

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-1641-PWS-E TCEQ ID: RN101387199 CASE NO.: 28194
RESPONDENT NAME: CITY OF MCGREGOR

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 302 South Madison Street, McGregor, McClellan County</p> <p>TYPE OF OPERATION: Public water system</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired June 22, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Mr., Benjamin O. Thompson, Litigation Division, MC , (512) 239-1297 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 TCEQ Enforcement Coordinator: Mr. Stephen Thompson, Water Enforcement Section, MC 169, (512) 239-2558 TCEQ Regional Contact: Mr. Frank Bureson, Waco Regional Office, MC , (254) 761-3001 Respondent: Mr. James S. "Jimmy" Hering, Mayor, City of McGregor, 302 S. Madison, McGregor, Texas 76657 Respondent's Attorney: Mr. Charles D. Olson, Haley & Olson, P.C. 510 N. Valley Mills Drive, Suite 600 Waco, TX 76710</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 11, 2007</p> <p>Date of NOE Relating to this Case: August 31, 2007</p> <p>Background Facts: The EDPRP was filed November 6, 2008. The agreed order was signed on April 29, 2009.</p> <p>Current Compliance Status: No outstanding Technical Requirements.</p> <p>PWS:</p> <ol style="list-style-type: none"> Failed to keep on file and make available for Commission review the water system's operating and maintenance records [30 TEX. ADMIN. CODE § 290.46(f)(2) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.a.]. Failed to provide a liquid level indicator for the below ground storage tank at plant no. 1 [30 TEX. ADMIN. CODE § 290.43(c)(4) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.c.ii]. Failed to provide a casing vent for well no. 3 [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)]. Failed to provide an intruder resistant fence around the elevated storage tank [30 TEX. ADMIN. CODE § 290.43(e)]. Failed to provide a suitable sampling cock on the discharge pipe of well pump no. 4 [30 TEX. ADMIN. CODE § 290.41(c)(3)(M).]. Failed to post a legible sign at plant no. 2 that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)]. 	<p>Total Assessed: \$10,812</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$10,812</p> <p>Site Compliance History Classification N/A</p> <p>Person Compliance History Classification N/A</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: Indifference to legal duty due to failure to comply with a previously issued Commission order.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility in response to this enforcement action:</p> <ol style="list-style-type: none"> On August 14, 2007, provided documentation demonstrating: <ol style="list-style-type: none"> Repairs to the intruder-resistant fence at the elevated storage tower on 5th Street were completed; Ownership sign at plant no. 2 was replaced; Repairs to the overflow flap at the elevated storage tower on 5th Street were completed; A well casing vent for well no. was installed; and A suitable sampling cock on the discharge pipe of well pump no. 4 raw water sampling tap was installed. On November 24, 2008: <ol style="list-style-type: none"> Provided documentation showing that the Respondent is maintaining the required operating and maintenance records; Provided documentation verifying that a liquid level indicator for the below ground storage tank at plant no. 1 was installed; Provided a complete plant operations manual; Provided completed customer service inspection certificate form; Provided documentation verifying the installation of overflow pipes on the ground storage tanks at plant no. 3; Provided documentation verifying that the leak in the service pump at plant no. 3 was repaired; Provided documentation verifying that backflow prevention assemblies were installed at the McGregor Veterinary Clinic, Cole Funeral Home, McGregor Community Clinic, and the City of McGregor Wastewater Treatment Plant; and Provided documentation verifying that the four 50,000 gallon ground storage tanks at plant no. 3 have been taken off-line and are no longer in use.

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>7. Failed to provide a proper overflow pipe and pipe flap cover [30 TEX. ADMIN. CODE § 290.43(c)(3)].</p> <p>8. Failed to maintain the plant and distribution system in a watertight condition [30 TEX. ADMIN. CODE § 290.46(m)(4)].</p> <p>9. Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists [30 TEX. ADMIN. CODE § 290.44(h)(1)(A)].</p> <p>10. Failed to provide a complete plant operations manual [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>11. Failed to provide an appropriate customer service inspection ("CSI") certificate form [30 TEX. ADMIN. CODE § 290.46(j)].</p>		



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

TCEQ

DATES	Assigned	10-Sep-2007	Screening	12-Oct-2007	EPA Due	6-Apr-2008
	PCW	2-Dec-2008				

RESPONDENT/FACILITY INFORMATION	
Respondent	City of McGregor
Reg. Ent. Ref. No.	RN101387199
Facility/Site Region	9-Waco
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	28194	No. of Violations	11
Docket No.	2007-1641-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Enf. Coordinator	Stephen Thompson
Multi-Media		EC's Team	Enforcement Team 2
Admin. Penalty \$	Limit Minimum	\$50	Maximum
			\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **\$8,650**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 25% Enhancement *Subtotals 2, 3, & 7* **\$2,162**

Notes: Enhancement recommended due to one previous Order and one NOV with same or similar violations.

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

Notes: The Respondent does not meet the culpability criteria.

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

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

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

0% Enhancement* *Subtotal 6* **\$0**

Total EB Amounts \$189
 Approx. Cost of Compliance \$3,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 *Final Subtotal* **\$10,812**

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

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount **\$10,812**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **\$10,812**

DEFERRAL 0% Reduction *Adjustment* **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$10,812**

Screening Date 12-Oct-2007

Docket No. 2007-1641-PWS-E

PCW

Respondent City of McGregor

Policy Revision 2 (September 2002)

Case ID No. 28194

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101387199

Media [Statute] Public Water Supply

Enf. Coordinator Stephen Thompson

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 25%

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

N/A

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

N/A

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement recommended due to one previous Order and one NOV with same or similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 25%

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)(2) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.a.	
Violation Description	Failed to keep on file and make available for Commission review the water system's operating and maintenance records. Specifically, at the time of the investigation, the City failed to provide any records pertaining to the operation of the water system.	
	Base Penalty	<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	
					Percent <input type="text" value="25%"/>
Matrix Notes	100% of the rule requirement was not met.				

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Fourteen monthly events are recommended, calculated from the effective date of TCEQ Order Docket No. 2006-0137-PWS-E, August 28, 2006, to the date of screening, October 12, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount: <input type="text" value="\$5"/>	Violation Final Penalty Total: <input type="text" value="\$4,375"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$4,375"/>	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$50	28-Aug-2006	15-Jun-2008	1.8	\$5	n/a	\$5
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to maintain the systems records, calculated from the effective date of TCEQ Order Docket No. 2006-0137-PWS-E to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$5

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 28194	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(4) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.c.ii.	
Violation Description	Failed to provide a liquid level indicator for the below ground storage tank at plant no. 1.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
 Failure to provide a liquid level indicator for below ground storage tanks could contribute to inadequate water supply because the operator cannot make the necessary production and usage calculations to ensure a safe and adequate water supply.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One single event is recommended.

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

Estimated EB Amount Violation Final Penalty Total
 This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: City of McGregor
Case ID No.: 28194
Reg. Ent. Reference No.: RN101387199
Media: Public Water Supply
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$500	28-Aug-2006	15-Jun-2008	1.8	\$3	\$60	\$63
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to provide a liquid level indicator for the below ground storage tanks, calculated from the effective date of TCEQ Order Docket No. 2006-0137-PWS-E to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$63

<p>Screening Date 12-Oct-2007</p> <p>Respondent City of McGregor</p> <p>Case ID No. 28194</p> <p>Reg. Ent. Reference No. RN101387199</p> <p>Media [Statute] Public Water Supply</p> <p>Enf. Coordinator Stephen Thompson</p> <p>Violation Number <input type="text" value="3"/></p> <p>Rule Cite(s) <input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(K)"/></p> <p>Violation Description <input type="text" value="Failed to provide a casing vent for well no. 3."/></p>	<p style="text-align: right;">Docket No. 2007-1641-PWS-E</p> <p style="text-align: right;">PCW</p> <p style="text-align: right;"><small>Policy Revision 2 (September 2002)</small></p> <p style="text-align: right;"><small>PCW Revision June 26, 2007</small></p>																																
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	Violation Final Penalty Total <input type="text" value="\$1,250"/>																																
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Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$100	11-Jul-2007	14-Aug-2007	0.1	\$0	\$1	\$1
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to provide a well casing vent at well no. 3, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$1

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	4	
Rule Cite(s)	30 Tex. Admin. Code § 290.43(e)	
Violation Description	Failed to provide an intruder resistant fence around the elevated storage tank. Specifically, at the time of the investigation, the top three strands of barbed wire on the fence at the elevated tower on 5th Street were in need of repair.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			X
				Percent 10%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0%

Matrix Notes Human health or the environment will or could be exposed to an insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 34 Number of violation days

	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$1	Violation Final Penalty Total \$125
This violation Final Assessed Penalty (adjusted for limits) \$125	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$100	11-Jul-2007	14-Aug-2007	0.1	\$0	\$1	\$1
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The delayed costs include the amount to repair the barbed wire strands on top of the fence at the elevated storage tower on 5th Street, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$1

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="5"/>		
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(M)"/>	
Violation Description	<input type="text" value="Failed to provide a suitable sampling cock on the discharge pipe of well pump no. 4."/>	
	Base Penalty	<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$125"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$125"/>	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$50	11-Jul-2007	14-Aug-2007	0.1	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to provide a suitable sampling tap prior to treatment at well no. 4, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$0

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(t)	
Violation Description	Failed to post a legible sign at plant no. 2 that contains the name of the water supply and emergency telephone numbers where a responsible official can contacted. Specifically, on July 11, 2007, the sign posted at plant no. 2 was not legible due to the paint peeling off.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
				Percent 0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		X			
					Percent 25%
Matrix Notes	100% of the rule requirement was not met.				
					Adjustment \$750

\$250

Violation Events

Number of Violation Events 1 34 Number of violation days

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

Violation Base Penalty \$250

One single event is recommended.

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

Estimated EB Amount \$0	Violation Final Penalty Total \$312
This violation Final Assessed Penalty (adjusted for limits) \$312	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$50	11-Jul-2007	14-Aug-2007	0.1	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to replace the sign at plant no. 2, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$0

Screening Date 12-Oct-2007 **Docket No.** 2007-1641-PWS-E **PCW**
Respondent City of McGregor *Policy Revision 2 (September 2002)*
Case ID No. 28194 *PCW Revision June 26, 2007*
Reg. Ent. Reference No. RN101387199
Media [Statute] Public Water Supply
Enf. Coordinator Stephen Thompson

Violation Number
Rule Cite(s)
Violation Description Failed to provide a proper overflow pipe and pipe flap cover. Specifically, at the time of the investigation, the overflow cover on the elevated storage tower on 5th Street had a gap greater than 1/16th inch and did not have a proper seal. Additionally, three of the four 50,000 gallon ground storage tanks at plant no. 3 were not provided overflows located near enough and at a position accessible from a ladder or the balcony for inspection purposes.

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"/>	<input type="text" value="25%"/>
Potential	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<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 Human health or the environment will or could be exposed to a significant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

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

Four quarterly events (one per improperly constructed overflow) are recommended, from the date of the investigation, July 11, 2007, to the date of screening, October 12, 2007.

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

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$700	11-Jul-2007	15-Jun-2008	0.9	\$2	\$43	\$46
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$300	11-Jul-2007	14-Aug-2007	0.1	\$1	n/a	\$1

Notes for DELAYED costs

The delayed costs include the amount to fix the overflow cover on the elevated storage tower on 5th Street so there is gap of less than 1/16th inch, calculated from the date of the investigation to the date of compliance; and to provide three of the four 50,000 gallon ground storage tanks at plant no. 3 with overflows located near enough and at a position accessible from a ladder or the balcony for inspection purposes, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$47

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number	8	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(4)	
Violation Description	Failed to maintain the plant and distribution system in a watertight condition. Specifically, at the time of the investigation, there was a leak in the service pump at plant no. 3.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential		X	Percent 10%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to an insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$900

\$100

Violation Events

	1		93	Number of violation days												
<i>mark only one with an x</i>	<table border="1" style="border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td style="width: 30px; height: 20px;"></td></tr> <tr><td style="padding: 2px;">monthly</td><td style="width: 30px; height: 20px;"></td></tr> <tr><td style="padding: 2px;">quarterly</td><td style="width: 30px; height: 20px;"></td></tr> <tr><td style="padding: 2px;">semiannual</td><td style="width: 30px; height: 20px;"></td></tr> <tr><td style="padding: 2px;">annual</td><td style="width: 30px; height: 20px;"></td></tr> <tr><td style="padding: 2px;">single event</td><td style="width: 30px; height: 20px; text-align: center;">X</td></tr> </table>	daily		monthly		quarterly		semiannual		annual		single event	X			Violation Base Penalty \$100
daily																
monthly																
quarterly																
semiannual																
annual																
single event	X															

One single event is recommended

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$33	Violation Final Penalty Total \$125
This violation Final Assessed Penalty (adjusted for limits) \$125	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
Media Public Water Supply
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$500	11-Jul-2007	15-Jun-2008	0.9	\$2	\$31	\$33
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to repair or replace the leaking pump at plant no. 3, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$33

<p>Screening Date 12-Oct-2007</p> <p>Respondent City of McGregor</p> <p>Case ID No. 28194</p> <p>Reg. Ent. Reference No. RN101387199</p> <p>Media [Statute] Public Water Supply</p> <p>Enf. Coordinator Stephen Thompson</p> <p>Violation Number <input type="text" value="9"/></p> <p>Rule Cite(s) <input type="text" value="30 Tex. Admin. Code § 290.44(h)(1)(A)"/></p> <p>Violation Description <input type="text" value="Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists. Specifically, at the time of the investigation, there were not backflow prevention assemblies or air gaps at McGregor Veterinary Clinic, Cole Funeral Home, McGregor Community Clinic, and City of McGregor Wastewater Treatment Plant."/></p>	<p>Docket No. 2007-1641-PWS-E</p> <p style="text-align: right;">PCW <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision June 26, 2007</i></p>																							
Base Penalty <input type="text" value="\$1,000"/>																								
>> Environmental, Property and Human Health Matrix																								
<p>OR</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th colspan="3" style="text-align: center;">Harm</th> <th></th> </tr> <tr> <th style="text-align: left;">Release</th> <th></th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> <th></th> </tr> </thead> <tbody> <tr> <td>Actual</td> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td rowspan="2" style="vertical-align: middle;">Percent <input type="text" value="50%"/></td> </tr> <tr> <td>Potential</td> <td></td> <td style="text-align: center;">X</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </tbody> </table>			Harm				Release		Major	Moderate	Minor		Actual		<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="50%"/>	Potential		X	<input type="text"/>	<input type="text"/>
		Harm																						
Release		Major	Moderate	Minor																				
Actual		<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="50%"/>																			
Potential		X	<input type="text"/>	<input type="text"/>																				
>> Programmatic Matrix																								
<p>Matrix Notes</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> <th></th> </tr> </thead> <tbody> <tr> <td>Falsification</td> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td rowspan="2" style="vertical-align: middle;">Percent <input type="text" value="0%"/></td> </tr> </tbody> </table> <p style="text-align: center;">Human health or the environment will or could be exposed to a significant amount of pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.</p>			Major	Moderate	Minor		Falsification		<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>											
		Major	Moderate	Minor																				
Falsification		<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>																			
Adjustment <input type="text" value="\$500"/>																								
<input type="text" value="\$500"/>																								
Violation Events																								
<p>Number of Violation Events <input type="text" value="4"/> <input type="text" value="93"/> Number of violation days</p>																								
<p><i>mark only one with an x</i></p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td style="text-align: center;">X</td></tr> </tbody> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	X											
daily	<input type="text"/>																							
monthly	<input type="text"/>																							
quarterly	<input type="text"/>																							
semiannual	<input type="text"/>																							
annual	<input type="text"/>																							
single event	X																							
Violation Base Penalty <input type="text" value="\$2,000"/>																								
<p>Four single events (one for each location) are recommended.</p>																								
Economic Benefit (EB) for this violation																								
Statutory Limit Test																								
Estimated EB Amount <input type="text" value="\$33"/>	Violation Final Penalty Total <input type="text" value="\$2,500"/>																							
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,500"/>																								

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$500	11-Jul-2007	15-Jun-2008	0.9	\$2	\$31	\$33
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The delayed costs include the amount to install backflow prevention devices, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$500	TOTAL	\$33
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Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="10"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.42(l)	
Violation Description	Failed to provide a complete plant operations manual. Specifically, at the time of the investigation, the City did not have a plant operations manual.	
	Base Penalty	<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>

Matrix Notes

Adjustment

Violation Events

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

mark only one with an x

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

Violation Base Penalty

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

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$50	11-Jul-2007	15-Jun-2008	0.9	\$2	n/a	\$2
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to develop a complete 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$2

Screening Date 12-Oct-2007	Docket No. 2007-1641-PWS-E	PCW
Respondent City of McGregor		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 28194		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101387199		
Media [Statute] Public Water Supply		
Enf. Coordinator Stephen Thompson		
Violation Number <input type="text" value="11"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(j)	
Violation Description	Failed to provide an appropriate customer service inspection ("CSI") certificate form. Specifically, at the time of the investigation, the proper CSI certificate form was not being utilized nor was approval granted for the alternative form being utilized.	
	Base Penalty	<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	
	<input type="text"/>	X	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	100% of the rule requirement not met.				
	Adjustment				<input type="text" value="\$750"/>

Violation Events

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="93"/>	Number of violation days												
<i>mark only one with an x</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td style="text-align: center;">X</td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	X	Violation Base Penalty <input type="text" value="\$250"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	X													
One single event is recommended.														

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$5"/>	Violation Final Penalty Total <input type="text" value="\$312"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$312"/>	

Economic Benefit Worksheet

Respondent City of McGregor
Case ID No. 28194
Reg. Ent. Reference No. RN101387199
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	11-Jul-2007	15-Jun-2008	0.9	\$5	n/a	\$5

Notes for DELAYED costs

The delayed costs include the amount to develop and utilize the proper CSI form, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$5

Compliance History

Customer/Respondent/Owner-Operator:	CN600755631 CITY OF MCGREGOR	Classification:	Rating:
Regulated Entity:	RN101387199 CITY OF MCGREGOR	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1550004
	WATER LICENSING	LICENSE	1550004
Location:	302 SOUTH MADISON STREET, MCGREGOR, TEXAS		
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	October 11, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	October 11, 2002 to October 11, 2007		

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

Name: Thomas Barnett Phone: 713-767-3680

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

- | | |
|---|----------------------------|
| Effective Date: 08/28/2006 | ADMINORDER 2006-0137-PWS-E |
| Classification: Minor | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2) | |
| Description: Failure to provide water system records that needed to be reviewed at the time of the investigation. | |
| Classification: Minor | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N) | |
| Description: Failure to have flow meters on each of the systems three wells. | |
| Classification: Minor | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4) | |
| Description: Failure to provide a liquid level indicator for the below ground storage tanks. | |
| Classification: Moderate | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(9) | |
| Description: Failure to use ground storage tanks that have not been used previously for a non-potable purpose. | |
| Classification: Minor | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4) | |
| Description: Failure to maintain distribution system lines, water storage and pressure maintenance facilities, and related appurtenances in a watertight condition and be free of excessive solids. | |
| Classification: Minor | |
| Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1) | |
| Description: Failure to provide roof vents on the four, 50,000 gal ground storage tanks. | |

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 | 12/29/2004 | (338458) |
| 2 | 03/18/2005 | (371434) |
| 3 | 05/27/2005 | (392591) |
| 4 | 09/30/2005 | (431125) |
| 5 | 01/20/2006 | (433918) |
| 6 | 05/24/2006 | (467372) |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/29/2004 (338458)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

Description: Failure to provide water system records that needed to be reviewed at the time of the investigation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)

Description: Failure to have flow meters on each of the systems three wells.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)

Description: Failure to provide a liquid level indicator for the below ground storage tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(9)

Description: Failure to use ground storage tanks that have not been used previously for a non-potable purpose.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to maintain distribution system lines, water storage and pressure maintenance facilities, and related appurtenances in a watertight condition and be free of excessive solids.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)

Description: Failure to provide roof vents on the four, 50,000 gal ground storage tanks.

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
THE CITY OF MCGREGOR,
RN101387199**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2007-1641-PWS-E**

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of McGregor ("the City") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and 30 TEX. ADMIN. CODE ch. 290. The Executive Director of the TCEQ, represented by the Litigation Division, and the City, represented by Charles Olson of the law firm of Haley & Olson, P.C., presented this agreement to the Commission.

The City understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the City agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon the City.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The City owns and operates a public water system located at 302 South Madison Street, McGregor, McLennan County, Texas (the "Facility") that has approximately 1870 service connections and serves at least 25 people per day for at least 60 days per year.
2. During an investigation on July 11, 2007, a TCEQ Waco Regional Office investigator documented that the City:

- a. Failed to keep on file and make available for Commission review the water system's operating and maintenance records. Specifically, at the time of the investigation, the City failed to provide any records pertaining to the operation of the water system;
- b. Failed to provide a liquid level indicator for the below ground storage tank at plant no. 1;
- c. Failed to provide a casing vent for well no. 3;
- d. Failed to provide an intruder resistant fence around the elevated storage tank. Specifically, at the time of the investigation, the top three strands of barbed wire on the fence at the elevated tower on 5th Street were in need of repair;
- e. Failed to provide a suitable sampling cock on the discharge pipe of well pump no. 4;
- f. Failed to post a legible sign at plant no. 2 that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted. Specifically, at the time of the investigation, the sign posted at plant no. 2 was not legible due to the paint peeling off;
- g. Failed to provide a proper overflow pipe and pipe flap cover. Specifically, at the time of the investigation, the overflow cover on the elevated storage tower on 5th Street had a gap greater than 1/16th inch and did not have a proper seal. Additionally, three of the four 50,000 gallon ground storage tanks at plant no. 3 were not provided overflows located near enough and at a position accessible from a ladder or the balcony for inspection purposes;
- h. Failed to maintain the plant and distribution system in a watertight condition. Specifically, at the time of the investigation, there was a leak in the service pump at plant no. 3;
- i. Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists. Specifically, at the time of the investigation, there were not backflow prevention assemblies or air gaps at McGregor Veterinary Clinic, Cole Funeral Home, McGregor Community Clinic, and City of McGregor Wastewater Treatment Plant;
- j. Failed to provide a complete plant operations manual. Specifically, at the time of the investigation, the city did not have a plant operations manual; and
- k. Failed to provide an appropriate customer service inspection ("CSI") certificate form.

Specifically, at the time of the investigation, the proper CSI certificate form was not being utilized nor was approval granted for the alternative form being utilized.

3. The City received notice of the violations on or about September 5, 2007.
4. The Executive Director recognizes that the City has implemented the following corrective measures at the Facility in response to this enforcement action:
 - a. On August 14, 2007, provided documentation showing that repairs to the intruder-resistant fence at the elevated storage tower on 5th Street were completed;
 - b. On August 14, 2007, provided documentation showing that ownership sign at plant no. 2 were replaced;
 - c. On August 14, 2007, provided documentation showing that repairs to the overflow flap at the elevated storage tower on 5th Street were completed;
 - d. On August 14, 2007, provided documentation showing that a well casing vent for well no. 3 was installed;
 - e. On August 14, 2007, provided documentation showing that a suitable sampling cock on the discharge pipe of well pump no. 4 raw water sampling tap was installed;
 - f. On November 24, 2008, provided documentation showing that the City is maintaining the required operating and maintenance records;
 - g. On November 24, 2008, provided documentation verifying that a liquid level indicator for the below ground storage tank at plant no. 1 was installed;
 - h. On November 24, 2008, provided a complete plant operations manual;
 - i. On November 24, 2008, provided a completed CSI certificate form;
 - j. On November 24, 2008, provided documentation verifying the installation of overflow pipes on the ground storage tanks at plant no. 3;
 - k. On November 24, 2008, provided documentation verifying that the leak in the service pump at plant no. 3 was repaired;
 - l. On November 24, 2008, provided documentation verifying that backflow prevention assemblies were installed at the McGregor Veterinary Clinic, Cole Funeral Home,

McGregor Community Clinic, and the City of McGregor Wastewater Treatment Plant; and

- m. On November 24, 2008, provided documentation verifying that the four 50,000 gallon ground storage tanks at plant no. 3 have been taken off-line and are no longer in use.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, the City is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2.a., the City failed to keep on file and make available for Commission review the water system's operating and maintenance records, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.a.
3. As evidenced by Findings of Fact No. 2.b., the City failed to provide a liquid level indicator for the below ground storage tank at plant no. 1, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4) and TCEQ Order Docket No. 2006-0137-PWS-E Ordering Provision 2.c.ii.
4. As evidenced by Findings of Fact No. 2.c., the City failed to provide a casing vent for well no. 3, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K).
5. As evidenced by Findings of Fact No. 2.d., the City failed to provide an intruder resistant fence around the elevated storage tank, in violation of 30 TEX. ADMIN. CODE § 290.43(e).
6. As evidenced by Findings of Fact No. 2.e., the City failed to provide a suitable sampling cock on the discharge pipe of well pump no. 4, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(M).
7. As evidenced by Findings of Fact No. 2.f., the City failed to post a legible sign at that contains the name of the water supply and emergency telephone numbers where a responsible official can contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t).
8. As evidenced by Findings of Fact No. 2.g., the City failed to provide a proper overflow pipe and pipe flap cover, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3).
9. As evidenced by Findings of Fact No. 2.h., the City failed to maintain the plant and distribution system in a watertight condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(4).

10. As evidenced by Findings of Fact No. 2.i., the City failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(1)(A).
11. As evidenced by Findings of Fact No. 2.j., the City failed to provide a complete plant operations manual, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
12. As evidenced by Findings of Fact No. 2.k., the City failed to provide an appropriate CSI certificate form, in violation of 30 TEX. ADMIN. CODE § 290.46(j).
13. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the City for violations of TEX. HEALTH & SAFETY CODE, TCEQ rules, and orders adopted under the Code.
14. An administrative penalty in the amount of ten thousand eight hundred twelve dollars (\$10,812.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The City has paid ten thousand eight hundred twelve dollars (\$10,812.00) of the administrative penalty

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The City is assessed an administrative penalty in the amount of ten thousand eight hundred twelve dollars (\$10,812.00) as set forth in Conclusion of Law 14 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here.
2. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the City if the

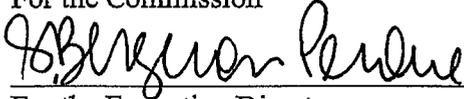
Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.

4. This Agreed Order shall terminate five years from its effective date or upon compliance with all terms and conditions set forth in this Agreed Order, whichever is later.
5. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of the Texas Water Code or the Texas Health and Safety Code.
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. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

5/20/2009

Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of the City of McGregor. I represent that I am authorized to agree to the attached Agreed Order on behalf of the City of McGregor, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

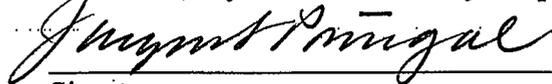
I understand that by entering into this Agreed Order, the City of McGregor waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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, if any, indicated below my signature, and I do agree to the terms and conditions specified therein.

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

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

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



Signature

JOSEPH S. PORTUGAL

Name (printed or typed)

Authorized Representative

City of McGregor

4/29/09

Date

CITY MANAGER

Title