes   |  |                                   |                                       |
| <b>Final Penalty Amount</b>   |  |                                   | \$3,003                               |
| <b>STATUTORY LIMIT ADJUSTMENT</b>   |  |                                   | <i>Final Assessed Penalty</i> \$3,003 |
| <b>DEFERRAL</b>   |  | 20.0% Reduction                   | <i>Adjustment</i> -\$600              |
| <small>Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)</small> |  |                                   |                                       |
| Notes   | Deferral offered for expedited settlement.   |                                   |                                       |
| <b>PAYABLE PENALTY</b>  |  |                                   | \$2,403                               |

Screening Date 25-Aug-2008

Docket No. 2008-1393-PWS-E

PCW

Respondent Glenwood Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 36442

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN101436780

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

**Compliance History Worksheet**

## &gt;&gt; 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<br>(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%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

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

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

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

## &gt;&gt; Compliance History Summary

Compliance History Notes

The penalty enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action.

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

|   |   |   |
|---|---|---|
| <b>Screening Date</b> 25-Aug-2008   | <b>Docket No.</b> 2008-1393-PWS-E   | <b>PCW</b>  |
| <b>Respondent</b> Glenwood Water Supply Corporation   | <i>Policy Revision 2 (September 2002)</i>   |   |
| <b>Case ID No.</b> 36442  | <i>PCW Revision June 12, 2008</i>   |   |
| <b>Reg. Ent. Reference No.</b> RN101436780  |   |   |
| <b>Media [Statute]</b> Public Water Supply  |   |   |
| <b>Enf. Coordinator</b> Epifanio Villarreal   |   |   |
| <b>Violation Number</b> <input type="text" value="1"/>  |   |   |
| <b>Rule Cite(s)</b>   | <input type="text" value="30 Tex. Admin. Code § 290.45(b)(1)(D)(ii) and Tex. Health &amp; Safety Code § 341.0315(c)"/>  |   |
| <b>Violation Description</b>  | <input type="text" value="Failed to provide a total storage capacity of 200 gallons per connection at Pressure Plane Nos. 1 and 2. Specifically, at the time of the investigation, it was documented that the water system provided a total storage capacity of 178 gallons per connection at Pressure Plane Nos. 1 and 2, which is 11% deficient."/> |   |
| <b>Base Penalty</b>   |   | <input type="text" value="\$1,000"/>  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>   |   |   |
| OR  | <b>Harm</b>   |   |
|   | Release    Major    Moderate    Minor   |   |
|   | Actual  | <input type="text"/>  |
|   | Potential   | <input type="text" value="x"/>  |
| <b>Percent</b>  |   | <input type="text" value="10%"/>  |
| <b>&gt;&gt; Programmatic Matrix</b>   |   |   |
|   | Falsification    Major    Moderate    Minor   |   |
|   | <input type="text"/>  | <input type="text"/>  |
| <b>Percent</b>  |   | <input type="text" value="0%"/>   |
| <b>Matrix Notes</b>   | <input type="text" value="Without total storage capacity, customers of the water system could experience water outages and the system's ability to provide a safe and adequate water supply could expose customers to a significant amount of contaminants that would not exceed levels protective of human health."/>                                |   |
| <b>Adjustment</b>   |   | <input type="text" value="\$900"/>  |
|   |   | <input type="text" value="\$100"/>  |
| <b>Violation Events</b>   |   |   |
| <b>Number of Violation Events</b>   | <input type="text" value="1"/>  | <input type="text" value="62"/> <b>Number of violation days</b>                     |
| <i>mark only one with an x</i>  | daily   | <input type="text"/>  |
|   | monthly   | <input type="text"/>  |
|   | quarterly   | <input type="text" value="x"/>  |
|   | semiannual  | <input type="text"/>  |
|   | annual  | <input type="text"/>  |
|   | single event  | <input type="text"/>  |
| <b>Violation Base Penalty</b>   |   | <input type="text" value="\$100"/>  |
| <input type="text" value="One quarterly event is recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008."/> |   |   |
| <b>Good Faith Efforts to Comply</b>   |   | <input type="text" value="0.0%"/> <b>Reduction</b> <input type="text" value="\$0"/> |
|   | Before NOV    NOV to EDRP/Settlement Offer  |   |
| Extraordinary   | <input type="text"/>  | <input type="text"/>  |
| Ordinary  | <input type="text"/>  | <input type="text"/>  |
| N/A   | <input type="text" value="x"/>  | (mark with x)   |
| <b>Notes</b>  | <input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>   |   |
| <b>Violation Subtotal</b>   |   | <input type="text" value="\$100"/>  |
| <b>Economic Benefit (EB) for this violation</b>   |   | <b>Statutory Limit Test</b>   |
| <b>Estimated EB Amount</b>  | <input type="text" value="\$8,531"/>  | <b>Violation Final Penalty Total</b> <input type="text" value="\$105"/>             |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>  |   | <input type="text" value="\$105"/>  |

### Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**Media:** Public Water Supply  
**Violation No.:** 1

|                  |                       |
|------------------|-----------------------|
| Percent Interest | Years of Depreciation |
| 5.0              | 15                    |

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

**Delayed Costs**

|                          |          |             |            |      |       |         |         |
|--------------------------|----------|-------------|------------|------|-------|---------|---------|
| Equipment                |          |             |            | 0.00 | \$0   | \$0     | \$0     |
| Buildings                |          |             |            | 0.00 | \$0   | \$0     | \$0     |
| Other (as needed)        |          |             |            | 0.00 | \$0   | \$0     | \$0     |
| Engineering/construction | \$22,000 | 18-Feb-2004 | 1-Sep-2009 | 5.54 | \$406 | \$8,125 | \$8,531 |
| Land                     |          |             |            | 0.00 | \$0   | n/a     | \$0     |
| Record Keeping System    |          |             |            | 0.00 | \$0   | n/a     | \$0     |
| Training/Sampling        |          |             |            | 0.00 | \$0   | n/a     | \$0     |
| Remediation/Disposal     |          |             |            | 0.00 | \$0   | n/a     | \$0     |
| Permit Costs             |          |             |            | 0.00 | \$0   | n/a     | \$0     |
| Other (as needed)        |          |             |            | 0.00 | \$0   | n/a     | \$0     |

Notes for DELAYED costs

The delayed cost includes the amount to provide a total storage capacity of 200 gallons per connection, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$22,000

**TOTAL**

\$8,531

**Screening Date** 25-Aug-2008 **Docket No.** 2008-1393-PWS-E **PCW**  
**Respondent** Glenwood Water Supply Corporation *Policy Revision 2 (September 2002)*  
**Case ID No.** 36442 *PCW Revision June 12, 2008*  
**Reg. Ent. Reference No.** RN101436780  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal  
**Violation Number** 2  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.41(c)(1)(F)  
**Violation Description** Failed to provide sanitary control easements that cover the land within 150 feet of the water system's six wells.  
**Base Penalty** \$1,000

>> Environmental, Property and Human Health Matrix

| OR        | Release | Harm  |          |       | Percent |
|-----------|---------|-------|----------|-------|---------|
|           |         | Major | Moderate | Minor |         |
| Actual    |         |       |          |       | 5%      |
| Potential |         |       | x        |       |         |

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
|               |       |          |       | 0%      |

**Matrix Notes** Without a sanitary control easements, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health.

**Adjustment** \$950

\$50

Violation Events

Number of Violation Events 6 Number of violation days 62

mark only one with an x

|              |   |
|--------------|---|
| daily        |   |
| monthly      |   |
| quarterly    |   |
| semiannual   |   |
| annual       |   |
| single event | x |

**Violation Base Penalty** \$300

Six single events are recommended: (one event per well).

Good Faith Efforts to Comply 0.0% Reduction \$0

|               | Before NOV | NOV to EDRP/Settlement Offer |
|---------------|------------|------------------------------|
| Extraordinary |            |                              |
| Ordinary      |            |                              |
| N/A           | x          | (mark with x)                |

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

**Violation Subtotal** \$300

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$39 Violation Final Penalty Total \$315

This violation Final Assessed Penalty (adjusted for limits) \$315

## Economic Benefit Worksheet

**Respondent** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**Media** Public Water Supply  
**Violation No.** 2

|                         |                              |
|-------------------------|------------------------------|
| <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                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Buildings                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Other (as needed)        | \$600 | 24-Jun-2008 | 1-Jun-2009 | 0.94 | \$2 | \$37 | \$39 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Land                     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a  | \$0  |

Notes for DELAYED costs

The delayed cost includes the amount to obtain sanitary control easements for the wells, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$600

**TOTAL**

\$39

|  |   |   |                                  |  |
|--|---|---|----------------------------------|--|
| <b>Screening Date</b> 25-Aug-2008  | <b>Docket No.</b> 2008-1393-PWS-E   | <b>PCW</b>  |                                  |  |
| <b>Respondent</b> Glenwood Water Supply Corporation  | <small>Policy Revision 2 (September 2002)</small>   |   |                                  |  |
| <b>Case ID No.</b> 36442   | <small>PCW Revision June 12, 2008</small>   |   |                                  |  |
| <b>Reg. Ent. Reference No.</b> RN101436780   |   |   |                                  |  |
| <b>Media [Statute]</b> Public Water Supply   |   |   |                                  |  |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |   |   |                                  |  |
| <b>Violation Number</b> <input type="text" value="3"/>   |   |   |                                  |  |
| <b>Rule Cite(s)</b>  | 30 Tex. Admin. Code § 290.42(e)(3)(D)   |   |                                  |  |
| <b>Violation Description</b>   | Failed to provide disinfection facilities for determining the amount of disinfectant used daily as well as the amount of disinfectant remaining for use. Specifically, at the time of the investigation, it was documented that the chlorine scale at Plant No. 2 was not operational.                      |   |                                  |  |
| <b>Base Penalty</b>  |   | <input type="text" value="\$1,000"/>                                    |                                  |  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |   |   |                                  |  |
| OR   | <b>Harm</b>   |   |                                  |  |
|  | Release   | Major   | Moderate                         | Minor  |
|  | Actual  | <input type="text"/>  | <input type="text"/>             | <input type="text"/>   |
|  | Potential   | <input type="text"/>  | x                                | <input type="text"/>   |
|  |   |   |                                  | <b>Percent</b> <input type="text" value="10%"/>                  |
| <b>&gt;&gt; Programmatic Matrix</b>  |   |   |                                  |  |
|  | Falsification   | Major   | Moderate                         | Minor  |
|  | <input type="text"/>  | <input type="text"/>  | <input type="text"/>             | <input type="text"/>   |
|  |   |   |                                  | <b>Percent</b> <input type="text" value="0%"/>                   |
| <b>Matrix Notes</b>  | Failure to provide facilities for determining the amount of disinfection used daily would not allow a means for proper levels of disinfection and customers of the water supply could be exposed to a significant amount of contaminants which would not exceed levels that are protective of human health. |   |                                  |  |
| <b>Adjustment</b>  |   |   |                                  | <input type="text" value="\$900"/>                               |
|  |   |   |                                  | <input type="text" value="\$100"/>                               |
| <b>Violation Events</b>  |   |   |                                  |  |
| <b>Number of Violation Events</b> <input type="text" value="1"/>   |   | <b>Number of violation days</b> <input type="text" value="62"/>         |                                  |  |
| <small>mark only one with an x</small>   | daily   | <input type="text"/>  |                                  |  |
|  | monthly   | <input type="text"/>  |                                  |  |
|  | quarterly   | x   |                                  |  |
|  | semiannual  | <input type="text"/>  |                                  |  |
|  | annual  | <input type="text"/>  |                                  |  |
|  | single event  | <input type="text"/>  |                                  |  |
|  |   |   |                                  | <b>Violation Base Penalty</b> <input type="text" value="\$100"/> |
| One quarterly event is recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008. |   |   |                                  |  |
| <b>Good Faith Efforts to Comply</b>  |   | <b>0.0% Reduction</b>   | <input type="text" value="\$0"/> |  |
|  |   | Before NOV  | NOV to EDRP/Settlement Offer     |  |
|  | Extraordinary   | <input type="text"/>  | <input type="text"/>             |  |
|  | Ordinary  | <input type="text"/>  | <input type="text"/>             |  |
|  | N/A   | x   | (mark with x)                    |  |
| <b>Notes</b>   | The Respondent does not meet the good faith criteria for this violation.  |   |                                  |  |
| <b>Violation Subtotal</b>  |   |   |                                  | <input type="text" value="\$100"/>                               |
| <b>Economic Benefit (EB) for this violation</b>  |   | <b>Statutory Limit Test</b>   |                                  |  |
| <b>Estimated EB Amount</b> <input type="text" value="\$16"/>   |   | <b>Violation Final Penalty Total</b> <input type="text" value="\$105"/> |                                  |  |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>   |   |   |                                  | <input type="text" value="\$105"/>                               |

## Economic Benefit Worksheet

**Respondent** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**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

|                          |       |             |            |      |     |      |      |
|--------------------------|-------|-------------|------------|------|-----|------|------|
| Equipment                | \$300 | 24-Jun-2008 | 1-Apr-2009 | 0.77 | \$1 | \$15 | \$16 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Land                     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a  | \$0  |

Notes for DELAYED costs

The delayed costs include the amount to repair or replace the chlorine scale for Plant No. 2, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

**TOTAL**

\$16

|   |   |  |                                      |                          |
|---|---|--|--------------------------------------|--------------------------|
| <b>Screening Date</b> 25-Aug-2008                               | <b>Docket No.</b> 2008-1393-PWS-E   | <b>PCW</b>   |                                      |                          |
| <b>Respondent</b> Glenwood Water Supply Corporation             | <small>Policy Revision 2 (September 2002)</small>   |  |                                      |                          |
| <b>Case ID No.</b> 36442  | <small>PCW Revision June 12, 2008</small>   |  |                                      |                          |
| <b>Reg. Ent. Reference No.</b> RN101436780                      |   |  |                                      |                          |
| <b>Media [Statute]</b> Public Water Supply                      |   |  |                                      |                          |
| <b>Enf. Coordinator</b> Epifanio Villarreal                     |   |  |                                      |                          |
| <b>Violation Number</b>   | 4   |  |                                      |                          |
| <b>Rule Cite(s)</b>   | 30 Tex. Admin. Code § 290.42(i)   |  |                                      |                          |
| <b>Violation Description</b>                                    | Failed to compile and maintain a plant operations manual for operator review and reference. |  |                                      |                          |
| <b>Base Penalty</b>   |   | \$1,000  |                                      |                          |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b> |   |  |                                      |                          |
| OR  | Harm  |  |                                      |                          |
|   | Release   | Major  | Moderate                             | Minor                    |
|   | Actual  | <input type="checkbox"/>   | <input type="checkbox"/>             | <input type="checkbox"/> |
|   | Potential   | <input type="checkbox"/>   | <input type="checkbox"/>             | <input type="checkbox"/> |
|   |   | <b>Percent</b>   | 0%                                   |                          |
| <b>&gt;&gt; Programmatic Matrix</b>                             |   |  |                                      |                          |
|   |   | Falsification  |                                      |                          |
|   |   | Major  | Moderate                             | Minor                    |
|   |   | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  | <input type="checkbox"/> |
|   |   | <b>Percent</b>   | 10%                                  |                          |
| <b>Matrix Notes</b>   | 100% of the rule requirement was not met.   |  |                                      |                          |
|   |   | <b>Adjustment</b>  | \$900                                |                          |
|   |   | \$100  |                                      |                          |
| <b>Violation Events</b>   |   |  |                                      |                          |
| <b>Number of Violation Events</b>                               |   | 1  | <b>Number of violation days</b>      |                          |
|   |   | 62   |                                      |                          |
| <small>mark only one with an x</small>                          | daily   | <input type="checkbox"/>   |                                      |                          |
|   | monthly   | <input type="checkbox"/>   |                                      |                          |
|   | quarterly   | <input type="checkbox"/>   |                                      |                          |
|   | semiannual  | <input type="checkbox"/>   |                                      |                          |
|   | annual  | <input type="checkbox"/>   |                                      |                          |
|   | single event  | <input checked="" type="checkbox"/>                                |                                      |                          |
|   |   | <b>Violation Base Penalty</b>                                      | \$100                                |                          |
| One single event is recommended.                                |   |  |                                      |                          |
| <b>Good Faith Efforts to Comply</b>                             |   | 0.0%   | \$0                                  |                          |
|   |   | Reduction  |                                      |                          |
|   |   | Before NOV   | NOV to EDRP/Settlement Offer         |                          |
| Extraordinary   | <input type="checkbox"/>  |  | <input type="checkbox"/>             |                          |
| Ordinary  | <input type="checkbox"/>  |  | <input type="checkbox"/>             |                          |
| N/A   | <input checked="" type="checkbox"/>   | (mark with x)  |                                      |                          |
| <b>Notes</b>  | The Respondent does not meet the good faith criteria for this violation.                    |  |                                      |                          |
|   |   | <b>Violation Subtotal</b>  | \$100                                |                          |
| <b>Economic Benefit (EB) for this violation</b>                 |   | <b>Statutory Limit Test</b>  |                                      |                          |
| <b>Estimated EB Amount</b>                                      |   | \$9  | <b>Violation Final Penalty Total</b> |                          |
|   |   |  | \$105                                |                          |
|   |   | <b>This violation Final Assessed Penalty (adjusted for limits)</b> |                                      |                          |
|   |   | \$105  |                                      |                          |

## Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**Media:** Public Water Supply  
**Violation No.:** 4

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

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

No commas or \$

### Delayed Costs

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    | \$200 | 24-Jun-2008 | 1-May-2009 | 0.85 | \$9 | n/a | \$9 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed costs includes the amount required to develop a plant operations manual, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$9

|  |  |                                      |  |   |   |  |                                 |
|--|--|--------------------------------------|--|---|---|--|---------------------------------|
| <b>Screening Date</b> 25-Aug-2008  | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>                           |  |   |   |  |                                 |
| <b>Respondent</b> Glenwood Water Supply Corporation  | <i>Policy Revision 2 (September 2002)</i>  |                                      |  |   |   |  |                                 |
| <b>Case ID No.</b> 36442   | <i>PCW Revision June 12, 2008</i>  |                                      |  |   |   |  |                                 |
| <b>Reg. Ent. Reference No.</b> RN101436780   |  |                                      |  |   |   |  |                                 |
| <b>Media [Statute]</b> Public Water Supply   |  |                                      |  |   |   |  |                                 |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |  |                                      |  |   |   |  |                                 |
| <b>Violation Number</b> <input type="text" value="5"/>   |  |                                      |  |   |   |  |                                 |
| <b>Rule Cite(s)</b>  | 30 Tex. Admin. Code § 290.43(c)(8)   |                                      |  |   |   |  |                                 |
| <b>Violation Description</b>   | Failed to maintain the Facility's storage tank in strict accordance with current American Water Works Association ("AWWA") design standards. Specifically, at the time of the investigation, it was documented that the bottom exterior coating of the storage tank at Plant No. 4 has a large rust ring around its circumference. |                                      |  |   |   |  |                                 |
| <b>Base Penalty</b>  |  | <input type="text" value="\$1,000"/> |  |   |   |  |                                 |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |  |                                      |  |   |   |  |                                 |
| OR   | Harm   |                                      |  |   |   |  |                                 |
|  | Release  | Major                                | Moderate                                       | Minor   |   |  |                                 |
|  | Actual   | <input type="text"/>                 | <input type="text"/>                           | <input type="text"/>                            |   |  |                                 |
|  | Potential  | <input type="text"/>                 | x  | <input type="text"/>                            |   |  |                                 |
|  |  |                                      |  | <b>Percent</b> <input type="text" value="10%"/> |   |  |                                 |
| <b>&gt;&gt; Programmatic Matrix</b>  |  |                                      |  |   |   |  |                                 |
|  |  |                                      | Falsification                                  | Major   | Moderate  | Minor  |                                 |
|  |  |                                      | <input type="text"/>                           | <input type="text"/>                            | <input type="text"/>  | <input type="text"/>   |                                 |
|  |  |                                      | <b>Percent</b> <input type="text" value="0%"/> |   |   |  |                                 |
| <b>Matrix Notes</b>  | Failure to maintain the storage tank in accordance with AWWA standards could allow significant amounts of contaminants to enter the water supply which would not exceed levels protective of human health.   |                                      |  |   |   |  |                                 |
| <b>Adjustment</b>  |  |                                      |  |   |   | <input type="text" value="\$900"/>                               |                                 |
|  |  |                                      |  |   |   | <input type="text" value="\$100"/>                               |                                 |
| <b>Violation Events</b>  |  |                                      |  |   |   |  |                                 |
| <b>Number of Violation Events</b>  |  | <input type="text" value="1"/>       |  | <b>Number of violation days</b>                 |   |  | <input type="text" value="62"/> |
| <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"/>                 |  |   |   |  |                                 |
| One quarterly event is recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008. |  |                                      |  |   |   | <b>Violation Base Penalty</b> <input type="text" value="\$100"/> |                                 |
| <b>Good Faith Efforts to Comply</b>  |  |                                      | 0.0% Reduction                                 |   | <input type="text" value="\$0"/>  |  |                                 |
|  |  |                                      | Before NOV                                     | NOV to EDRP/Settlement Offer                    |   |  |                                 |
| Extraordinary  | <input type="text"/>   |                                      |  |   |   |  |                                 |
| Ordinary   | <input type="text"/>   |                                      |  |   |   |  |                                 |
| N/A  | x  |                                      | (mark with x)                                  |   |   |  |                                 |
| <b>Notes</b>   | The Respondent does not meet the good faith criteria for this violation.   |                                      |  |   |   |  |                                 |
| <b>Violation Subtotal</b>  |  |                                      |  |   |   | <input type="text" value="\$100"/>                               |                                 |
| <b>Economic Benefit (EB) for this violation</b>  |  |                                      | <b>Statutory Limit Test</b>                    |   |   |  |                                 |
| <b>Estimated EB Amount</b>   |  |                                      | <input type="text" value="\$42"/>              |   | <b>Violation Final Penalty Total</b> <input type="text" value="\$105"/> |  |                                 |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>   |  |                                      |  |   |   | <input type="text" value="\$105"/>                               |                                 |

## Economic Benefit Worksheet

**Respondent** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**Media** Public Water Supply  
**Violation No.** 5

|                         |                              |
|-------------------------|------------------------------|
| <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                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Buildings                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Other (as needed)        | \$500 | 24-Jun-2008 | 1-Sep-2009 | 1.19 | \$2 | \$40 | \$42 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Land                     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a  | \$0  |

Notes for DELAYED costs

The delayed cost includes the amount to refurbish the storage tank at Plant No. 4, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

**TOTAL**

\$42

**Screening Date** 25-Aug-2008 **Docket No.** 2008-1393-PWS-E **PCW**  
**Respondent** Glenwood Water Supply Corporation *Policy Revision 2 (September 2002)*  
**Case ID No.** 36442 *PCW Revision June 12, 2008*  
**Reg. Ent. Reference No.** RN101436780  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**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="10%"/> |
| Potential | <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text"/> |                                  |

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of violation days  
*mark only one with an x*  

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

**Violation Base Penalty**

**Good Faith Efforts to Comply**  Reduction

|               | Before NOV                          | NOV to EDRP/Settlement Offer       |
|---------------|-------------------------------------|------------------------------------|
| Extraordinary | <input type="text"/>                | <input type="text"/>               |
| Ordinary      | <input type="text"/>                | <input type="text"/>               |
| N/A           | <input checked="" type="checkbox"/> | <input type="text"/> (mark with x) |

**Notes**

**Violation Subtotal**

**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** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**Media** Public Water Supply  
**Violation No.** 6

|                         |                              |
|-------------------------|------------------------------|
| <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                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        | \$100 | 24-Jun-2008 | 1-May-2009 | 0.85 | \$0 | \$6 | \$6 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

**Notes for DELAYED costs**

The delayed cost includes the amount to equip the pressure tank at Plant No. 3 with a device to readily determine air-water- volume, calculated from the date of the investigation to the estimated date of compliance.

**Avoided Costs**

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$100

**TOTAL**

\$6

|   |  |                                      |                                      |   |                                    |
|---|--|--------------------------------------|--------------------------------------|---|------------------------------------|
| <b>Screening Date</b> 25-Aug-2008   | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>                           |                                      |   |                                    |
| <b>Respondent</b> Glenwood Water Supply Corporation   | <i>Policy Revision 2 (September 2002)</i>  |                                      |                                      |   |                                    |
| <b>Case ID No.</b> 36442  | <i>PCW Revision June 12, 2008</i>  |                                      |                                      |   |                                    |
| <b>Reg. Ent. Reference No.</b> RN101436780  |  |                                      |                                      |   |                                    |
| <b>Media [Statute]</b> Public Water Supply  |  |                                      |                                      |   |                                    |
| <b>Enf. Coordinator</b> Epifanio Villarreal   |  |                                      |                                      |   |                                    |
| <b>Violation Number</b> <input type="text" value="7"/>  |  |                                      |                                      |   |                                    |
| <b>Rule Cite(s)</b>   | <input type="text" value="30 Tex. Admin. Code § 290.43(d)(2)"/>  |                                      |                                      |   |                                    |
| <b>Violation Description</b>  | <input type="text" value="Failed to provide the pressure tank at Plant No. 3 with a pressure release device."/>  |                                      |                                      |   |                                    |
| <b>Base Penalty</b>   |  | <input type="text" value="\$1,000"/> |                                      |   |                                    |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>   |  |                                      |                                      |   |                                    |
| OR  | <b>Harm</b>  |                                      |                                      |   |                                    |
|   | Release  | Major                                | Moderate                             | Minor   |                                    |
|   | Actual   | <input type="text"/>                 | <input type="text"/>                 | <input type="text"/>                            |                                    |
|   | Potential  | <input checked="" type="checkbox"/>  | <input type="checkbox"/>             | <input type="checkbox"/>                        |                                    |
|   |  |                                      |                                      | <b>Percent</b> <input type="text" value="25%"/> |                                    |
| <b>&gt;&gt; Programmatic Matrix</b>   |  |                                      |                                      |   |                                    |
|   |  | Falsification                        | Major                                | Moderate  | Minor                              |
|   |  | <input type="text"/>                 | <input type="text"/>                 | <input type="text"/>                            | <input type="text"/>               |
|   |  |                                      |                                      | <b>Percent</b> <input type="text" value="0%"/>  |                                    |
| <b>Matrix Notes</b>   | <input type="text" value="Failure to have a pressure release device on the pressure tank could result in excess pressurization of the tank compromising the integrity of the tank which could expose customers of the water supply to a significant amount of contaminants which would exceed levels that are protective of human health."/> |                                      |                                      |   |                                    |
| <b>Adjustment</b>   |  |                                      |                                      | <input type="text" value="\$750"/>              |                                    |
|   |  |                                      |                                      | <input type="text" value="\$250"/>              |                                    |
| <b>Violation Events</b>   |  |                                      |                                      |   |                                    |
|   |  | <input type="text" value="3"/>       | <input type="text" value="62"/>      | Number of violation days                        |                                    |
| <i>mark only one with an x</i>  | daily  | <input type="text"/>                 |                                      |   |                                    |
|   | monthly  | <input checked="" type="checkbox"/>  |                                      |   |                                    |
|   | quarterly  | <input type="text"/>                 |                                      |   |                                    |
|   | semiannual   | <input type="text"/>                 |                                      |   |                                    |
|   | annual   | <input type="text"/>                 |                                      |   |                                    |
|   | single event   | <input type="text"/>                 |                                      |   |                                    |
|   |  |                                      |                                      | <b>Violation Base Penalty</b>                   | <input type="text" value="\$750"/> |
| <input type="text" value="Three monthly events are recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008."/> |  |                                      |                                      |   |                                    |
| <b>Good Faith Efforts to Comply</b>   |  |                                      | <input type="text" value="0.0%"/>    | Reduction                                       |                                    |
|   |  |                                      | <input type="text" value="0.0%"/>    | <input type="text" value="\$0"/>                |                                    |
|   |  | Before NOV                           | NOV to EDRP/Settlement Offer         |   |                                    |
| Extraordinary   | <input type="text"/>   | <input type="text"/>                 |                                      |   |                                    |
| Ordinary  | <input type="text"/>   | <input type="text"/>                 |                                      |   |                                    |
| N/A   | <input checked="" type="checkbox"/>  | (mark with x)                        |                                      |   |                                    |
| <b>Notes</b>  | <input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>  |                                      |                                      |   |                                    |
| <b>Violation Subtotal</b>   |  |                                      |                                      | <input type="text" value="\$750"/>              |                                    |
| <b>Economic Benefit (EB) for this violation</b>   |  |                                      | <b>Statutory Limit Test</b>          |   |                                    |
| <b>Estimated EB Amount</b>  |  | <input type="text" value="\$8"/>     | <b>Violation Final Penalty Total</b> |   | <input type="text" value="\$788"/> |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>  |  |                                      |                                      | <input type="text" value="\$788"/>              |                                    |

## Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**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                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        | \$150 | 24-Jun-2008 | 1-Apr-2009 | 0.77 | \$0 | \$8 | \$8 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to install a pressure release device on the pressure tank, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$150

**TOTAL**

\$8

|  |  |   |  |
|--|--|---|--|
| <b>Screening Date</b> 25-Aug-2008  | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>                                |  |
| <b>Respondent</b> Glenwood Water Supply Corporation  | <i>Policy Revision 2 (September 2002)</i>  |   |  |
| <b>Case ID No.</b> 36442   | <i>PCW Revision June 12, 2008</i>  |   |  |
| <b>Reg. Ent. Reference No.</b> RN101436780   |  |   |  |
| <b>Media [Statute]</b> Public Water Supply   |  |   |  |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |  |   |  |
| <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)"/>   |   |  |
| <b>Violation Description</b>   | <input type="text" value="Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the time of the investigation, it was documented that the following issues needed to be addressed: overgrown vegetation on Plant Nos. 2 and 3, holes in fences at Well No. 2 and Plant No. 2, barbed wire is down in places at Well No. 5 and Plant Nos. 2 and 3, no barbed wire on the gate for Well No. 3, rusting on the pressure tank at Plant No. 3 and the sealing block at Well No. 5 is cracked."/> |   |  |
| <b>Base Penalty</b>  |  | <input type="text" value="\$1,000"/>      |  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |  |   |  |
| OR   | <b>Harm</b>  |   |  |
|  | Major  | Moderate                                  | Minor  |
|  | Actual   | <input type="text"/>                      | <input type="text"/>   |
|  | Potential  | <input type="text" value="x"/>            | <input type="text"/>   |
|  |  | <b>Percent</b>                            | <input type="text" value="10%"/>                                   |
| <b>&gt;&gt; Programmatic Matrix</b>  |  |   |  |
|  | Major  | Moderate                                  | Minor  |
|  | <input type="text"/>   | <input type="text"/>                      | <input type="text"/>   |
|  |  | <b>Percent</b>                            | <input type="text" value="0%"/>                                    |
| <b>Matrix Notes</b>  | <input type="text" value="Failure to maintain the good working condition and general appearance of the system's facilities and equipment could result in customers of the water supply being exposed to a significant amount of contaminants which would not exceed levels that are protective of human health."/>   |   |  |
|  |  | <b>Adjustment</b>                         | <input type="text" value="\$900"/>                                 |
|  |  | <input type="text" value="\$100"/>        |  |
| <b>Violation Events</b>  |  |   |  |
| <b>Number of Violation Events</b>  | <input type="text" value="3"/>   | <b>Number of violation days</b>           | <input type="text" value="62"/>                                    |
| <i>mark only one with an x</i>   | daily  | <input type="text"/>                      | <b>Violation Base Penalty</b>                                      |
|  | monthly  | <input type="text"/>                      |  |
|  | quarterly  | <input checked="" type="text" value="x"/> |  |
|  | semiannual   | <input type="text"/>                      |  |
|  | annual   | <input type="text"/>                      |  |
|  | single event   | <input type="text"/>                      |  |
| <input type="text" value="Three quarterly events are recommended (one event per well) from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008."/> |  |   | <input type="text" value="\$300"/>                                 |
| <b>Good Faith Efforts to Comply</b>  |  |   | <b>0.0% Reduction</b>  |
|  | Before NOV   | NOV to EDRP/Settlement Offer              | <input type="text" value="\$0"/>                                   |
| Extraordinary  | <input type="text"/>   | <input type="text"/>                      |  |
| Ordinary   | <input type="text"/>   | <input type="text"/>                      |  |
| N/A  | <input checked="" type="text" value="x"/>  | (mark with x)                             |  |
| <b>Notes</b>   | <input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>  |   |  |
|  |  |   | <b>Violation Subtotal</b>  |
|  |  |   | <input type="text" value="\$300"/>                                 |
| <b>Economic Benefit (EB) for this violation</b>  |  |   | <b>Statutory Limit Test</b>  |
| <b>Estimated EB Amount</b>   | <input type="text" value="\$16"/>  | <b>Violation Final Penalty Total</b>      | <input type="text" value="\$315"/>                                 |
|  |  |   | <b>This violation Final Assessed Penalty (adjusted for limits)</b> |
|  |  |   | <input type="text" value="\$315"/>                                 |

## Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**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

|                          |       |             |            |      |     |      |      |
|--------------------------|-------|-------------|------------|------|-----|------|------|
| Equipment                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Buildings                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Other (as needed)        | \$300 | 24-Jun-2008 | 1-Apr-2009 | 0.77 | \$1 | \$15 | \$16 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Land                     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a  | \$0  |

Notes for DELAYED costs

The delayed costs include the amount to initiate maintenance and good housekeeping practices at the Facility, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

TOTAL

\$16

|  |  |                                      |                                   |   |                                  |  |
|--|--|--------------------------------------|-----------------------------------|---|----------------------------------|--|
| <b>Screening Date</b> 25-Aug-2008  | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>                           |                                   |   |                                  |  |
| <b>Respondent</b> Glenwood Water Supply Corporation  | <i>Policy Revision 2 (September 2002)</i>  |                                      |                                   |   |                                  |  |
| <b>Case ID No.</b> 36442   | <i>PCW Revision June 12, 2008</i>  |                                      |                                   |   |                                  |  |
| <b>Reg. Ent. Reference No.</b> RN101436780   |  |                                      |                                   |   |                                  |  |
| <b>Media [Statute]</b> Public Water Supply   |  |                                      |                                   |   |                                  |  |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |  |                                      |                                   |   |                                  |  |
| <b>Violation Number</b> <input type="text" value="9"/>   |  |                                      |                                   |   |                                  |  |
| <b>Rule Cite(s)</b>  | 30 Tex. Admin. Code. § 290.46(v)   |                                      |                                   |   |                                  |  |
| <b>Violation Description</b>   | Failed to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, at the time of the investigation, it was documented that the wiring at Well No. 5 was not in a conduit.   |                                      |                                   |   |                                  |  |
| <b>Base Penalty</b>  |  | <input type="text" value="\$1,000"/> |                                   |   |                                  |  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |  |                                      |                                   |   |                                  |  |
| OR   | Harm   |                                      |                                   |   |                                  |  |
|  | Release  | Major                                | Moderate                          | Minor   |                                  |  |
|  | Actual   | <input type="text"/>                 | <input type="text"/>              | <input type="text"/>                            |                                  |  |
|  | Potential  | x                                    | <input type="text"/>              | <input type="text"/>                            |                                  |  |
|  |  |                                      |                                   | <b>Percent</b> <input type="text" value="25%"/> |                                  |  |
| <b>&gt;&gt; Programmatic Matrix</b>  |  |                                      |                                   |   |                                  |  |
|  |  |                                      | Falsification                     | Major   | Moderate                         | Minor  |
|  |  |                                      | <input type="text"/>              | <input type="text"/>                            | <input type="text"/>             | <input type="text"/>                           |
|  |  |                                      |                                   |   |                                  | <b>Percent</b> <input type="text" value="0%"/> |
| <b>Matrix Notes</b>  | Failing to ensure all electrical wiring is installed in compliance with local or national code could cause equipment to malfunction, resulting in low pressure or outages which would expose customers of the water supply to significant amounts of pollutants which would exceed levels that are protective of human health. |                                      |                                   |   |                                  |  |
| <b>Adjustment</b>  |  |                                      |                                   |   |                                  | <input type="text" value="\$750"/>             |
|  |  |                                      |                                   |   |                                  | <input type="text" value="\$250"/>             |
| <b>Violation Events</b>  |  |                                      |                                   |   |                                  |  |
| <b>Number of Violation Events</b>  |  | <input type="text" value="3"/>       | <input type="text" value="62"/>   |   | <b>Number of violation days</b>  |  |
| <i>mark only one with an x</i>   | daily  | <input type="text"/>                 |                                   |   |                                  |  |
|  | monthly  | x                                    |                                   |   |                                  |  |
|  | quarterly  | <input type="text"/>                 |                                   |   |                                  |  |
|  | semiannual   | <input type="text"/>                 |                                   |   |                                  |  |
|  | annual   | <input type="text"/>                 |                                   |   |                                  |  |
|  | single event   | <input type="text"/>                 |                                   |   |                                  |  |
| <b>Violation Base Penalty</b>  |  |                                      |                                   |   |                                  | <input type="text" value="\$750"/>             |
| Three monthly events are recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008. |  |                                      |                                   |   |                                  |  |
| <b>Good Faith Efforts to Comply</b>  |  |                                      | 0.0% Reduction                    |   | <input type="text" value="\$0"/> |  |
|  |  |                                      | Before NOV                        | NOV to EDPRP/Settlement Offer                   |                                  |  |
| Extraordinary  |  |                                      | <input type="text"/>              | <input type="text"/>                            |                                  |  |
| Ordinary   |  |                                      | <input type="text"/>              | <input type="text"/>                            |                                  |  |
| N/A  |  |                                      | x                                 | (mark with x)                                   |                                  |  |
| <b>Notes</b>   | The Respondent does not meet the good faith criteria for this violation.   |                                      |                                   |   |                                  |  |
| <b>Violation Subtotal</b>  |  |                                      |                                   |   |                                  | <input type="text" value="\$750"/>             |
| <b>Economic Benefit (EB) for this violation</b>  |  |                                      | <b>Statutory Limit Test</b>       |   |                                  |  |
| <b>Estimated EB Amount</b>   |  |                                      | <input type="text" value="\$11"/> | <b>Violation Final Penalty Total</b>            |                                  | <input type="text" value="\$788"/>             |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>   |  |                                      |                                   |   |                                  | <input type="text" value="\$788"/>             |

## Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**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 |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|

Item Description: No commas or \$

### Delayed Costs

| Item Description         | Item Cost | Date Required | Final Date | Yrs  | Interest Saved | Onetime Costs | EB Amount |
|--------------------------|-----------|---------------|------------|------|----------------|---------------|-----------|
| Equipment                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Buildings                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Other (as needed)        | \$200     | 24-Jun-2008   | 1-Apr-2009 | 0.77 | \$1            | \$10          | \$11      |
| Engineering/construction |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Land                     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Record Keeping System    |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Training/Sampling        |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Remediation/Disposal     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Permit Costs             |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Other (as needed)        |           |               |            | 0.00 | \$0            | n/a           | \$0       |

Notes for DELAYED costs

The delayed cost includes the amount to ensure the wiring at Well No. 5 is installed in compliance with a local or national electric code, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$11

|  |  |  |  |   |
|--|--|--|--|---|
| <b>Screening Date</b> 25-Aug-2008                                  | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>   |  |   |
| <b>Respondent</b> Glenwood Water Supply Corporation                | <i>Policy Revision 2 (September 2002)</i>  |  |  |   |
| <b>Case ID No.</b> 36442   | <i>PCW Revision June 12, 2008</i>  |  |  |   |
| <b>Reg. Ent. Reference No.</b> RN101436780                         |  |  |  |   |
| <b>Media [Statute]</b> Public Water Supply                         |  |  |  |   |
| <b>Enf. Coordinator</b> Epifanio Villarreal                        |  |  |  |   |
| <b>Violation Number</b> <input type="text" value="10"/>            |  |  |  |   |
| <b>Rule Cite(s)</b>  | 30 Tex. Admin. Code § 290.121(a) and (b)   |  |  |   |
| <b>Violation Description</b>                                       | Failed to make available for Commission review a complete up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements. |  |  |   |
| <b>Base Penalty</b>  |  | <input type="text" value="\$1,000"/>                     |  |   |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>    |  |  |  |   |
| OR   | Harm   |  |  |   |
|  | Release  | Major  | Moderate   | Minor   |
|  | Actual   | <input type="text"/>                                     | <input type="text"/>   | <input type="text"/>                            |
| Potential  | <input type="text"/>   | <input type="text"/>                                     | <input type="text"/>   | <b>Percent</b> <input type="text" value="0%"/>  |
| <b>&gt;&gt; Programmatic Matrix</b>                                |  |  |  |   |
|  | Falsification  | Major  | Moderate   | Minor   |
|  | <input type="text"/>   | X  | <input type="text"/>   | <input type="text"/>                            |
|  |  |  |  | <b>Percent</b> <input type="text" value="10%"/> |
| <b>Matrix Notes</b>  | 100% of the rule requirement was not met.  |  |  |   |
| <b>Adjustment</b>  |  |  | <input type="text" value="\$900"/>                               |   |
|  |  |  | <input type="text" value="\$100"/>                               |   |
| <b>Violation Events</b>  |  |  |  |   |
| Number of Violation Events <input type="text" value="1"/>          |  | Number of violation days <input type="text" value="62"/> |  |   |
| mark only one with an x  | daily  | <input type="text"/>                                     | <b>Violation Base Penalty</b> <input type="text" value="\$100"/> |   |
|  | monthly  | <input type="text"/>                                     |  |   |
|  | quarterly  | <input type="text"/>                                     |  |   |
|  | semiannual   | <input type="text"/>                                     |  |   |
|  | annual   | <input type="text"/>                                     |  |   |
|  | single event   | X  |  |   |
| One single event is recommended.                                   |  |  |  |   |
| <b>Good Faith Efforts to Comply</b>                                |  | 0.0% Reduction   | <input type="text" value="\$0"/>                                 |   |
|  | Before NOV   | NOV to EDPRP/Settlement Offer                            |  |   |
| Extraordinary  | <input type="text"/>   | <input type="text"/>                                     |  |   |
| Ordinary   | <input type="text"/>   | <input type="text"/>                                     |  |   |
| N/A  | X  | (mark with x)  |  |   |
| <b>Notes</b>   | The Respondent does not meet the good faith criteria for this violation.   |  |  |   |
| <b>Violation Subtotal</b>  |  |  | <input type="text" value="\$100"/>                               |   |
| <b>Economic Benefit (EB) for this violation</b>                    |  | <b>Statutory Limit Test</b>                              |  |   |
| Estimated EB Amount  | <input type="text" value="\$4"/>   | Violation Final Penalty Total                            | <input type="text" value="\$105"/>                               |   |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b> |  |  | <input type="text" value="\$105"/>                               |   |

## Economic Benefit Worksheet

**Respondent** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**Media** Public Water Supply  
**Violation No.** 10

|                  |                       |
|------------------|-----------------------|
| Percent Interest | Years of Depreciation |
| 5.0              | 15                    |

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

No commas or \$

### Delayed Costs

| Item Description         | Item Cost | Date Required | Final Date | Yrs  | Interest Saved | Onetime Costs | EB Amount |
|--------------------------|-----------|---------------|------------|------|----------------|---------------|-----------|
| Equipment                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Buildings                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Other (as needed)        |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Engineering/construction |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Land                     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Record Keeping System    | \$100     | 24-Jun-2008   | 1-May-2009 | 0.85 | \$4            | n/a           | \$4       |
| Training/Sampling        |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Remediation/Disposal     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Permit Costs             |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Other (as needed)        |           |               |            | 0.00 | \$0            | n/a           | \$0       |

Notes for DELAYED costs

The delayed cost includes the amount to prepare and maintain a chemical and microbiological monitoring plan, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$4

**Screening Date:** 25-Aug-2008 **Docket No.:** 2008-1393-PWS-E **PCW**

**Respondent:** Glenwood Water Supply Corporation *Policy Revision 2 (September 2002)*

**Case ID No.:** 36442 *PCW Revision June 12, 2008*

**Reg. Ent. Reference No.:** RN101436780

**Media [Statute]:** Public Water Supply

**Enf. Coordinator:** Epifanio Villarreal

**Violation Number:** 11

**Rule Cite(s):** 30 Tex. Admin. Code § 290.46(n)(2)

**Violation Description:** Failed to provide an up-to-date map of the distribution system. Specifically, at the time of the investigation, it was documented that the map of the distribution system did not indicate where the flush valves were located.

**Base Penalty:** \$1,000

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

**OR**

| Release   | Harm  |          |       | Percent |
|-----------|-------|----------|-------|---------|
|           | Major | Moderate | Minor |         |
| Actual    |       |          |       | 0%      |
| Potential |       |          |       |         |

**>> Programmatic Matrix**

| Falsification | Harm  |          |       | Percent |
|---------------|-------|----------|-------|---------|
|               | Major | Moderate | Minor |         |
|               |       | X        |       | 5%      |

**Matrix Notes:** Between 30% and 70% of the rule requirement was not met.

**Adjustment:** \$950

**Total:** \$50

**Violation Events**

Number of Violation Events: 1      62 Number of violation days

mark only one with an x

|              |   |
|--------------|---|
| daily        |   |
| monthly      |   |
| quarterly    |   |
| semiannual   |   |
| annual       |   |
| single event | X |

**Violation Base Penalty:** \$50

**Notes:** One single event is recommended.

**Good Faith Efforts to Comply**      0.0% Reduction      \$0

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

**Notes:** The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal:** \$50

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

Estimated EB Amount: \$4      Violation Final Penalty Total: \$53

**This violation Final Assessed Penalty (adjusted for limits):** \$53

## Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**Media:** Public Water Supply  
**Violation No.:** 11

|                  |                       |
|------------------|-----------------------|
| Percent Interest | Years of Depreciation |
| 5.0              | 15                    |

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

No commas or \$

### Delayed Costs

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        | \$100 | 24-Jun-2008 | 1-May-2009 | 0.85 | \$4 | n/a | \$4 |

Notes for DELAYED costs

The delayed cost includes the amount to update the distribution map, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$4

|   |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|---|--|---|----------------------|---------|----------------------|-----------|----------------------|------------|----------------------|--------|----------------------|--------------|---------------------------------|------------------------------------|
| <b>Screening Date</b> 25-Aug-2008                               | <b>Docket No.</b> 2008-1393-PWS-E  | <b>PCW</b>  |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Respondent</b> Glenwood Water Supply Corporation             |  | <small>Policy Revision 2 (September 2002)</small> |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Case ID No.</b> 36442  |  | <small>PCW Revision June 12, 2008</small>         |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Reg. Ent. Reference No.</b> RN101436780                      |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Media [Statute]</b> Public Water Supply                      |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Enf. Coordinator</b> Epifanio Villarreal                     |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Violation Number</b> 12                                      |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Rule Cite(s)</b>   | 30 Tex. Admin. Code § 290.46(f)(2), 290.46(f)(3)(A)(i)(II), and 290.46(f)(3)(A)(ii)(II)  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Violation Description</b>                                    | Failed to provide water system records to Commission personnel at the time of the investigation. Specifically, at the time of the investigation, the following records were not available for review: the amount of chemicals used each day and the volume of water treated each day.  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Base Penalty</b>  | \$1,000   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b> |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| OR  | <b>Harm</b>  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | Major      Moderate      Minor   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| Release   |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| Actual  | <input type="text"/>   | <input type="text"/>                              |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| Potential   | <input type="text"/>   | <input type="text"/>                              |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Percent</b>   | 0%  |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>&gt;&gt; Programmatic Matrix</b>                             |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Falsification</b>   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | Major      Moderate      Minor   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <input type="text"/>   | <input checked="" type="text"/>                   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Percent</b>   | 1%  |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Matrix Notes</b>   | Less than 30% of the rule requirement was not met.   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Adjustment</b>  | \$990   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   |  | \$10  |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Violation Events</b>   |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Number of Violation Events</b>                               | 1  | <b>Number of violation days</b> 62                |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <small>mark only one with an x</small>                          | <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input checked="" type="text"/></td></tr> </table> | daily   | <input type="text"/> | monthly | <input type="text"/> | quarterly | <input type="text"/> | semiannual | <input type="text"/> | annual | <input type="text"/> | single event | <input checked="" type="text"/> | <b>Violation Base Penalty</b> \$10 |
| 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"/>  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | One single event is recommended.   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Good Faith Efforts to Comply</b>                             | 0.0% Reduction   | \$0   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | Before NOV      NOV to EDPRP/Settlement Offer  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| Extraordinary   | <input type="text"/>   | <input type="text"/>                              |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| Ordinary  | <input type="text"/>   | <input type="text"/>                              |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| N/A   | X  | (mark with x)                                     |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Notes</b>  | The Respondent does not meet the good faith criteria for this violation.   |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>Violation Subtotal</b>  | \$10  |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Economic Benefit (EB) for this violation</b>                 |  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
| <b>Estimated EB Amount</b>                                      | \$4  | <b>Violation Final Penalty Total</b> \$11         |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |
|   | <b>This violation Final Assessed Penalty (adjusted for limits)</b> \$11  |   |                      |         |                      |           |                      |            |                      |        |                      |              |                                 |                                    |

### Economic Benefit Worksheet

**Respondent:** Glenwood Water Supply Corporation  
**Case ID No.:** 36442  
**Reg. Ent. Reference No.:** RN101436780  
**Media:** Public Water Supply  
**Violation No.:** 12

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

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

**Delayed Costs**

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    | \$100 | 24-Jun-2008 | 1-Apr-2009 | 0.77 | \$4 | n/a | \$4 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to properly maintain records of the amount of chemicals used and volume of water treated for each day, calculated from the date of the investigation to the estimated date of compliance.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$4

|  |   |                                     |  |                          |
|--|---|-------------------------------------|--|--------------------------|
| <b>Screening Date</b> 25-Aug-2008  | <b>Docket No.</b> 2008-1393-PWS-E   | <b>PCW</b>                          |  |                          |
| <b>Respondent</b> Glenwood Water Supply Corporation  | <i>Policy Revision 2 (September 2002)</i>   |                                     |  |                          |
| <b>Case ID No.</b> 36442   | <i>PCW Revision June 12, 2008</i>   |                                     |  |                          |
| <b>Reg. Ent. Reference No.</b> RN101436780   |   |                                     |  |                          |
| <b>Media [Statute]</b> Public Water Supply   |   |                                     |  |                          |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |   |                                     |  |                          |
| <b>Violation Number</b>  | 13  |                                     |  |                          |
| <b>Rule Cite(s)</b>  | 30 Tex. Admin. Code § 290.45(b)(1)(D)(iv) and Tex. Health & Safety Code § 341.0315(c)   |                                     |  |                          |
| <b>Violation Description</b>   | Failed to provide an elevated storage capacity of 100 gallons per connection at Pressure Plane No. 1. Specifically, at the time of the investigation, it was documented that Pressure Plane No. 1 had an elevated storage capacity of 66 gallons per connection, which is 34% deficient.              |                                     |  |                          |
| <b>Base Penalty</b>  |   | \$1,000                             |  |                          |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |   |                                     |  |                          |
| OR   | Harm  |                                     |  |                          |
|  | Release   | Major                               | Moderate   | Minor                    |
|  | Actual  | <input type="checkbox"/>            | <input type="checkbox"/>   | <input type="checkbox"/> |
|  | Potential   | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                      | <input type="checkbox"/> |
|  |   |                                     |  | <b>Percent</b> 10%       |
| <b>&gt;&gt; Programmatic Matrix</b>  |   |                                     |  |                          |
|  | Falsification   | Major                               | Moderate   | Minor                    |
|  | <input type="checkbox"/>  | <input type="checkbox"/>            | <input type="checkbox"/>   | <input type="checkbox"/> |
|  |   |                                     |  | <b>Percent</b> 0%        |
| <b>Matrix Notes</b>  | Without adequate elevated storage capacity, customers of the water system could experience water outages and the system's ability to provide a safe and adequate water supply could expose customers to a significant amount of contaminants that would not exceed levels protective of human health. |                                     |  |                          |
| <b>Adjustment</b>  |   |                                     | \$900  |                          |
| <b>\$100</b>   |   |                                     |  |                          |
| <b>Violation Events</b>  |   |                                     |  |                          |
| <b>Number of Violation Events</b>  |   | 1                                   | <b>Number of violation days</b>  |                          |
|  |   | 62                                  |  |                          |
| <i>mark only one with an x</i>   | daily   | <input type="checkbox"/>            |  |                          |
|  | monthly   | <input type="checkbox"/>            |  |                          |
|  | quarterly   | <input checked="" type="checkbox"/> |  |                          |
|  | semiannual  | <input type="checkbox"/>            |  |                          |
|  | annual  | <input type="checkbox"/>            |  |                          |
|  | single event  | <input type="checkbox"/>            |  |                          |
|  |   |                                     | <b>Violation Base Penalty</b> \$100                                      |                          |
| One quarterly event is recommended from the date of the investigation, June 24, 2008, to the date of screening, August 25, 2008. |   |                                     |  |                          |
| <b>Good Faith Efforts to Comply</b>  |   | 0.0%                                | <b>\$0</b>   |                          |
|  |   | Reduction                           |  |                          |
|  |   | Before NOV                          | NOV to EDRP/Settlement Offer   |                          |
| Extraordinary  | <input type="checkbox"/>  | <input type="checkbox"/>            |  |                          |
| Ordinary   | <input type="checkbox"/>  | <input type="checkbox"/>            |  |                          |
| N/A  | <input checked="" type="checkbox"/>   | (mark with x)                       |  |                          |
| <b>Notes</b>   | The Respondent does not meet the good faith criteria for this violation.  |                                     |  |                          |
| <b>Violation Subtotal</b>  |   |                                     | <b>\$100</b>   |                          |
| <b>Economic Benefit (EB) for this violation</b>  |   | <b>Statutory Limit Test</b>         |  |                          |
| <b>Estimated EB Amount</b>   |   | \$2,830                             | <b>Violation Final Penalty Total</b> \$105                               |                          |
|  |   |                                     | <b>This violation Final Assessed Penalty (adjusted for limits)</b> \$105 |                          |

### Economic Benefit Worksheet

**Respondent** Glenwood Water Supply Corporation  
**Case ID No.** 36442  
**Reg. Ent. Reference No.** RN101436780  
**Media** Public Water Supply  
**Violation No.** 13

|                         |                              |
|-------------------------|------------------------------|
| <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                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Buildings                |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Other (as needed)        |           |               |            | 0.00 | \$0            | \$0           | \$0       |
| Engineering/construction | \$34,000  | 24-Jun-2008   | 1-Sep-2009 | 1.19 | \$135          | \$2,695       | \$2,830   |
| Land                     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Record Keeping System    |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Training/Sampling        |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Remediation/Disposal     |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Permit Costs             |           |               |            | 0.00 | \$0            | n/a           | \$0       |
| Other (as needed)        |           |               |            | 0.00 | \$0            | n/a           | \$0       |

Notes for DELAYED costs

The delayed cost includes the amount to increase the elevated storage capacity to a minimum of 100 gallons per connection, calculated from the date of the investigation to the estimated date of compliance.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$34,000

**TOTAL**

\$2,830

# Compliance History

|   |   |                                   |                 |                    |
|---|---|-----------------------------------|-----------------|--------------------|
| Customer/Respondent/Owner-Operator:           | CN600678585                                   | Glenwood Water Supply Corporation | Classification: | Rating:            |
| Regulated Entity:                             | RN101436780                                   | GLENWOOD WSC                      | Classification: | Site Rating:       |
| ID Number(s):                                 | PUBLIC WATER SYSTEM/SUPPLY<br>WATER LICENSING | REGISTRATION<br>LICENSE           |                 | 2300005<br>2300005 |
| Location:                                     | 6792 FM 726 S, UPSHUR COUNTY, TX              |                                   |                 |                    |
| TCEQ Region:                                  | REGION 05 - TYLER                             |                                   |                 |                    |
| Date Compliance History Prepared:             | August 25, 2008                               |                                   |                 |                    |
| Agency Decision Requiring Compliance History: | Enforcement                                   |                                   |                 |                    |
| Compliance Period:                            | August 25, 2003 to August 25, 2008            |                                   |                 |                    |

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

Name: Epi Villarreal Phone: 210-403-4033

### Site Compliance History Components

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

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.  
N/A
  - B. Any criminal convictions of the state of Texas and the federal government.  
N/A
  - C. Chronic excessive emissions events.  
N/A
  - D. The approval dates of investigations. (CCEDS Inv. Track. No.)
    - 1 03/22/2004 (264022)
    - 2 08/15/2008 (688152)
  - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
    - Date: 03/26/2004 (264022)
    - Self Report? NO Classification: Moderate
    - Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(ii)  
5A THSC Chapter 341, SubChapter A 341.0315(a)(1)
    - Description: Failure to maintain a total storage capacity of 200 gallons per connection.
  - 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  
GLENWOOD WATER SUPPLY  
CORPORATION  
RN101436780

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2008-1393-PWS-E**

**I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Glenwood Water Supply Corporation ("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 represented by Ms. Paula Hunt of the Griffith Law Firm P.C., appear before the Commission and together stipulate that:

1. The Respondent owns and operates a public water supply at 6792 Farm-to-Market Road 726 South, Upshur County, Texas (the "Facility") that has approximately 913 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 August 20, 2008.
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 Three Thousand Three Dollars (\$3,003) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Three Dollars (\$103) of the administrative penalty and Six Hundred Dollars (\$600) 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 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 Two Thousand Three Hundred Dollars (\$2,300) of the administrative penalty shall be payable in 23 monthly payments of One Hundred Dollars (\$100) 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 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, 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 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.
9. 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.
10. 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 a total storage capacity of 200 gallons per connection at Pressure Plane Nos. 1 and 2, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on June 24, 2008.
2. Failed to provide sanitary control easements that cover the land within 150 feet of the water system's six wells, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F), as documented during an investigation conducted on June 24, 2008.



3. Failed to provide disinfection facilities for determining the amount of disinfectant used daily as well as the amount of disinfectant remaining for use, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(3)(D), as documented during an investigation conducted on June 24, 2008.
4. Failed to compile and maintain a plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(1), as documented during an investigation conducted on June 24, 2008.
5. Failed to maintain the facility's storage tank at Plant No. 4 in strict accordance with current American Water Works Association ("AWWA") design standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(8), as documented during an investigation conducted on June 24, 2008.
6. Failed to provide the pressure tank at Plant No. 3 with a device to readily determine air-water-volume, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3), as documented during an investigation conducted on June 24, 2008.
7. Failed to provide the pressure tank at Plant No. 3 with a pressure release device, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(2), as documented during an investigation conducted on June 24, 2008.
8. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m), as documented during an investigation conducted on June 24, 2008.
9. Failed to ensure that all water system electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v), as documented during an investigation conducted on June 24, 2008.
10. Failed to make available for Commission review a complete up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b), as documented during an investigation conducted on June 24, 2008.
11. Failed to provide an up-to-date map of the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2), as documented during an investigation conducted on June 24, 2008.
12. Failed to provide water system records to Commission personnel at the time of the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), 290.46(f)(3)(A)(i)(II), and 290.46(f)(3)(A)(ii)(II), as documented during an investigation conducted on June 24, 2008.
13. Failed to provide an elevated storage capacity of 100 gallons per connection at Pressure Plane No. 1, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on June 24, 2008.



### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Glenwood Water Supply Corporation, Docket No. 2008-1393-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 this Agreed Order:
    - i. Repair or replace the chlorine scale at Plant No. 2, in accordance with 30 TEX. ADMIN. CODE § 290.42;
    - ii. Install a pressure release device on the pressure tank at Plant No. 3, in accordance with 30 TEX. ADMIN. CODE § 290.41;
    - iii. Initiate good housekeeping practices, including but not limited to the following: remove all overgrown vegetation on the fences at Plant Nos. 2 and 3, repair the holes in the fence for Well No. 2 and Plant No. 2, repair the barbed wire in places at Well No. 5 and Plant No. 3, provide a wire on the gate for Well No. 3, refurbish the pressure tank at Plant No. 3, and repair the cracked sealing block at Well No. 5, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - iv. Secure the electrical wiring for Well No. 5 in compliance with a local or national electric code, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
    - v. Compile and maintain properly completed monthly water works operation records and maintenance records, including but not limited to amount of chemical used each day and the volume of water treated each day, and make them available at the time of Commission inspections, in accordance with 30 TEX. ADMIN. CODE § 290.46.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.I, and include supporting documentation



including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.

- c. Within 60 days after the effective date of this Agreed Order, install a device that readily determines the air-water-volume on the pressure tank at Plant No. 3, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- d. Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.1, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.
- e. Within 120 days after the effective date of this Agreed Order:
  - i. Maintain an up-to-date and thorough plant operations manual for operator review and reference, in accordance with 30 TEX. ADMIN. CODE § 290.42;
  - ii. Compile and begin maintaining an up-to-date chemical and microbiological monitoring plan for the Facility, in accordance with 30 TEX. ADMIN. CODE § 290.121; and
  - iii. Begin maintaining an up-to-date map of the distribution system so that flush valves may be easily located during emergencies, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- f. Within 135 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.1, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.e.
- g. Within 180 days after the effective date of this Agreed Order, obtain sanitary control easements that cover the land within 150 feet of Well Nos. 1, 2, 3, 4, 5, and 6, in accordance with 30 TEX. ADMIN. CODE § 290.41.
- h. Within 195 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.1, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.g.
- i. Within 270 days after the effective date of this Agreed Order, refurbish the bottom of the storage tank at Plant No. 4 so that the exterior meets AWWA standards, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- j. Within 285 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.1, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.i.



- k. Within 365 days after the effective date of this Agreed Order:
  - i. Provide a total storage capacity of 200 gallons per connection at Pressure Plane Nos. 1 and 2, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
  - ii. Provide an elevated storage capacity of 100 gallons per connection for Pressure Plane No. 1, in accordance with 30 TEX. ADMIN. CODE § 290.45;
- l. Within 380 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 2.k. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager  
Tyler Regional Office  
Texas Commission on Environmental Quality  
2916 Teague Drive  
Tyler, Texas 75701-3734

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.



5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

  
\_\_\_\_\_  
For the Executive Director

1/23/2009  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
\_\_\_\_\_  
Signature

11-25-08  
Date

H. JAMES SCHELL  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Glenwood Water Supply Corporation

SECRETRES  
\_\_\_\_\_  
Title

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

1917

THE UNIVERSITY OF CHICAGO

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DEPARTMENT OF CHEMISTRY  
CHICAGO, ILLINOIS

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