

Executive Summary – Enforcement Matter – Case No. 47379
SIGNOR Logistics, LP dba The Studios
RN106526783
Docket No. 2016-0095-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Indifference to legal duty based on violation of a previous order.

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

The Studios, 100 Munson Road near Carrizo Springs, Dimmit County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: May 6, 2016

Comments Received: No

Penalty Information

Total Penalty Assessed: \$2,655

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$2,655

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: \$14

Applicable Penalty Policy: April 2014

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Investigation Information

Complaint Date(s): October 22, 2015

Complaint Information: Alleged there were power outages and delivery of non-potable water into the ground storage tanks.

Date(s) of Investigation: October 23, 2015 through November 12, 2015

Date(s) of NOE(s): December 14, 2015

Violation Information

1. Failed to submit plans and specifications to the Executive Director for review and approval prior to the establishment of a new public water supply [30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1), TEX. HEALTH & SAFETY CODE § 341.035(a) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.i.].
2. Failed to submit well completion data for review and approval prior to placing a well into service as a public water supply source [30 TEX. ADMIN. CODE § 290.41(c)(3)(A) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.ii.].
3. Failed to issue a boil water notification to customers of the Facility within 24 hours of water outage and low chlorine residual events using the prescribed notification format as specified in 30 TEX. ADMIN. CODE § 290.47(c) [30 TEX. ADMIN. CODE § 290.46(q)(1) and (2)].
4. Failed to disinfect all groundwater prior to distribution for the purpose of microbiological control and distribution protection [30 TEX. ADMIN. CODE § 290.42(b)(1) and (e)(2)].
5. Failed to disinfect the well in accordance with current American Water Works Association standards after an existing well has been reworked [30 TEX. ADMIN. CODE § 290.41(c)(3)(F)].
6. Failed to provide a flow measuring device for the Facility's well to measure production yields and provide for the accumulation of water production data [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].
7. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
8. Failed to inspect the Facility's ground storage tank ("GST") annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(A)].

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9. Failed to inspect the Facility's pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].
10. Failed to provide a device to readily determine the air-water-volume for the pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(3)].
11. Failed to house the hypochlorination solution container in a secure enclosure to protect it from adverse weather conditions and vandalism [30 TEX. ADMIN. CODE § 290.42(e)(5)].
12. Failed to provide an intruder-resistant fence with lockable gates or a locked, ventilated well house in order to protect the Facility's well [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].
13. Failed to install all potable water storage tanks and pressure maintenance facilities in a lockable building or enclosed by an intruder-resistant fence with lockable gates [30 TEX. ADMIN. CODE § 290.43(e)].
14. Failed to use all chemicals and any additional or replacement process media for treatment of water supplied by the Facility that conforms to the American National Standards Institute/National Sanitation Foundation standards [30 TEX. ADMIN. CODE § 290.42(j)].
15. Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times [30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4), and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. On November 5, 2015, a new flow measuring device was installed at the well site to measure production yields and provide for the accumulation of water production data; and
- b. On November 9, 2015, the Respondent developed a protocol to ensure that all future boil water notifications for water outage events are provided to the customers and submitted a copy of the boil water notification issued to customers of the Facility within 24 hours of a water outage associated with the GST cleaning event.

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Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Develop a protocol that is to be followed to ensure that proper notification and boil water notices are provided to the customers of the Facility in the event of low chlorine residual in the distribution system and provide a boil water notification to the employees of the C and E Saltwater Disposal Site office for the low chlorine residual event;

ii. Begin maintaining a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times;

iii. Ensure that all groundwater is disinfected prior to distribution for the purpose of microbiological control and distribution protection;

iv. Disinfect and sample the well in accordance with current American Water Works Association standards after an existing well has been reworked until raw water samples are free of coliform organisms;

v. Conduct an annual inspection of the Facility's GST;

vi. Conduct an annual inspection of the Facility's pressure tank;

vii. Provide the hypochlorination solution container with a secure enclosure to protect it from adverse weather conditions and vandalism; and

viii. Ensure that all chemicals and any additional or replacement process media used for treatment of water supplied by the Facility conform to the American National Standards Institute/National Sanitation Foundation standards.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 60 days:

i. Update and begin maintaining an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements;

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- ii. Provide an intruder-resistant fence with lockable gates or a locked, ventilated well house in order to protect the Facility's well;
- iii. Install all potable water storage tanks and pressure maintenance facilities in a lockable building or enclosed by an intruder-resistant fence with lockable gates; and
- iv. Provide a device to readily determine the air-water-volume for the pressure tank.
- d. Within 75 days, submit written certification to demonstrate compliance with c.
- e. Within 180 days:
 - i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for review and approval; and
 - ii. Submit well completion data for review and approval.
- f. Within 195 days, submit written certification to demonstrate compliance with e.
- g. Within 270 days, obtain approval of the as-built plans and specifications, and the well completion data.
- h. Within 285 days, submit written certification to demonstrate compliance with g.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4077; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483
TCEQ SEP Coordinator: N/A
Respondent: Clay Signor, Manager, The Studios, 5501-A Balcones Drive, Suite 303, Austin, Texas 78731
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	4-Jan-2016	Screening	20-Jan-2016	EPA Due	
	PCW	25-Jan-2016				

RESPONDENT/FACILITY INFORMATION	
Respondent	SIGNOR Logistics, LP dba The Studios
Reg. Ent. Ref. No.	RN106526783
Facility/Site Region	16-Laredo
Major/Minor Source	Minor

CASE INFORMATION		No. of Violations	15
Enf./Case ID No.	47379	Order Type	Findings
Docket No.	2016-0095-PWS-E	Government/Non-Profit	No
Media Program(s)	Public Water Supply	Enf. Coordinator	Yuliya Dunaway
Multi-Media		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$1,790**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **20.0%** Adjustment **Subtotals 2, 3, & 7** **\$358**

Notes: Enhancement for one agreed order containing a denial of liability.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **-\$37**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts	\$3,100
Estimated Cost of Compliance	\$15,832

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$2,111**

OTHER FACTORS AS JUSTICE MAY REQUIRE **25.1%** **Adjustment** **\$530**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided costs of compliance associated with violation nos. 3, 5, 8, 9 and 15.

Final Penalty Amount **\$2,641**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$2,655**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$2,655**

Screening Date 20-Jan-2016

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PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Compliance History Worksheet

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

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

>> **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 for one agreed order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 20%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 20%

Screening Date 20-Jan-2016

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PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.39(e)(1) and (h)(1), Tex. Health & Safety Code § 341.035(a) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.i.

Violation Description Failed to submit plans and specifications to the Executive Director for review and approval prior to the establishment of a new public water supply. Specifically, the Respondent was operating a business which meets the definition of a non-transient non-community public water supply without first obtaining approval.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

725 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	
N/A	x (mark with x)

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,132

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios
Case ID No. 47379
Reg. Ent. Reference No. RN106526783
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	25-Jan-2014	20-Apr-2017	3.24	\$54	\$1,079	\$1,132
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to obtain the services of a professional engineer to prepare and submit plans and specifications for the Facility to the Executive Director and to obtain approval, calculated from the effective date of TCEQ Agreed Order Docket No. 2013-1490-PWS-E to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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

\$5,000

TOTAL

\$1,132

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yullya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(A) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.ii.

Violation Description Failed to submit well completion data for review and approval prior to placing a well into service as a public water supply source.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

725 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,132

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	25-Jan-2014	20-Apr-2017	3.24	\$54	\$1,079	\$1,132
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to compile and submit well completion data to the Executive Director and obtain approval, calculated from the effective date of TCEQ Agreed Order Docket No. 2013-1490-PWS-E to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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

\$5,000

TOTAL

\$1,132

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.46(q)(1) and (2)

Violation Description Failed to issue a boil water notification to customers of the Facility within 24 hours of water outage and low chlorine residual events using the prescribed notification format as specified in 30 Tex. Admin. Code § 290.47(c). Specifically, a boil water notification was not issued within 24 hours after two water outage events that occurred on September 12, 2015 and September 29, 2015 and a low chlorine residual event documented on October 23, 2015 at the C and E Saltwater Disposal Site office in the distribution system.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to issue a boil water notification may not allow affected customers to take appropriate measures in response to water outage and low chlorine residual events, which could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 3

89 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
single event	x	

Violation Base Penalty \$450

Three single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$320

Violation Final Penalty Total \$676

This violation Final Assessed Penalty (adjusted for limits) \$676

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios
Case ID No. 47379
Reg. Ent. Reference No. RN106526783
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	Overtime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	23-Oct-2015	20-Aug-2016	0.83	\$4	n/a	\$4
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to develop and implement a written protocol that is to be followed to ensure boil water notifications are issued to customers in a timely manner, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$300	13-Sep-2015	24-Oct-2015	1.03	\$15	\$300	\$315
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the amount necessary to provide a boil water notification (\$100 per notification x 3 events), calculated for the period the notifications were required.

Approx. Cost of Compliance

\$400

TOTAL

\$320

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.42(b)(1) and (e)(2)

Violation Description

Failed to disinfect all groundwater prior to distribution for the purpose of microbiological control and distribution protection. Specifically, a separate discharge line was connected to the well prior to disinfection which provides water to the C and E Production Saltwater Disposal Site office.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Without disinfection facilities to ensure microbiological control and proper disinfection of the water, persons served by the Facility could be exposed to contaminants which would exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 3

89 Number of violation days

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$450

Three monthly events are recommended, calculated from the investigation date, October 23, 2015, to the screening date, January 20, 2016.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$58

Violation Final Penalty Total \$676

This violation Final Assessed Penalty (adjusted for limits) \$676

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

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	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$1,000	23-Oct-2015	20-Aug-2016	0.83	\$3	\$55	\$58
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide disinfection facilities for microbiological control and distribution protection throughout the distribution system, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$58

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.41(c)(3)(F)

Violation Description

Failed to disinfect the well in accordance with current American Water Works Association ("AWWA") standards after an existing well has been reworked. Specifically, the well pump was pulled and repaired on September 29, 2015 and the well was not disinfected or sampled before being placed back into service.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to disinfect and sample the well prior to placing it back into service may cause persons served by the Facility to be exposed to a significant amount of contaminants, which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$150

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$29

Violation Final Penalty Total \$225

This violation Final Assessed Penalty (adjusted for limits) \$225

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

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	Overtime 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	\$100	23-Oct-2015	20-Aug-2016	0.83	\$4	n/a	\$4
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to develop a written protocol to ensure all necessary disinfection and samples are provided when an existing well is reworked, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$25	29-Sep-2015	30-Sep-2015	0.00	\$0	\$25	\$25
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect a total of one raw groundwater sample (\$25 per sample), calculated for the period in which the sample should have been collected.

Approx. Cost of Compliance

\$125

TOTAL

\$29

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(N)

Violation Description

Failed to provide a flow measuring device for the Facility's well to measure production yields and provide for the accumulation of water production data. Specifically, the well's flow measuring device was malfunctioning.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide a flow measuring device for the well could result in inaccurate water production data, which could affect treatment practices, thereby exposing persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

13 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$150

One monthly event is recommended, calculated from the investigation date, October 23, 2015, to the compliance date, November 5, 2015.

Good Faith Efforts to Comply

25.0%

Reduction \$37

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance on November 5, 2015.

Violation Subtotal \$113

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$179

This violation Final Assessed Penalty (adjusted for limits) \$179

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios
Case ID No. 47379
Reg. Ent. Reference No. RN106526783
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$300	23-Oct-2015	5-Nov-2015	0.04	\$0	\$1	\$1
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide the Facility's well with a new flow measuring device, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

TOTAL

\$1

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yullya Dunaway

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 290.121(a) and (b)

Violation Description Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Specifically, the monitoring plan did not reflect a separate well discharge line connected to the C and E Production Saltwater Disposal Site office.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (3.0%). Includes 'OR' label.

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (0.0%).

Matrix Notes Less than 30% of the rule requirements were not met.

Adjustment \$970

\$30

Violation Events

Number of Violation Events 1 Number of violation days 89

Table for frequency selection: daily, weekly, monthly, quarterly, semiannual, annual, single event. Includes instruction 'mark only one with an x'.

Violation Base Penalty \$30

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A. Includes 'Before NOE/NOV' and 'NOE/NOV to EDPRP/Settlement Offer' columns.

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

Violation Subtotal \$30

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$45

This violation Final Assessed Penalty (adjusted for limits) \$50

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios
Case ID No. 47379
Reg. Ent. Reference No. RN106526783
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$180	23-Oct-2015	20-Aug-2016	0.83	\$7	n/a	\$7
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 estimated amount to update and begin maintaining the up-to-date monitoring plan for the Facility, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$180

TOTAL

\$7

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(1)(A)

Violation Description Failed to inspect the Facility's ground storage tank ("GST") annually.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to perform an inspection of the GST could result in non-detection of a tank defect which could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x

dally	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$50

One annual event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$45

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.00	\$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]	\$41	23-Oct-2014	20-Jan-2016	2.16	\$4	\$41	\$45
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to conduct the annual GST inspection (\$41 per tank), calculated for the one year prior to the date of the investigation to the screening date.

Approx. Cost of Compliance

\$41

TOTAL

\$45

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(1)(B)

Violation Description Failed to inspect the Facility's pressure tank annually.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to perform an inspection of the pressure tank could result in non-detection of a tank defect that causes loss of tank integrity which could expose persons served by the Facility to contaminants which would exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

365 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

mark only one with an x

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$45

Violation Final Penalty Total \$225

This violation Final Assessed Penalty (adjusted for limits) \$225

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.00	\$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]	\$41	23-Oct-2014	20-Jan-2016	2.16	\$4	\$41	\$45
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to conduct the annual pressure tank inspection (\$41 per tank), calculated for the one year prior to the date of the investigation to the screening date.

Approx. Cost of Compliance

\$41

TOTAL

\$45

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 10

Rule Cite(s) 30 Tex. Admin. Code § 290.43(d)(3)

Violation Description Failed to provide a device to readily determine the air-water-volume for the pressure tank.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (5.0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (0.0%).

Matrix Notes: Failure to provide the pressure tank with a device to determine the air-water-volume may not allow the operator to make necessary adjustments to ensure an adequate air-water-volume ratio which could expose customers of the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 Number of violation days 89

Table for event frequency: daily, weekly, monthly, quarterly (marked with X), semiannual, annual, single event.

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the investigation date, October 23, 2015, to the screening date, January 20, 2016.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with X).

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios
Case ID No. 47379
Reg. Ent. Reference No. RN106526783
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	23-Oct-2015	20-Sep-2016	0.91	\$0	\$6	\$6
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to equip the pressure tank with a device to readily determine the air-water-volume, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$6

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 11

Rule Cite(s) 30 Tex. Admin. Code § 290.42(e)(5)

Violation Description Failed to house the hypochlorination solution container in a secure enclosure to protect it from adverse weather conditions and vandalism.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (3.0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and Percent (0.0%).

Matrix Notes: Failure to properly house the hypochlorination solution container in a secure enclosure could cause persons served by the Facility to be exposed to an insignificant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$970

\$30

Violation Events

Number of Violation Events: 1 Number of violation days: 89

Table for frequency selection: daily, weekly, monthly, quarterly, semiannual, annual, single event (marked with x).

Violation Base Penalty \$30

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with x).

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

Violation Subtotal \$30

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$45

This violation Final Assessed Penalty (adjusted for limits) \$50

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

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
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$400	23-Oct-2015	20-Aug-2016	0.83	\$1	\$22	\$23
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to house the hypochlorination solution container in a secure enclosure, calculated from the date the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$400

TOTAL

\$23

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

V12 12

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(O)

Violation Description Failed to provide an intruder-resistant fence with lockable gates or a locked, ventilated well house in order to protect the Facility's well. Specifically, the fence at the well site consisted of wire ranch fencing and no gate was provided.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide an intruder-resistant fence with lockable gates or a locked well house may not protect the Facility's well from vandalism which could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

89 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the investigation date, October 23, 2015, to the screening date, January 20, 2016.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$96

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	23-Oct-2015	20-Sep-2016	0.91	\$5	\$91	\$96
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide an intruder-resistant fence with lockable gates or a well house for the Facility's well site, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$96

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code § 290.43(e)

Violation Description

Failed to install all potable water storage tanks and pressure maintenance facilities in a lockable building or enclosed by an intruder-resistant fence with lockable gates. Specifically, the Facility's GST and pressure tank were enclosed by a wire ranch fencing which is not intruder-resistant.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide an intruder-resistant fence or lockable building for water storage tanks and pressure maintenance facilities could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

89 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the investigation date, October 23, 2015, to the screening date, January 20, 2016.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$96

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	23-Oct-2015	20-Sep-2016	0.91	\$5	\$91	\$96
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide an intruder-resistant fence for the Facility's GST and pressure tank, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$96

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 14

Rule Cite(s) 30 Tex. Admin. Code § 290.42(j)

Violation Description

Failed to use all chemicals and any additional or replacement process media for treatment of water supplied by the Facility that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standards. Specifically, the Respondent was using a hypochlorite solution and could not provide documentation that it was an ANSI/NSF approved disinfectant.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				3.0%
Potential			x	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Failure to use an approved disinfectant that meets ANSI/NSF standards could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$970

\$30

Violation Events

Number of Violation Events 1 Number of violation days 89

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$30

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$30

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$45

This violation Final Assessed Penalty (adjusted for limits) \$50

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$45	23-Oct-2015	20-Aug-2016	0.83	\$0	\$2	\$3
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to obtain an approved direct additive, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$3

Screening Date 20-Jan-2016

Docket No. 2016-0095-PWS-E

PCW

Respondent SIGNOR Logistics, LP dba The Studios

Policy Revision 4 (April 2014)

Case ID No. 47379

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN106526783

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 15

Rule Cite(s) 30 Tex. Admin. Code §§ 290.46(d)(2)(A) and 290.110(b)(4), and Tex. Health & Safety Code § 341.0315(c)

Violation Description

Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, on October 23, 2015, a field sample collected from the distribution system measured a free chlorine residual of 0.04 mg/L.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to maintain proper levels of disinfection could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$106

Violation Final Penalty Total \$75

This violation Final Assessed Penalty (adjusted for limits) \$75

Economic Benefit Worksheet

Respondent SIGNOR Logistics, LP dba The Studios

Case ID No. 47379

Reg. Ent. Reference No. RN106526783

Media Public Water Supply

Violation No. 15

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	23-Oct-2015	20-Aug-2016	0.83	\$0	\$6	\$6
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to develop and implement a written protocol that is to be followed to ensure an adequate disinfectant residual is maintained throughout the distribution system, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$100	23-Oct-2015	24-Oct-2015	0.00	\$0	\$100	\$100
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount for additional maintenance and oversight to ensure an adequate disinfectant residual is maintained throughout the distribution system, calculated for the day the low disinfectant residual was documented.

Approx. Cost of Compliance

\$200

TOTAL

\$106



Compliance History Report

PUBLISHED Compliance History Report for CN604142836, RN106526783, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN604142836, SIGNOR Logistics, LP	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN106526783, The Studios	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	100 MUNSON RD NEAR CARRIZO SPRINGS, DIMMIT COUNTY, TX				
TCEQ Region:	REGION 16 - LAREDO				
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0640053				

Compliance History Period:	September 01, 2010 to August 31, 2015	Rating Year:	2015	Rating Date:	09/01/2015
Date Compliance History Report Prepared:	January 20, 2016				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	January 20, 2011 to January 20, 2016				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Yuliya Dunaway			Phone:	(210) 403-4077

Site and Owner/Operator History:

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

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees:**
- 1 Effective Date: 01/25/2014 ADMINORDER 2013-1490-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 290, SubChapter D 290.39(e)(1)
30 TAC Chapter 290, SubChapter D 290.39(h)(1)
5A THSC Chapter 341, SubChapter A 341.035(a)
Description: Failure to submit planning material for the current water system.
Classification: Major
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)
Description: Failure to submit well completion data before placing the well into service as a public water system.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CEEDS Inv. Track. No.):

N/A

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

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	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SIGNOR LOGISTICS, LP DBA THE	§	
STUDIOS	§	ENVIRONMENTAL QUALITY
RN106526783	§	

AGREED ORDER
DOCKET NO. 2016-0095-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SIGNOR Logistics, LP dba The Studios (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 presented this agreement to the Commission.

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

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 100 Munson Road near Carrizo Springs, Dimmit County, Texas (the "Facility") that has approximately 151 service connections and serves at least 25 people per day for at least 60 days per year.
2. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent was operating a business which meets the definition of a non-transient non-community public water supply without first obtaining approval.
3. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent did not submit well completion data for review and approval prior to placing a well into service as a public water supply source.
4. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that a boil water notification was not issued within 24 hours after two water outage events that occurred on September 12, 2015 and September 29, 2015 and a low chlorine residual event that occurred on October 23, 2015 at the C and E Saltwater Disposal Site office in the distribution system.
5. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that a separate discharge line was connected to the well prior to disinfection which provides water to the C and E Production Saltwater Disposal Site office.
6. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the well pump was pulled and repaired on September 29, 2015 and the well was not disinfected or sampled before being placed back into service.
7. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the well's flow measuring device was malfunctioning.
8. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the monitoring plan did not reflect a separate well discharge line connected to the C and E Production Saltwater Disposal Site office.
9. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent did not inspect the Facility's ground storage tank ("GST") annually.
10. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent did not inspect the Facility's pressure tank annually.

11. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent did not provide a device to readily determine the air-water-volume for the pressure tank.
12. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent did not house the hypochlorination solution container in a secure enclosure to protect it from adverse weather conditions and vandalism.
13. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the fence at the well site consisted of wire ranch fencing and no gate was provided.
14. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Facility's GST and pressure tank were enclosed by a wire ranch fencing which is not intruder-resistant.
15. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that the Respondent was using a hypochlorite solution and could not provide documentation that it was an American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standards approved disinfectant.
16. During an investigation conducted from October 23, 2015 through November 12, 2015, TCEQ staff documented that on October 23, 2015, a field sample collected from the distribution system measured a free chlorine residual of 0.04 milligrams per liter ("mg/L").
17. The Respondent received notice of the violations on December 17, 2015.
18. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. On November 5, 2015, a new flow measuring device was installed at the well site to measure production yields and provide for the accumulation of water production data; and
 - b. On November 9, 2015, the Respondent developed a protocol to ensure that all future boil water notifications for water outage events are provided to the customers and submitted a copy of the boil water notification issued to customers of the Facility within 24 hours of a water outage associated with the GST cleaning event.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to submit plans and specifications to the Executive Director for review and approval prior to the establishment of a new public water supply, in violation of 30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1), TEX. HEALTH & SAFETY CODE § 341.035(a) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.i.
3. As evidenced by Findings of Fact No. 3, the Respondent failed to submit well completion data for review and approval prior to placing a well into service as a public water supply source, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(A) and TCEQ Agreed Order Docket No. 2013-1490-PWS-E, Ordering Provision No. 2.a.ii.
4. As evidenced by Findings of Fact No. 4, the Respondent failed to issue a boil water notification to customers of the Facility within 24 hours of water outage and low chlorine residual events using the prescribed notification format as specified in 30 TEX. ADMIN. CODE § 290.47(c), in violation of 30 TEX. ADMIN. CODE § 290.46(q)(1) and (2).
5. As evidenced by Findings of Fact No. 5, the Respondent failed to disinfect all groundwater prior to distribution for the purpose of microbiological control and distribution protection, in violation of 30 TEX. ADMIN. CODE § 290.42(b)(1) and (e)(2).
6. As evidenced by Findings of Fact No. 6, the Respondent failed to disinfect the well in accordance with current American Water Works Association ("AWWA") standards after an existing well has been reworked, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(F).
7. As evidenced by Findings of Fact No. 7, the Respondent failed to provide a flow measuring device for the Facility's well to measure production yields and provide for the accumulation of water production data, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(N).
8. As evidenced by Findings of Fact No. 8, the Respondent failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
9. As evidenced by Findings of Fact No. 9, the Respondent failed to inspect the Facility's GST annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A).

10. As evidenced by Findings of Fact No. 10, the Respondent failed to inspect the Facility's pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
11. As evidenced by Findings of Fact No. 11, the Respondent 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).
12. As evidenced by Findings of Fact No. 12, the Respondent failed to house the hypochlorination solution container in a secure enclosure to protect it from adverse weather conditions and vandalism, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(5).
13. As evidenced by Findings of Fact No. 13, the Respondent failed to provide an intruder-resistant fence with lockable gates or a locked, ventilated well house in order to protect the Facility's well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).
14. As evidenced by Findings of Fact No. 14, the Respondent failed to install all potable water storage tanks and pressure maintenance facilities in a lockable building or enclosed by an intruder-resistant fence with lockable gates, in violation of 30 TEX. ADMIN. CODE § 290.43(e).
15. As evidenced by Findings of Fact No. 15, the Respondent failed to use all chemicals and any additional or replacement process media for treatment of water supplied by the Facility that conforms to the ANSI/NSF standards, in violation of 30 TEX. ADMIN. CODE § 290.42(j).
16. As evidenced by Findings of Fact No. 16, the Respondent failed to maintain a disinfectant residual of at least 0.2 mg/L of free chlorine throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4), and TEX. HEALTH & SAFETY CODE § 341.0315(c).
17. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
18. An administrative penalty in the amount of Two Thousand Six Hundred Fifty-Five Dollars (\$2,655) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the Two Thousand Six Hundred Fifty-Five Dollar (\$2,655) administrative penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Two Thousand Six Hundred Fifty-Five Dollars (\$2,655) as set forth in Section II, Paragraph 18 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SIGNOR Logistics, LP dba The Studios, Docket No. 2016-0095-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Develop a protocol that is to be followed to ensure that proper notification and boil water notices are provided to the customers of the Facility in the event of low chlorine residual in the distribution system and provide a boil water notification to the employees of the C and E Saltwater Disposal Site office for the low chlorine residual event, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - ii. Begin maintaining a disinfectant residual of at least 0.2 mg/L of free chlorine throughout the distribution system at all times, in accordance with 30 TEX. ADMIN. CODE §§ 290.46 and 290.110;
 - iii. Ensure that all groundwater is disinfected prior to distribution for the purpose of microbiological control and distribution protection, in accordance with 30 TEX. ADMIN. CODE § 290.42;
 - iv. Disinfect and sample the well in accordance with current AWWA standards after an existing well has been reworked until raw water samples are free of coliform organisms, in accordance with 30 TEX. ADMIN. CODE § 290.41;

- v. Conduct an annual inspection of the Facility's GST, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - vi. Conduct an annual inspection of the Facility's pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - vii. Provide the hypochlorination solution container with a secure enclosure to protect it from adverse weather conditions and vandalism, in accordance with 30 TEX. ADMIN. CODE § 290.42; and
 - viii. Ensure that all chemicals and any additional or replacement process media used for treatment of water supplied by the Facility conform to the ANSI/NSF standards, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.h below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.viii.
- c. Within 60 days after the effective date of this Agreed Order:
- i. Update and begin maintaining an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 TEX. ADMIN. CODE § 290.121;
 - ii. Provide an intruder-resistant fence with lockable gates or a locked, ventilated well house in order to protect the Facility's well, in accordance with 30 TEX. ADMIN. CODE § 290.41;
 - iii. Install all potable water storage tanks and pressure maintenance facilities in a lockable building or enclosed by an intruder-resistant fence with lockable gates, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
 - iv. Provide a device to readily determine the air-water-volume for the pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- d. Within 75 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.h 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.
- e. Within 180 days after the effective date of this Agreed Order:

- i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for review and approval, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Utilities Technical Review Team
Water Supply Division, MC 159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- ii. Submit well completion data for review and approval in accordance with 30 TEX. ADMIN. CODE § 290.41. The well completion data shall be submitted to the address listed in Ordering Provision No. 2.e.i.

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning as-built plans and well completion data within 15 days after the date of such requests, or by any other deadline specified in writing;

- f. Within 195 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.h and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.e.i. and 2.e.ii;
- g. Within 270 days after the effective date of this Agreed Order, obtain approval of the as-built plans and specifications, and the well completion data, in accordance with 30 TEX. ADMIN. CODE §§ 290.39 and 290.41; and
- h. Within 285 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.g. 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 fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Laredo Regional Office
Texas Commission on Environmental Quality
707 East Calton Road, Suite 304
Laredo, Texas 78041-3887

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. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. 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.
7. 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.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission,

including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



6/29/16

For the Executive Director

Date

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

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

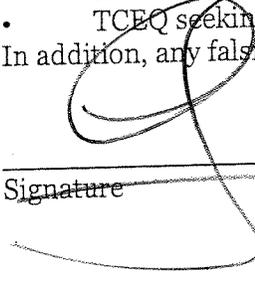
I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

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

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

Signature

Date


Clay Simon

3/17/16

Name (Printed or typed)

Title

Authorized Representative of
SIGNOR Logistics, LP dba The Studios



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