

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2008-1126-PWS-E **TCEQ ID:** RN101257699 **CASE NO.:** 36179

**RESPONDENT NAME:** Royal Oak Water System, Inc.

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Royal Oaks Water System, 110 Royal Oaks Road, Kerr 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 July 13, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Ms. Andrea Linson-Mgbeoduru, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-1482; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387  <b>Respondent:</b> Ms. Phyllis Parker Cathey, Director/Co-Owner, Royal Oak Water System, Inc., 133 Royal Oaks Road, Kerrville, Texas 78028  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <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 3, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> June 27, 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 properly constructed intruder-resistant fence in order to protect the system's storage tanks [30 TEX. ADMIN. CODE § 290.43(e)].</p> <p>2) Failure to provide water system records to Commission personnel at time of the investigation [30 TEX. ADMIN. CODE § 290.46(f)(2), 290.46(f)(3)(A)(i)(III), 290.46(f)(3)(A)(ii)(III), and 290.46(f)(3)(A)(iii), (iv), (v), (vi), and (vii)].</p> <p>3) Failure to develop and maintain and up-to-date chemical and microbiological monitoring plan [30 TEX. ADMIN. CODE § 290.121(a)].</p> <p>4) Failure to maintain all storage tanks and associated appurtenances in a watertight condition [30 TEX. ADMIN. CODE § 290.43(c)(6)].</p> <p>5) Failure to provide a device to readily determine the air-water volume for the pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(3)].</p> <p>6) Failure to ensure that all electrical wiring is securely installed in compliance with local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].</p>	<p><b>Total Assessed:</b> \$3,893</p> <p><b>Total Deferred:</b> \$778  <input checked="" type="checkbox"/> Expedited Settlement  <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> \$115 (remaining \$3,000 due in 30 monthly payments of \$100 each)</p> <p>The Financial Assurance Section of the Commission's Financial Administration Division reviewed financial documentation submitted by the Respondent and determined that the Respondent is able to pay the entire administrative penalty.</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <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>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a. As of August 1, 2008, the Respondent:</p> <p>i. Installed barbed wire on the fencing surrounding the water production facility;</p> <p>ii. Compiled, began maintaining and made available to the Commission an accurate and up-to-date record of water works operation and maintenance activities;</p> <p>iii. Compiled and began maintaining an up-to-date chemical and microbiological monitoring plan;</p> <p>iv. Repaired the leaks in the ground storage tank, standpipe, and the leak in the line running between the standpipe and the ground storage;</p> <p>v. Installed all electrical wiring in compliance with national and local codes, including but not limited to the following locations: the service point to the Facility, the holding tank, and the area around the storage tank and water level indicator;</p> <p>vi. Repaired the leak in the pressure tank so that it is maintained in a water-tight condition; and</p> <p>vii. Removed vegetation around the ground storage tank and along the fence line at the water production facility; properly mounted the water level indicator on the ground storage tank; and replaced the service pump.</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, provide a properly functioning and readily readable air-water level indicator on the pressure tank.</p>

<p>7) Failure to provide the ground storage tank with roof vents in strict accordance with American Water Works Association ("AWWA") standards [30 TEX. ADMIN. CODE § 290.43(c)(1)].</p> <p>8) Failure to provide a concrete sealing block that is sloped to drain away and not less than 0.25 inches per foot [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].</p> <p>9) Failure to provide an intruder-resistant fence or lockable building for Well No. 2 [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].</p> <p>10) Failure to provide disinfection at a point of application prior to the storage tank [30 TEX. ADMIN. CODE § 290.42(e)(2)].</p> <p>11) Failure to maintain the pressure tank in a water-tight condition [30 TEX. ADMIN. CODE § 290.43(d)(7)].</p> <p>12) 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) and 290.46(m)(6)].</p>		<p>b. Within 60 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 a.</p> <p>c. Within 90 days after the effective date of this Agreed Order:</p> <p>i. Ensure that the roof vents on the ground storage tank meet AWWA standards, including but not limited to properly securing the two vents on the ground storage tank and ensuring the vents are screened with a 16-mesh or finer corrosion resistant material and properly banded;</p> <p>ii. Provide Well No. 2 with a concrete sealing block that is sloped to drain away and not less than 0.25 inches per foot;</p> <p>iii. Provide Well No. 2 with an intruder-resistant fence that includes three strands of barbed wire on the top of the fence and a lockable gate or enclose the well in a locked ventilated well house to exclude possible contamination or damage to the facilities by trespassers; and</p> <p>iv. Provide a point of application for disinfection prior to the standpipe.</p> <p>d. Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions c.i. through c.iv.</p>
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Additional ID No(s): PWS ID No. 1330013





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	Assigned	2-Jul-2008			
	PCW	17-Feb-2009	Screening	8-Jul-2008	EPA Due

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Royal Oak Water System, Inc.		
Reg. Ent. Ref. No.	RN101257699		
Facility/Site Region	11-Austin	Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	36179	No. of Violations	12
Docket No.	2008-1126-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Andrea Linson-Mgbeoduru
		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>	<b>\$3,550</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	16.0% Enhancement	<i>Subtotals 2, 3, &amp; 7</i>	<b>\$568</b>
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Notes: Enhancement is due to two prior Notices of Violation ("NOV") with same or similar violaitons as those in the current enforcement action and three prior NOV's for dissimilar violations.

<b>Culpability</b>	No	0.0% Enhancement	<i>Subtotal 4</i>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<i>Subtotal 5</i>	<b>\$225</b>
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<b>Economic Benefit</b>	0.0% Enhancement*	<i>Subtotal 6</i>	<b>\$0</b>
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Total EB Amounts \$1,606  
 Approx. Cost of Compliance \$15,100  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<i>Final Subtotal</i>	<b>\$3,893</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<i>Adjustment</i>	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<i>Final Penalty Amount</i>	<b>\$3,893</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<i>Final Assessed Penalty</i>	<b>\$3,893</b>
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<b>DEFERRAL</b>	20.0% Reduction	<i>Adjustment</i>	<b>-\$778</b>
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$3,115</b>
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**Screening Date** 8-Jul-2008

**Docket No.** 2008-1126-PWS-E

**PCW**

**Respondent** Royal Oak Water System, Inc.

Policy Revision 2 (September 2002)

**Case ID No.** 36179

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN101257699

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Andrea Linson-Mgbeoduru

### 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)	2	10%
	Other written NOVs	3	6%
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)** 16%

>> **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 is due to two prior Notices of Violation ("NOV") with same or similar violaitons as those in the current enforcement action and three prior NOVs for dissimilar violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 16%

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>		
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN101257699				
<b>Media [Statute]</b> Public Water Supply				
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru				
<b>Violation Number</b> <input type="text" value="1"/>				
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.43(e)"/>			
<b>Violation Description</b>	Failed to provide a properly constructed intruder-resistant fence in order to protect the system's storage tanks. Specifically, at the time of the investigation, it was documented that the fencing surrounding the water production facility was lacking barbed wire in certain areas.			
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>
				<b>Percent</b> <input type="text" value="5%"/>
<b>&gt;&gt; Programmatic Matrix</b>				
	<b>Falsification</b>	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 a properly constructed intruder-resistant fence could expose the Facility's equipment to vandalism thus compromising the system's integrity which could expose customers of the water supply to an insignificant amount of contaminants that would not exceed levels protective of human health.			
	<b>Adjustment</b>	<input type="text" value="\$950"/>		
		<input type="text" value="\$50"/>		
<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="35"/>
	<i>mark only one with an x</i>	daily	<input type="text"/>	
		weekly	<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"/>	
		One single event is recommended.		
<b>Violation Base Penalty</b> <input type="text" value="\$50"/>				
<b>Good Faith Efforts to Comply</b> <input type="text" value="10.0%"/> Reduction <input type="text" value="\$5"/>				
		<b>Before NOV</b>	<b>NOV to EDRP/Settlement Offer</b>	
	Extraordinary	<input type="text"/>	<input type="text"/>	
	Ordinary	<input type="text"/>	<input checked="" type="checkbox"/>	
	N/A	<input type="text"/> (mark with x)		
	<b>Notes</b>	The Respondent achieved compliance August 1, 2008.		
	<b>Violation Subtotal</b>	<input type="text" value="\$45"/>		
<b>Economic Benefit (EB) for this violation</b>				
<b>Statutory Limit Test</b>				
	<b>Estimated EB Amount</b>	<input type="text" value="\$855"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$53"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$53"/>		

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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	\$2,000	26-Jun-2002	1-Aug-2008	6.10	\$41	\$814	\$855
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 cost includes the amount necessary to install barbed wire on the fence at the water production facility. The date required is the date of the investigation initially documenting the violation. The final date is the 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**

<b>Approx. Cost of Compliance</b>	\$2,000	<b>TOTAL</b>	\$855
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<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>															
<b>Respondent</b> Royal Oak Water System, Inc.			Policy Revision 2 (September 2002)														
<b>Case ID No.</b> 36179			PCW Revision October 30, 2008														
<b>Reg. Ent. Reference No.</b> RN101257699																	
<b>Media [Statute]</b> Public Water Supply																	
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru																	
<b>Violation Number</b> 2																	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(f)(2), 290.46(f)(3)(A)(i)(III), 290.46(f)(3)(A)(ii)(III) and 290.46(f)(3)(A)(iii), (iv), (v), (vi), and (vii)																
<b>Violation Description</b>	Failed to provide water system records to Commission personnel at time of the investigation. Specifically, at the time of the investigation, it was documented that the following documents were not available: amount of chemicals used each week; the volume of water treated each week; date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent investigation; dates the dead-end mains were flushed; dates the storage tanks and other facilities were cleaned; maintenance records for the water system's equipment and facilities; and a daily record or monthly summary of the work performed and the number of hours worked by each part-time operator.																
	<b>Base Penalty</b>		\$1,000														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																	
OR	<b>Harm</b>																
	Major	Moderate	Minor														
	Actual	Potential		<b>Percent</b> 0%													
<b>&gt;&gt; Programmatic Matrix</b>																	
	Falsification	Major	Moderate	Minor													
	[ ]	x	[ ]	[ ]													
				<b>Percent</b> 10%													
<b>Matrix Notes</b>	Approximately 70% of the rule requirement was not met.																
	<b>Adjustment</b>		\$900														
			\$100														
<b>Violation Events</b>																	
	<b>Number of Violation Events</b> 1	35	<b>Number of violation days</b>														
mark only one with an x	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td>[ ]</td></tr> <tr><td>weekly</td><td>[ ]</td></tr> <tr><td>monthly</td><td>[ ]</td></tr> <tr><td>quarterly</td><td>[ ]</td></tr> <tr><td>semiannual</td><td>[ ]</td></tr> <tr><td>annual</td><td>[ ]</td></tr> <tr><td>single event</td><td style="text-align: center;">x</td></tr> </table>	daily	[ ]	weekly	[ ]	monthly	[ ]	quarterly	[ ]	semiannual	[ ]	annual	[ ]	single event	x		<b>Violation Base Penalty</b> \$100
daily	[ ]																
weekly	[ ]																
monthly	[ ]																
quarterly	[ ]																
semiannual	[ ]																
annual	[ ]																
single event	x																
	One single event is recommended.																
<b>Good Faith Efforts to Comply</b>																	
	10.0% Reduction		\$10														
	Before NOV	NOV to EDRP/Settlement Offer															
Extraordinary	[ ]	[ ]															
Ordinary	[ ]	x															
N/A	[ ]	(mark with x)															
<b>Notes</b>	The Respondent achieved compliance August 1, 2008.																
	<b>Violation Subtotal</b>		\$90														
<b>Economic Benefit (EB) for this violation</b>																	
	<b>Estimated EB Amount</b> \$127	<b>Violation Final Penalty Total</b>	\$106														
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$106														

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	1-Jul-2003	1-Aug-2008	5.09	\$127	n/a	\$127
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 compile and begin maintaining a record keeping system that includes but is not limited to the amount of chemicals used each week, the volume of water treated each week; the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent investigation, the dates the dead-end mains were flushed, the dates the storage tanks and other facilities were cleaned, the maintenance records for the water system's equipment and facilities, and a daily record or monthly summary of the work performed and the number of hours worked by each part-time operator. The date required is the date of the investigation initially documenting the violation. The final date is the 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**

\$127

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>		
<b>Respondent</b> Royal Oak Water System, Inc.		<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 36179		<small>PCW Revision October 30, 2008</small>		
<b>Reg. Ent. Reference No.</b> RN101257699				
<b>Media [Statute]</b> Public Water Supply				
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru				
<b>Violation Number</b> <input type="text" value="3"/>				
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.121(a)"/>			
<b>Violation Description</b>	<input type="text" value="Failed to develop and maintain and up-to-date chemical and microbiological monitoring plan."/>			
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Release</b>	<b>Harm</b>		
		Major      Moderate      Minor		
	Actual <input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="0%"/>	
	Potential <input type="text"/>	<input type="text"/>		
<b>&gt;&gt; Programmatic Matrix</b>				
	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input type="text" value="10%"/>
<b>Matrix Notes</b>	<input type="text" value="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>				
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="35"/>	<b>Number of violation days</b>	
<small>mark only one with an x</small>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$100"/>	
	weekly	<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"/>		
	<input type="text" value="One single event is recommended."/>			
<b>Good Faith Efforts to Comply</b>		<input type="text" value="10.0%"/>	<b>Reduction</b> <input type="text" value="\$10"/>	
		<small>Before NOV      NOV to EDRP/Settlement Offer</small>		
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>		
N/A	<input type="text" value="(mark with x)"/>			
<b>Notes</b>	<input type="text" value="The Respondent achieved compliance August 1, 2008."/>			
	<b>Violation Subtotal</b>	<input type="text" value="\$90"/>		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>	<input type="text" value="\$51"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$106"/>	
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$106"/>	

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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				0.00	\$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	\$250	24-Jun-2004	1-Aug-2008	4.11	\$51	n/a	\$51
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 to develop and implement a chemical and microbiological monitoring plan. The date required is the date of the investigation initially documenting the violation. The final date is the 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 \$250

**TOTAL** \$51

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>	
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>	
<b>Reg. Ent. Reference No.</b> RN101257699			
<b>Media [Statute]</b> Public Water Supply			
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru			
<b>Violation Number</b> <input type="text" value="4"/>			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.43(c)(6)		
<b>Violation Description</b>	Failed to maintain all storage tanks and associated appurtenances in a watertight condition. Specifically, at the time of the investigation, it was documented that the ground storage tank and standpipe had multiple leaks and the pipe running between the standpipe and ground storage tank was pitted and leaking.		
	<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"/>	<input type="text"/>
	Potential <input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="10%"/>
<b>&gt;&gt; Programmatic Matrix</b>			
	Falsification	Major	Moderate
	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Minor	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>
Matrix Notes	Failure to maintain the Facility's equipment in a water-tight condition could expose the customers of the water supply to a significant amount of contaminants 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>			
	Number of Violation Events	<input type="text" value="2"/>	Number of violation days
		<input type="text" value="35"/>	
mark only one with an x	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$200"/>
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input checked="" type="text" value="x"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	
	Two quarterly events are recommended, one quarterly event for each tank, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.		
<b>Good Faith Efforts to Comply</b>		<b>10.0%</b> Reduction	<input type="text" value="\$20"/>
		Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>	
N/A	<input type="text"/>	(mark with x)	
Notes	The Respondent achieved compliance August 1, 2008.		
	<b>Violation Subtotal</b>	<input type="text" value="\$180"/>	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
Estimated EB Amount	<input type="text" value="\$6"/>	Violation Final Penalty Total	<input type="text" value="\$212"/>
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$212"/>

## Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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	\$500	3-Jun-2008	1-Aug-2008	0.16	\$0	\$5	\$6
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 cost includes the amount necessary to repair the multiple leaks in the ground storage tank, standpipe, and the piping between the tanks. The date required is the investigation date. The final date is the 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**

\$6

<b>Screening Date</b> 8-Jul-2008		<b>Docket No.</b> 2008-1126-PWS-E		<b>PCW</b>
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN101257699				
<b>Media [Statute]</b> Public Water Supply				
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru				
<b>Violation Number</b>	5			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.43(d)(3)			
<b>Violation Description</b>	Failed to provide a device to readily determine the air-water volume for the pressure tank. Specifically, at the time of the investigation, it was documented that the indicator used to measure the air-water volume on the pressure tank was extremely bleached making it impossible to read.			
<b>Base Penalty</b>				\$1,000
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Major	Moderate	Minor	
	Actual	Potential		<b>Percent</b> 10%
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<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>	Failing to provide the pressure tanks with an adequate air-water level indicator would not allow the operator to make necessary adjustments to ensure the tank maintains sufficient air volume and design pressure and could eventually expose the water supply to a significant amount of contaminants which would not exceed levels protective of human health.			
<b>Adjustment</b>				\$900
				\$100
<b>Violation Events</b>				
<b>Number of Violation Events</b>		1	<b>Number of violation days</b>	
		35		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>		
	weekly	<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, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.				
<b>Good Faith Efforts to Comply</b>		0.0% Reduction		\$0
		Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>			
Ordinary	<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>		\$13	<b>Violation Final Penalty Total</b>	
				\$116
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$116

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**Media:** Public Water Supply  
**Violation No.:** 5

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment	\$200	3-Jun-2008	30-Apr-2009	0.91	\$1	\$12	\$13
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 cost includes the amount necessary to equip the pressure tank with a functional air-water level indicator. The date required is the date of the investigation. The final date is 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**

\$13

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>	
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>	
<b>Reg. Ent. Reference No.</b> RN101257699			
<b>Media [Statute]</b> Public Water Supply			
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru			
<b>Violation Number</b> 6			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(v)		
<b>Violation Description</b>	Failed to ensure that all electrical wiring is securely installed in compliance with local or national electrical code. Specifically, at the time of the investigation, it was documented that the electrical wiring was exposed and improperly installed at the service point to the Facility, at the holding tank, and the area around the storage tank and water level indicator.		
	<b>Base Penalty</b>	\$1,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
<b>OR</b>	<b>Harm</b>		
	Major	Moderate	Minor
<b>Release</b>			
Actual			
Potential	x		
		<b>Percent</b>	25%
<b>&gt;&gt; Programmatic Matrix</b>			
	Major	Moderate	Minor
<b>Falsification</b>			
		<b>Percent</b>	0%
<b>Matrix Notes</b>	Failure to install all water system electrical wiring in compliance with local and national code may cause equipment failure resulting in low pressure and/or water outages which would result in exposure to a significant amount of pollutants which would not exceed levels protective of human health.		
	<b>Adjustment</b>	\$750	
			\$250
<b>Violation Events</b>			
<b>Number of Violation Events</b>	6	<b>Number of violation days</b>	35
<i>mark only one with an x</i>	daily		
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		
		<b>Violation Base Penalty</b>	\$1,500
Six monthly events are recommended, based on two monthly events for each site, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.			
<b>Good Faith Efforts to Comply</b>	10.0% Reduction		\$150
	Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary			
Ordinary		x	
N/A		(mark with x)	
<b>Notes</b>	The Respondent achieved compliance August 1, 2008.		
	<b>Violation Subtotal</b>	\$1,350	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	\$23	<b>Violation Final Penalty Total</b>	\$1,590
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$1,590

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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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**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$2,000	3-Jun-2008	1-Aug-2008	0.16	\$1	\$22	\$23
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 necessary to ensure all the Facility's wiring is installed in accordance with local and national codes. The date required is the investigation date. The final date is the 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      \$2,000      **TOTAL**      \$23

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>	
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>	
<b>Reg. Ent. Reference No.</b> RN101257699			
<b>Media [Statute]</b> Public Water Supply			
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru			
<b>Violation Number</b> <input type="text" value="7"/>			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.43(c)(1)		
<b>Violation Description</b>	Failed to provide the ground storage tank with roof vents in strict accordance with American Water Works Association ("AWWA") standards. Specifically, at the time of the investigation, it was documented that the two roof vents on the ground storage tank were detached and not properly secured to the tank.		
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
OR	<b>Release</b>	<b>Harm</b>	
		Major      Moderate      Minor	
	Actual	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text" value="x"/>
		<b>Percent</b>	<input type="text" value="10%"/>
<b>&gt;&gt; Programmatic Matrix</b>			
	Falsification	Major	Moderate
	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>
<b>Matrix Notes</b>	Failure to provide the ground storage tank with proper roof vents that meet AWWA standards will not allow air to pass through the tank which could cause external pressures to act on the tank that can cause buckling of the tank, which could expose the water supply 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>			
	<input type="text" value="1"/>	<input type="text" value="35"/>	Number of violation days
<i>mark only one with an x</i>	daily	<input type="text"/>	
	weekly	<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"/>
One quarterly event is recommended, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.			
<b>Good Faith Efforts to Comply</b>			
	<input type="text" value="0.0%"/>	Reduction	
	<input type="text"/>	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"/>	<input type="text" value="(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="\$7"/>	<b>Violation Final Penalty Total</b>
			<input type="text" value="\$116"/>
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$116"/>

### Economic Benefit Worksheet

**Respondent** Royal Oak Water System, Inc.  
**Case ID No.** 36179  
**Reg. Ent. Reference No.** RN101257699  
**Media** Public Water Supply  
**Violation No.** 7

<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)				0.00	\$0	\$0	\$0
Engineering/construction	\$150	3-Jun-2008	2-Feb-2009	0.67	\$0	\$7	\$7
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 necessary to install roof vents in accordance with AWWA standards. The date required is the investigation date. The final date is 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** \$7

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>
<b>Respondent</b> Royal Oak Water System, Inc.	<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 36179	<small>PCW Revision October 30, 2008</small>	
<b>Reg. Ent. Reference No.</b> RN101257699		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru		
<b>Violation Number</b> <input type="text" value="8"/>		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.41(c)(3)(J)	
<b>Violation Description</b>	Failed to provide a concrete sealing block that is sloped to drain away and not less than 0.25 inches per foot. Specifically, at the time of the investigation, it was documented that the concrete sealing block on Well No. 2 did not have the 0.25 inch per square foot ratio slope and had two depressions where water and debris could collect.	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

<b>OR</b>	<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%"/>

**>> Programmatic Matrix**

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

**Matrix Notes** Failure to provide a proper sealing block could expose customers of the water supply to significant amounts of contaminants which would not exceed levels that are protective of human health.

**Adjustment**

**Violation Events**

	<input type="text" value="1"/>		<input type="text" value="35"/>	Number of violation days
<small>mark only one with an x</small>	daily	<input type="text"/>	weekly	<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, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.				

**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	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="\$63"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$116"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$116"/>	

### Economic Benefit Worksheet

**Respondent** Royal Oak Water System, Inc.  
**Case ID No.** 36179  
**Reg. Ent. Reference No.** RN101257699  
**Media** Public Water Supply  
**Violation No.** 8

<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
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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	\$1,000	3-Jun-2008	30-Apr-2009	0.91	\$3	\$60	\$63
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 necessary to provide the concrete sealing block with the required 0.25 inch per square foot slope and resolve the depressions in the surface of the sealing block. The date required is the investigation date. The final date is 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

\$1,000

TOTAL

\$63

<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>	
<b>Respondent</b> Royal Oak Water System, Inc.		<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 36179		<small>PCW Revision October 30, 2008</small>	
<b>Reg. Ent. Reference No.</b> RN101257699			
<b>Media [Statute]</b> Public Water Supply			
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru			
<b>Violation Number</b> <input type="text" value="9"/>			
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(O)"/>		
<b>Violation Description</b>	<input type="text" value="Failed to provide an intruder-resistant fence or lockable building for Well No. 2."/>		
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
<b>OR</b>	<b>Release</b>	<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="25%"/>
<b>&gt;&gt; Programmatic Matrix</b>			
	Falsification	Major	Moderate
	<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 provide an intruder-resistant fence for the well may allow unauthorized persons to enter and damage or vandalize the well which may compromise the system's ability to provide a safe and adequate water supply exposing customers to a significant amount of contaminants which would exceed levels protective of human health."/>		
	<b>Adjustment</b>	<input type="text" value="\$750"/>	
			<input type="text" value="\$250"/>
<b>Violation Events</b>			
	Number of Violation Events	<input type="text" value="2"/>	Number of violation days
		<input type="text" value="35"/>	
<small>mark only one with an x</small>	daily	<input type="text"/>	
	weekly	<input type="text"/>	
	monthly	<input type="text" value="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="\$500"/>
<input type="text" value="Two monthly events are recommended, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008."/>			
<b>Good Faith Efforts to Comply</b>		<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>
		<small>Before NOV      NOV to EDFRP/Settlement Offer</small>	
	Extraordinary	<input type="text"/>	
	Ordinary	<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="\$500"/>	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
	Estimated EB Amount	<input type="text" value="\$190"/>	Violation Final Penalty Total
			<input type="text" value="\$580"/>
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$580"/>

### Economic Benefit Worksheet

**Respondent** Royal Oak Water System, Inc.  
**Case ID No.** 36179  
**Reg. Ent. Reference No.** RN101257699  
**Media** Public Water Supply  
**Violation No.** 9

<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	\$3,000	3-Jun-2008	30-Apr-2009	0.91	\$9	\$181	\$190
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 cost includes the amount necessary to install intruder-resistant fencing around Well No. 2. The date required is the investigation date. The final date is 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**

<b>Approx. Cost of Compliance</b>	\$3,000	<b>TOTAL</b>	\$190
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<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>														
<b>Respondent</b> Royal Oak Water System, Inc.		<i>Policy Revision 2 (September 2002)</i>														
<b>Case ID No.</b> 36179		<i>PCW Revision October 30, 2008</i>														
<b>Reg. Ent. Reference No.</b> RN101257699																
<b>Media [Statute]</b> Public Water Supply																
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru																
<b>Violation Number</b> <input type="text" value="10"/>																
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.42(e)(2)															
<b>Violation Description</b>	Failed to provide disinfection at a point of application prior to the storage tank. Specifically, at the time of the investigation, it was documented that the disinfection point was between the standpipe and the ground storage tank. The application should be prior to the standpipe.															
	<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="25%"/>														
<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>	Failure to provide adequate disinfection of groundwater prior to storage could expose customers 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>																
	Number of Violation Events	<input type="text" value="2"/>														
		<input type="text" value="35"/> Number of violation days														
<i>mark only one with an x</i>	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>weekly</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text" value="x"/></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 type="text"/></td></tr> </table>	daily	<input type="text"/>	weekly	<input type="text"/>	monthly	<input type="text" value="x"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	<b>Violation Base Penalty</b>
daily	<input type="text"/>															
weekly	<input type="text"/>															
monthly	<input type="text" value="x"/>															
quarterly	<input type="text"/>															
semiannual	<input type="text"/>															
annual	<input type="text"/>															
single event	<input type="text"/>															
		<input type="text" value="\$500"/>														
	Two monthly events are recommended, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.															
<b>Good Faith Efforts to Comply</b>																
	<b>0.0%</b> Reduction	<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>	The Respondent does not meet the good faith criteria for this violation.															
	<b>Violation Subtotal</b>	<input type="text" value="\$500"/>														
<b>Economic Benefit (EB) for this violation</b>																
	<b>Estimated EB Amount</b>	<input type="text" value="\$254"/>														
	<b>Statutory Limit Test</b>															
	<b>Violation Final Penalty Total</b>	<input type="text" value="\$580"/>														
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>															
		<input type="text" value="\$580"/>														

### Economic Benefit Worksheet

**Respondent** Royal Oak Water System, Inc.  
**Case ID No.** 36179  
**Reg. Ent. Reference No.** RN101257699  
**Media** Public Water Supply  
**Violation No.** 10

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

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

**Delayed Costs**

Equipment	\$4,000	3-Jun-2008	30-Apr-2009	0.91	\$12	\$242	\$254
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 cost includes the amount necessary to provide disinfection for the groundwater prior to storage. The date required is the investigation date. The final date is 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**

<b>Approx. Cost of Compliance</b>	\$4,000	<b>TOTAL</b>	\$254
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<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>	
<b>Respondent</b> Royal Oak Water System, Inc.		<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 36179		<small>PCW Revision October 30, 2008</small>	
<b>Reg. Ent. Reference No.</b> RN101257699			
<b>Media [Statute]</b> Public Water Supply			
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru			
<b>Violation Number</b> <input type="text" value="11"/>			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.43(d)(7)		
<b>Violation Description</b>	Failed to maintain the pressure tank in a water-tight condition. Specifically, at the time of the investigation, it was documented that the pressure tank was leaking at one end.		
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
OR	<b>Release</b>	<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>			
	Falsification	Major	Moderate
	<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 pressure tank in a water-tight condition could expose the customers of the water supply to a significant amount of contaminants 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="35"/>	
<small>mark only one with an x</small>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$100"/>
	weekly	<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"/>	
	One quarterly event is recommended, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008.		
<b>Good Faith Efforts to Comply</b>			
	<b>10.0%</b>	<b>Reduction</b>	<input type="text" value="\$10"/>
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text" value="x"/>	
N/A	(mark with x)		
<b>Notes</b>	The Respondent achieved compliance August 1, 2008.		
	<b>Violation Subtotal</b>	<input type="text" value="\$90"/>	
<b>Economic Benefit (EB) for this violation</b>			
<b>Estimated EB Amount</b>		<input type="text" value="\$6"/>	<b>Violation Final Penalty Total</b>
			<input type="text" value="\$106"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			<input type="text" value="\$106"/>

### Economic Benefit Worksheet

**Respondent:** Royal Oak Water System, Inc.  
**Case ID No.:** 36179  
**Reg. Ent. Reference No.:** RN101257699  
**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
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**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	3-Jun-2008	1-Aug-2008	0.16	\$0	\$5	\$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 necessary to repair the leaks in the pressure tank. The date required is the investigation date. The final date is the 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:**

<b>Approx. Cost of Compliance</b>	\$500	<b>TOTAL</b>	\$6
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<b>Screening Date</b> 8-Jul-2008	<b>Docket No.</b> 2008-1126-PWS-E	<b>PCW</b>														
<b>Respondent</b> Royal Oak Water System, Inc.		<small>Policy Revision 2 (September 2002)</small>														
<b>Case ID No.</b> 36179		<small>PCW Revision October 30, 2008</small>														
<b>Reg. Ent. Reference No.</b> RN101257699																
<b>Media [Statute]</b> Public Water Supply																
<b>Enf. Coordinator</b> Andrea Linson-Mgbeoduru																
<b>Violation Number</b> <input type="text" value="12"/>																
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(m) and 290.46(m)(6)"/>															
<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, the following was documented: fencing surrounding the water production facility and the ground storage tank were overgrown with vegetation; the water level indicator on the ground storage tank was not properly mounted as well as not functioning properly, and the valves in the service pump were inoperable."/>															
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																
<b>OR</b>	<b>Harm</b>															
	Release    Major    Moderate    Minor															
Actual	<input type="text"/>	<input type="text"/>														
Potential	<input type="text"/>	<input type="text" value="x"/>														
	<b>Percent</b>	<input type="text" value="5%"/>														
<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 properly maintain system's facilities could expose customers of the water system to an insignificant amounts of contaminants which would not exceed levels that are protective of human health."/>															
	<b>Adjustment</b>	<input type="text" value="\$950"/>														
		<input type="text" value="\$50"/>														
<b>Violation Events</b>																
<b>Number of Violation Events</b>	<input type="text" value="4"/>	<input type="text" value="35"/> <b>Number of violation days</b>														
<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>weekly</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 type="text" value="x"/></td></tr> </table>	daily	<input type="text"/>	weekly	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text" value="x"/>	<b>Violation Base Penalty</b>
daily	<input type="text"/>															
weekly	<input type="text"/>															
monthly	<input type="text"/>															
quarterly	<input type="text"/>															
semiannual	<input type="text"/>															
annual	<input type="text"/>															
single event	<input type="text" value="x"/>															
		<input type="text" value="\$200"/>														
	<input type="text" value="Four single events are recommended, one single event for each site, calculated from the investigation date, June 3, 2008, to the screening date, July 8, 2008."/>															
<b>Good Faith Efforts to Comply</b>																
	<b>10.0% Reduction</b>	<input type="text" value="\$20"/>														
	Before NOV    NOV to EDRP/Settlement Offer															
Extraordinary	<input type="text"/>	<input type="text"/>														
Ordinary	<input type="text"/>	<input type="text" value="x"/>														
N/A	<input type="text" value="(mark with x)"/>															
<b>Notes</b>	<input type="text" value="The Respondent achieved compliance August 1, 2008."/>															
	<b>Violation Subtotal</b>	<input type="text" value="\$180"/>														
<b>Economic Benefit (EB) for this violation</b>																
<b>Estimated EB Amount</b>	<input type="text" value="\$11"/>	<b>Violation Final Penalty Total</b>														
		<input type="text" value="\$212"/>														
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>															
		<input type="text" value="\$212"/>														

## Economic Benefit Worksheet

**Respondent** Royal Oak Water System, Inc.  
**Case ID No.** 36179  
**Reg. Ent. Reference No.** RN101257699  
**Media** Public Water Supply  
**Violation No.** 12

<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)	\$1,000	3-Jun-2008	1-Aug-2008	0.16	\$1	\$11	\$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 necessary to remove the overgrown vegetation from the water production facility's fence and the ground storage tank; properly install a functional water level indicator on the ground storage tank; and repair or replace the valves in the service pump. The date required is the investigation date. The final date is the 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**

<b>Approx. Cost of Compliance</b>	\$1,000	<b>TOTAL</b>	\$11
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# Compliance History

Customer/Respondent/Owner-Operator:	CN600657753	Royal Oak Water System Inc	Classification:	Rating:
Regulated Entity:	RN101257699	ROYAL OAKS WATER SYSTEM	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		1330013
	WATER LICENSING	LICENSE		1330013
Location:	110 ROYAL OAKS ROAD, KERR COUNTY, TEXAS			
TCEQ Region:	REGION 13 - SAN ANTONIO			
Date Compliance History Prepared:	July 07, 2008			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	July 01, 2003 to July 01, 2008			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Andrea Linson-Mgbeoduru	Phone:	512-239-1482	

## 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	07/22/2003	(122414)
2	01/30/2004	(261382)
3	07/08/2004	(274471)
4	08/15/2007	(645607)
5	11/01/2007	(646071)
6	04/25/2008	(680990)
7	06/27/2008	(683688)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
 

Date:	07/21/2003	(122414)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(e)			
Description:	Failure of the water system to be operated continuously under the direct supervision of an adequately trained and appropriately licensed water works operator.			
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)			
Description:	Failure to provide a proper concrete sealing block around a well.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)			
Description:	Failure to install a flow meter on each well pump discharge line.			
Self Report?	NO		Classification:	Major
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)			
Description:	Failure to fine grade a well site.			

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)		
Description:	Failure to provide a well casing 18 inches above the elevation of the finished floor of a pump house.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to make available sanitary control easements for wells at the time of inspection.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(3)		
Description:	Failure to provide the overflow pipe on the standpipe tank with a gravity hinged and weighted cover.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(e)		
Description:	Failure to provide an intruder-resistant fence.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(e)		
Description:	Failure to provide an intruder-resistant fence.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)		
Description:	Failure to adequately compile Monthly Operating Reports (MOR) of water works operations.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)		
Description:	Failure to provide well with # 1 with a screened casing vent.		
Date:	07/07/2004 (274471)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)		
Description:	Failure to provide a proper concrete sealing block around a well.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to make available sanitary control easements for wells at the time of inspection.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(e)		
Description:	Failure to provide an intruder-resistant fence.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)		
Description:	Failure to adequately compile Monthly Operating Reports (MOR) of water works operations.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)		
Description:	Failure to provide well with # 1 with a screened casing vent.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)		
Description:	Failure to fine grade the well # 2 site.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121 30 TAC Chapter 290, SubChapter F 290.121(a) 30 TAC Chapter 290, SubChapter F 290.121(b)		
Description:	Failure to develop and maintain an up-to-date chemical and microbiological monitoring plan.		
Date:	08/15/2007 (645607)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.109(f)(4)		
Description:	BACT - MONITORING/REPORTING VIOLATIONS		
Date:	11/01/2007 (646071)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)		
Description:	PUBLIC NOTICE		
Date:	04/25/2008 (680990)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.109(f)(4)		
Description:	BACT - MONITORING/REPORTING VIOLATIONS		

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  
ROYAL OAK WATER SYSTEM, INC.  
RN101257699

§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2008-1126-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 Royal Oak Water System, Inc. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a public water supply at 110 Royal Oaks Road in Kerr County, Texas (the "Facility") that has approximately 39 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 July 2, 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 Eight Hundred Ninety-Three Dollars (\$3,893) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Fifteen Dollars (\$115) of the administrative penalty and Seven Hundred Seventy-Eight Dollars (\$778) 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 Three Thousand Dollars (\$3,000) of the administrative penalty shall be payable in 30 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. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. As of August 1, 2008, the Respondent:
    - i. Installed barbed wire on the fencing surrounding the water production facility;
    - ii. Compiled, began maintaining and made available to the Commission an accurate and up-to-date record of water works operation and maintenance activities;
    - iii. Compiled and began maintaining an up-to-date chemical and microbiological monitoring plan;
    - iv. Repaired the leaks in the ground storage tank, standpipe, and the leak in the line running between the standpipe and the ground storage;
    - v. Installed all electrical wiring in compliance with national and local codes, including but not limited to the following locations: the service point to the Facility, the holding tank, and the area around the storage tank and water level indicator;
    - vi. Repaired the leak in the pressure tank so that it is maintained in a water-tight condition; and

- vii. Removed vegetation around the ground storage tank and along the fence line at the water production facility; properly mounted the water level indicator on the ground storage tank; and replaced the service pump.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to provide a properly constructed intruder-resistant fence in order to protect the system's storage tanks, in violation of 30 TEX. ADMIN. CODE § 290.43(e), as documented during an investigation conducted on June 3, 2008.
2. Failed to provide water system records to Commission personnel at time of the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), 290.46(f)(3)(A)(i)(III), 290.46(f)(3)(A)(ii)(III) and 290.46(f)(3)(A)(iii), (iv), (v), (vi), and (vii), as documented during an investigation conducted on June 3, 2008.
3. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan, in violation of 30 TEX. ADMIN. CODE § 290.121(a), as documented during an investigation conducted on June 3, 2008.
4. Failed to maintain all storage tanks and associated appurtenances in a watertight condition, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(6), as documented during an investigation conducted on June 3, 2008.
5. Failed to provide a device to readily determine the air-water volume for the pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3), as documented during an investigation conducted on June 3, 2008.
6. Failed to ensure that all electrical wiring is securely installed in compliance with local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v), as documented during an investigation conducted on June 3, 2008.
7. Failed to provide the ground storage tank with roof vents in strict accordance with American Water Works Association ("AWWA") standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(1), as documented during an investigation conducted on June 3, 2008.
8. Failed to provide a concrete sealing block that is sloped to drain away and not less than 0.25 inches per foot, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(J), as documented during an investigation conducted on June 3, 2008.

9. Failed to provide an intruder-resistant fence or lockable building for Well No. 2, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O), as documented during an investigation conducted on June 3, 2008.
10. Failed to provide disinfection at a point of application prior to the storage tank, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(2), as documented during an investigation conducted on June 3, 2008.
11. Failed to maintain the pressure tank in a water-tight condition, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(7), as documented during an investigation conducted on June 3, 2008.
12. 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) and 290.46(m)(6), as documented during an investigation conducted on June 3, 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: Royal Oak Water System, Inc., Docket No. 2008-1126-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, provide a properly functioning and readily readable air-water level indicator on the pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.43.
  - b. Within 60 days after the effective date of this Agreed Order, submit written certification as described in 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.

- c. Within 90 days after the effective date of this Agreed Order:
- i. Ensure that the roof vents on the ground storage tank meet AWWA standards, including but not limited to properly securing the two vents on the ground storage tank and ensuring the vents are screened with a 16-mesh or finer corrosion resistant material and properly banded, in accordance with 30 TEX. ADMIN. CODE § 290.43;
  - ii. Provide Well No. 2 with a concrete sealing block that is sloped to drain away and not less than 0.25 inches per foot, in accordance with 30 TEX. ADMIN. CODE § 290.41;
  - iii. Provide Well No. 2 with an intruder-resistant fence that includes three strands of barbed wire on the top of the fence and a lockable gate or enclose the well in a locked ventilated well house to exclude possible contamination or damage to the facilities by trespassers, in accordance with 30 TEX. ADMIN. CODE § 290.41; and
  - iv. Provide a point of application for disinfection prior to the standpipe, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- d. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.i. through 2.c.iv. 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  
San Antonio Regional Office  
Texas Commission on Environmental Quality  
14250 Judson Road  
San Antonio, Texas 78233-4480

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

John Srobin  
For the Executive Director

7/13/2009  
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.

Phyllis Parker Cathey  
Signature

5/5/09  
Date

PHYLLIS PARKER CATHEY  
Name (Printed or typed)  
Authorized Representative of  
Royal Oak Water System, Inc.

CO-OWNER  
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.

