

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

Capri and Gall Streets, located at the intersection of Capri Street and Gall Street, Orange County

Lakeview Estates, located at 2545 Ashy Street, Orange County

Susan Circle Community WS, located at 124 Susan Circle, Bridge City, Orange County

Sawmill Addition, located at the intersection of Hale Street and Sawmill Road, Orange County

Houseman Park, located at 1220 Beaver Street, Orange County

Type of Operation:

Public water supply facilities

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 27, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$14,595

Amount Deferred for Expedited Settlement: \$2,916

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$479

Total Due to General Revenue: \$11,200

Payment Plan: 32 payments of \$350 each

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: \$164

Applicable Penalty Policy: September 2002 and September 2011

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: December 2, 2013, December 16, 2013, January 14, 2014 and February 5, 2014

Date(s) of NOE(s): December 11, 2013, January 17, 2014 and January 31, 2014

Violation Information

At the Capri and Gall Streets Facility:

1. Failed to collect the triennial volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director ("ED") for the January 1, 2008 to December 31, 2010 monitoring period [30 TEX. ADMIN. CODE § 290.107(c)(2) and (e)].
2. Failed to collect lead and copper samples and provide the results to the ED for the January 1, 2002 to December 31, 2010 and 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)].
3. Failed to collect quarterly and annual nitrate samples and provide the results to the ED for the first quarter of 2013, third quarter of 2013, and 2012 monitoring periods, in violation of [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].
4. Failed to timely provide the results of nitrate sampling to the ED for the second quarter of 2013 [30 TEX. ADMIN. CODE § 290.106(e)].
5. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

At the Lakeview Estates Facility:

6. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the ED for the January 1, 2008 to December 31, 2010 monitoring period [30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)].

Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E

7. Failed to collect quarterly and annual nitrate samples and provide the results to the ED for the 2012 and the first quarter of 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].

8. Failed to timely provide the results of nitrate sampling to the ED for the second quarter of 2013 [30 TEX. ADMIN. CODE § 290.106(e)].

9. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

10. Failed to collect lead and copper samples and provide the results to the ED for the January 1, 2003 to December 31, 2011 and 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)].

At the Susan Circle Community Water System Facility:

11. Failed to collect the triennial minerals and VOC samples and provide the results to the ED for the January 1, 2008 to December 31, 2010 monitoring period [30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)].

12. Failed to collect annual Stage 1 disinfectant byproducts samples and provide the results to the ED for the 2008, 2009 and 2010 monitoring periods [30 TEX. ADMIN. CODE § 290.113(c) and (e)].

13. Failed to collect lead and copper samples and provide the results to the ED for the January 1, 2002 to December 31, 2010 and 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)].

14. Failed to collect quarterly and annual nitrate samples and provide the results to the ED for the 2012, first quarter of 2013 and third quarter of 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].

15. Failed to timely provide the results of nitrate sampling to the ED for the second quarter of 2013 [30 TEX. ADMIN. CODE § 290.106(e)].

16. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that

Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E

the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

At the Sawmill Addition Facility:

17. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the ED for the January 1, 2008 to December 31, 2010 monitoring period [30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)].

18. Failed to collect quarterly and annual nitrate samples and provide the results to the ED for the 2012 and first quarter of 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].

19. Failed to timely provide the results of nitrate sampling to the ED for the second quarter of 2013 [30 TEX. ADMIN. CODE § 290.106(e)].

20. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

21. Failed to collect lead and copper samples and provide the results to the ED for the January 1, 2003 to December 31, 2011 and 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)].

At the Houseman Park Facility:

22. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the ED for the January 1, 2008 to December 31, 2010 monitoring period [30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)].

23. Failed to collect quarterly and annual nitrate samples and provide the results to the ED for the 2012, first quarter of 2013 and third quarter of 2013 monitoring periods [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

24. Failed to provide the results of nitrate sampling to the ED for the second quarter of 2013 [30 TEX. ADMIN. CODE § 290.106(e)].

25. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

26. Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023 for Fiscal Years 2013 and 2014 [30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent provided the results of nitrate sampling to the Executive Director for the second quarter of 2013 for the Facilities as of January 14, 2014.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days, submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023.

At the Capri and Gall Streets Facility:

a. Within 30 days:

i. Implement improvements to the Capri and Gall Streets Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Capri and Gall Streets Facility's laboratories, and reported to the ED within ten days of ED request or of their receipt by the Capri and Gall Streets Facility, whichever is later; and

ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

effort to deliver the CCR to non-bill paying customers of the Capri and Gall Streets Facility.

b. Within 45 days:

i. Submit written certification to demonstrate compliance with Ordering Provision a.; and

ii. Submit to the Commission a copy of the CCRs provided to customers of the Capri and Gall Streets Facility and the certifications that the CCRs have been distributed to the customers of the Capri and Gall Streets Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.

c. Within 60 days, submit written certification to demonstrate compliance with Ordering Provision b.ii.

d. Within 90 days, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period at the Capri and Gall Streets Facility. This provision will be satisfied upon one compliant monitoring period.

e. Within 470 days, submit written certification to demonstrate compliance with Ordering Provision d.

At the the Lakeview Estates Facility:

a. Within 30 days:

i. Implement improvements to the Lakeview Estates Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Lakeview Estates Facility's laboratories, and reported to the ED within ten days of ED request or of their receipt by the Lakeview Estates Facility, whichever is later; and

ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Lakeview Estates Facility.

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

b. Within 45 days:

i. Submit written certification to demonstrate compliance with Ordering Provision a.;
and

ii. Submit to the Commission a copy of the CCRs provided to customers of the Lakeview Estates Facility and the certifications that the CCRs have been distributed to the customers of the Lakeview Estates Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.

c. Within 60 days, submit written certification to demonstrate compliance with Ordering Provision b.ii.

d. Within 90 days, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period at the Lakeview Estates Facility. This provision will be satisfied upon one compliant monitoring period.

e. Within 470 days, submit written certification to demonstrate compliance with Ordering Provision d.

At the Susan Circle Community Water System Facility:

a. Within 30 days:

i. Implement improvements to the Susan Circle Community Water System Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Susan Circle Community Water System Facility's laboratories, and reported to the ED within ten days of ED request or of their receipt by the Susan Circle Community Water System Facility, whichever is later; and

ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Susan Circle Community Water System Facility.

b. Within 45 days:

i. Submit written certification to demonstrate compliance with Ordering Provisions a.;
and

Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E

ii. Submit to the Commission a copy of the CCRs provided to customers of the Susan Circle Community Water System Facility and the certifications that the CCRs have been distributed to the customers of the Susan Circle Community Water System Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.

c. Within 60 days, submit written certification to demonstrate compliance with Ordering Provision b.ii.

d. Within 90 days, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period at the Susan Circle Community Water System Facility. This provision will be satisfied upon one compliant monitoring period.

e. Within 470 days, submit written certification to demonstrate compliance with Ordering Provision d.

At the Sawmill Addition Facility:

a. Within 30 days:

i. Implement improvements to the Sawmill Addition Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Sawmill Addition Facility's laboratories, and reported to the ED within ten days of ED request or of their receipt by the Sawmill Addition Facility, whichever is later; and

ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Sawmill Addition Facility.

b. Within 45 days:

i. Submit written certification to demonstrate compliance with Ordering Provision a.; and

ii. Submit to the Commission a copy of the CCRs provided to customers of the Sawmill Addition Facility and the certifications that the CCRs have been distributed to the customers of the Sawmill Addition Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

- c. Within 60 days, submit written certification to demonstrate compliance with Ordering Provision b.ii.
- d. Within 90 days, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period at the Sawmill Addition Facility. This provision will be satisfied upon one compliant monitoring period.
- e. Within 470 days, submit written certification to demonstrate compliance with Ordering Provision d.

At the Houseman Park Facility:

- a. Within 30 days:
 - i. Implement improvements to the Houseman Park Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Houseman Park Facility's laboratories, and reported to the ED within ten days of ED request or of their receipt by the Houseman Park Facility, whichever is later; and
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Houseman Park Facility.
- b. Within 45 days:
 - i. Submit written certification to demonstrate compliance with Ordering Provision a.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Houseman Park Facility and the certifications that the CCRs have been distributed to the customers of the Houseman Park Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.
- c. Within 60 days, submit written certification to demonstrate compliance with Ordering Provision b.ii.

**Executive Summary – Enforcement Matter – Case No. 48075
Debbie Block
RN101213122, RN101250710, RN101187896, RN101260727, and
RN101193571
Docket No. 2014-0006-PWS-E**

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; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Debbie Block, Owner, P.O. Box 389, Vidor, Texas 77670
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	16-Dec-2013	Screening	23-Dec-2013	EPA Due	30-Jun-2013
	PCW	2-Jan-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Debbie Block (Capri and Gall Streets)
Reg. Ent. Ref. No.	RN101213122
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	48075	No. of Violations	2
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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** **\$500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Enhancement **Subtotals 2, 3, & 7** **\$50**

Notes: Enhancement for two NOV's with the same/similar violations.

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** **\$0**

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

Total EB Amounts	\$451
Approx. Cost of Compliance	\$533

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$550**

OTHER FACTORS AS JUSTICE MAY REQUIRE **80.5%** **Adjustment** **\$443**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation Nos. 1 and 2.

Final Penalty Amount **\$993**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$993**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$198**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$795**

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101213122

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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) 10%

>> **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 two NOVs with the same/similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 10%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.107(c)(2) and (e)

Violation Description

Failed to collect the triennial volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect VOC samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

1095 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$223

Violation Final Penalty Total \$497

This violation Final Assessed Penalty (adjusted for limits) \$497

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
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				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	2-Dec-2013	3-Sep-2014	0.75	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$183	1-Jan-2008	31-Dec-2010	3.92	\$36	\$183	\$219
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical sample (\$183 for VOC x 1 sample), calculated for the time frame sampling was due.

Approx. Cost of Compliance	\$283	TOTAL	\$223
-----------------------------------	-------	--------------	-------

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2002 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

3240 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$228

Violation Final Penalty Total \$497

This violation Final Assessed Penalty (adjusted for limits) \$497

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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	\$100	2-Dec-2013	3-Sep-2014	0.75	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel in a timely manner, analyzed by the Facility's laboratories, and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$150	1-Jan-2002	31-Dec-2010	9.92	\$74	\$150	\$224
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance \$250

TOTAL \$228



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	16-Dec-2013	Screening	23-Dec-2013	EPA Due	30-Jun-2013
	PCW	2-Jan-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Debbie Block (Capri and Gall Streets)		
Reg. Ent. Ref. No.	RN101213122		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48075	No. of Violations	5
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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) 10%

>> 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 two NOVs with the same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 10%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect annual nitrate samples and provide the results to the Executive Director for the 2012 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 365 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$227

This violation Final Assessed Penalty (adjusted for limits) \$227

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$25	1-Jan-2012	31-Dec-2012	1.92	\$2	\$25	\$27
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$25 for nitrates x 1 samples), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$25

TOTAL

\$27

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect quarterly nitrate samples and provide the results to the Executive Director for the first quarter of 2013 and third quarter of 2013 monitoring periods.

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 collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 2

180 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$300

Two quarterly events are recommended (one for each required period).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$300

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$454

This violation Final Assessed Penalty (adjusted for limits) \$454

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 for this violation are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$17	1-Jan-2013	30-Sep-2013	1.66	\$1	\$17	\$18
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical samples (\$8.49 for nitrates x 2 samples), calculated for the time frame sampling was due.

Approx. Cost of Compliance \$17

TOTAL \$18

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.106(e)

Violation Description

Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013.

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 1.0%

Matrix Notes

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

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1

90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$15

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

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Req. Ent. Reference No. RN101213122
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)	\$8	30-Jun-2013	14-Jan-2014	0.54	\$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 pay any outstanding lab fees so that the lab will release the results (\$8.49 x 1 period for nitrate), calculated from the last date of the monitoring period for which results were not provided to the date of compliance. The other delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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

\$8

TOTAL

\$0

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description

Failed to collect lead and copper samples and provide the results to the Executive Director for the 2013 monitoring period.

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 collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$164

Violation Final Penalty Total \$227

This violation Final Assessed Penalty (adjusted for limits) \$227

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 for this violation are included in the economic benefit worksheet for violation no. 2 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$150	1-Jan-2013	31-Dec-2013	1.92	\$14	\$150	\$164
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required lead and copper samples (\$30 for sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$150

TOTAL

\$164

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Capri and Gall Streets)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101213122

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

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

365 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 NOV	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 \$64

Violation Final Penalty Total \$76

This violation Final Assessed Penalty (adjusted for limits) \$76

Economic Benefit Worksheet

Respondent Debbie Block (Capri and Gall Streets)
Case ID No. 48075
Reg. Ent. Reference No. RN101213122
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$60	1-Jul-2013	23-Dec-2013	1.40	\$4	\$60	\$64
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply and the TCEQ (\$0.50 x 19 connections plus a flat fee of \$50 x 1 year), calculated from the date the CCRs were due to the date of screening.

Approx. Cost of Compliance \$60

TOTAL \$64

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603963026, RN101213122, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN603963026, Debbie Block **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101213122, CAPRI AND GALL STREETS **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: INTERSECTION OF CAPRI ST AND GALL ST, ORANGE COUNTY, TX

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1810178

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: December 23, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 23, 2008 to December 23, 2013

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? YES
- 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

- 1. Final Orders, court judgments, and consent decrees:**
N/A
- 2. Criminal convictions:**
N/A
- 3. Chronic excessive emissions events:**
N/A
- 4. The approval dates of investigations (CCEDS Inv. Track. No.):**
Item 1 April 14, 2010 (794644)
- 5. Written notices of violations (NOV) (CCEDS 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.

1 Date: 11/14/2013 (1138632) CN603963026
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

Description: 30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

2 Date: 11/22/2013 (1138632) CN603963026
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR YR2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR 2Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 04/01/2013 to 06/01/2013 within the required timeline.

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	16-Dec-2013	Screening	23-Dec-2013	EPA Due	31-Mar-2013
	PCW	3-Jan-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Debbie Block (Lakeview Estates)
Reg. Ent. Ref. No.	RN101250710
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	48075	No. of Violations	1
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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** **\$750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Enhancement **Subtotals 2, 3, & 7** **\$75**

Notes: Enhancement for two NOVs with the same/similar violations.

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** **\$0**

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

Total EB Amounts	\$723
Approx. Cost of Compliance	\$702

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$825**

OTHER FACTORS AS JUSTICE MAY REQUIRE **87.3%** **Adjustment** **\$720**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation No. 1.

Final Penalty Amount **\$1,545**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$1,545**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$309**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$1,236**

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101250710

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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) 10%

>> 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 two NOVs with the same/similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 10%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)

Violation Description

Failed to collect the triennial metals, minerals, and volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect metals, minerals, and VOC samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 3

1095 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$750

Three single events are recommended (one for each required chemical sample).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$723

Violation Final Penalty Total \$1,545

This violation Final Assessed Penalty (adjusted for limits) \$1,545

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
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				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	2-Dec-2013	21-Jul-2014	0.63	\$3	n/a	\$3
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$602	1-Jan-2008	31-Dec-2010	3.92	\$118	\$602	\$720
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical samples (\$264 for metals, \$155 for minerals and \$183 for VOC), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$702

TOTAL

\$723



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	16-Dec-2013	Screening	23-Dec-2013	EPA Due	31-Mar-2013
	PCW	3-Jan-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Debbie Block (Lakeview Estates)
Reg. Ent. Ref. No.	RN101250710
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	48075	No. of Violations	6
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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** **\$660**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Enhancement **Subtotals 2, 3, & 7** **\$66**

Notes: Enhancement for two NOVs with the same/similar violations.

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** **\$0**

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

Total EB Amounts: \$497
Approx. Cost of Compliance: \$505
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$726**

OTHER FACTORS AS JUSTICE MAY REQUIRE **67.6%** **Adjustment** **\$491**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation Nos. 1, 2, 4, 5 and 6.

Final Penalty Amount **\$1,217**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$1,248**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$249**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$999**

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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) 10%

>> **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 two NOVs with the same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 10%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect annual nitrate samples and provide the results to the Executive Director for the 2012 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (15.0%).

>> Programmatic Matrix

Table with columns: Falsification, Harm (Major, Moderate, Minor), Percent (0.0%). Matrix Notes: Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 365

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

Violation Base Penalty \$150

One annual 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 \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$277

This violation Final Assessed Penalty (adjusted for limits) \$277

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Req. Ent. Reference No. RN101250710
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				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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	1-Jan-2012	31-Dec-2012	1.92	\$2	\$25	\$27
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$25 for nitrate), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$25

TOTAL

\$27

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect quarterly nitrate samples and provide the results to the Executive Director for the first quarter of 2013 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 90

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$150

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8

Violation Final Penalty Total \$277

This violation Final Assessed Penalty (adjusted for limits) \$277

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
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	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				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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]	\$8	1-Jan-2013	31-Mar-2013	1.16	\$0	\$8	\$8
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$8.49 for nitrate), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$8

TOTAL

\$8

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.106(e)

Violation Description Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (0.0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (1.0%). Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1 Number of violation days 90

Table for marking frequency: daily, weekly, monthly, quarterly, semiannual, annual, single event. 'x' is marked in the 'single event' row.

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A. 'x' is marked in the 'N/A' row.

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

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$18

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

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
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)	\$8	30-Jun-2013	14-Jan-2014	0.54	\$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 pay any outstanding lab fees so that the lab will release the results (\$8.49 x 1 period for nitrate), calculated from the last date of the monitoring period for which results were not provided to the date of compliance. The other delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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 \$8

TOTAL \$0

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 365 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 NOV	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 \$68

Violation Final Penalty Total \$92

This violation Final Assessed Penalty (adjusted for limits) \$92

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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]	\$64	1-Jul-2013	23-Dec-2013	1.40	\$4	\$64	\$68
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply and the TCEQ (\$0.50 x 28 connections plus a flat fee of \$50 x 1 year), calculated from the date the CCRs were due to the date of screening.

Approx. Cost of Compliance \$64

TOTAL \$68

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description

Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2003 to December 31, 2011 monitoring period.

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 collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

3240 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 NOV	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 \$228

Violation Final Penalty Total \$277

This violation Final Assessed Penalty (adjusted for limits) \$277

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
Media Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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	\$100	2-Dec-2013	3-Sep-2014	0.75	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel in a timely manner, analyzed by the Facility's laboratories, and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$150	1-Jan-2003	31-Dec-2011	9.92	\$74	\$150	\$224
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$250

TOTAL

\$228

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Lakeview Estates)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101250710

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2013 to December 31, 2013 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 365

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$164

Violation Final Penalty Total \$277

This violation Final Assessed Penalty (adjusted for limits) \$277

Economic Benefit Worksheet

Respondent Debbie Block (Lakeview Estates)
Case ID No. 48075
Reg. Ent. Reference No. RN101250710
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	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				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 for this violation are included in the economic benefit worksheet for violation no. 5 on the revision no. 3 penalty calculation worksheet.

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]	\$150	1-Jan-2013	31-Dec-2013	1.92	\$14	\$150	\$164
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required annual lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$150

TOTAL

\$164

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603963026, RN101250710, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN603963026, Debbie Block

Classification: NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101250710, LAKEVIEW ESTATES

Classification: NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 2545 ASHY ST, ORANGE COUNTY, TX

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
1810025

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: February 07, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 23, 2008 to December 23, 2013

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? YES
- 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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

E. Written notices of violations (NOV) (CCEDS 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.

- 1 Date: 11/14/2013 (1138270) CN603963026
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 2 Date: 11/22/2013 (1138270) CN603963026
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO3 MR YR2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.
- Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.
- Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO3 MR 2Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned 16-Dec-2013	Screening 23-Dec-2013	EPA Due 31-Mar-2013
	PCW 3-Jan-2014		

RESPONDENT/FACILITY INFORMATION			
Respondent	Debbie Block (Susan Circle Community Water System)		
Reg. Ent. Ref. No.	RN101187896		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	48075	No. of Violations	3
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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** **\$1,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **12.0%** Enhancement **Subtotals 2, 3, & 7** **\$180**

Notes: Enhancement for two NOVs with the same/similar violations and one NOV with dissimilar violations.

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** **\$0**

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

Total EB Amounts: \$1,763
 Approx. Cost of Compliance: \$1,630
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$1,680**

OTHER FACTORS AS JUSTICE MAY REQUIRE **104.5%** **Adjustment** **\$1,755**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation Nos. 1, 2, and 3.

Final Penalty Amount **\$3,435**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$3,435**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$687**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$2,748**

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101187896

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>)	2	10%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 12%

>> 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 two NOVs with the same/similar violations and one NOV with dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 12%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 290.106(c)(4) and (e), and 290.107(c)(2) and (e)

Violation Description

Failed to collect the triennial minerals and volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect minerals and VOC samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 2

1095 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

Two single events are recommended (one for each required chemical sample).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$408

Violation Final Penalty Total \$1,145

This violation Final Assessed Penalty (adjusted for limits) \$1,145

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	2-Dec-2013	3-Sep-2014	0.75	\$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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$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]	\$338	1-Jan-2008	31-Dec-2010	3.92	\$66	\$338	\$404
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical samples (\$155 for minerals and \$183 for VOC), calculated for the time frame sampling was due.

Approx. Cost of Compliance	\$438	TOTAL	\$408
----------------------------	-------	--------------	-------

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.113(c) and (e)

Violation Description

Failed to collect annual Stage 1 disinfectant byproducts ("DBP") samples and provide the results to the Executive Director for the 2008, 2009 and 2010 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect DBP samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 3

1095 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

mark only one with an x

Violation Base Penalty \$750

Three annual events are recommended (one for each required monitoring period).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,127

Violation Final Penalty Total \$1,718

This violation Final Assessed Penalty (adjusted for limits) \$1,718

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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

The training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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]	\$942	1-Jan-2008	31-Dec-2010	3.92	\$185	\$942	\$1,127
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical samples (\$314 for DBP x 3 periods), calculated for the time frame sampling was due.

Approx. Cost of Compliance	\$942	TOTAL	\$1,127
-----------------------------------	-------	--------------	---------

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description

Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2002 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

3240 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$228

Violation Final Penalty Total \$573

This violation Final Assessed Penalty (adjusted for limits) \$573

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
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				0.00	\$0	n/a	\$0
Training/Sampling	\$100	2-Dec-2013	3-Sep-2014	0.75	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel in a timely manner, analyzed by the Facility's laboratories, and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$150	1-Jan-2002	31-Dec-2010	9.92	\$74	\$150	\$224
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required lead and copper samples (\$30 per sample x 5 required samples per period) calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$250

TOTAL

\$228



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	16-Dec-2013	Screening	23-Dec-2013	EPA Due	31-Mar-2013
	PCW	3-Jan-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Debbie Block (Susan Circle Community Water System)		
Reg. Ent. Ref. No.	RN101187896		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48075	No. of Violations	5
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance **Capped at the Total EB \$ Amount*

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

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>)	2	10%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 12%

>> **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 two NOVs with the same/similar violations and one NOV with dissimilar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 12%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 12%

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect annual nitrate samples and provide the results to the Executive Director for the 2012 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 365

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

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$229

This violation Final Assessed Penalty (adjusted for limits) \$229

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
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				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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	1-Jan-2012	31-Dec-2012	1.92	\$2	\$25	\$27
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$25 for nitrates), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$25

TOTAL

\$27

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description

Failed to collect quarterly nitrate samples and provide the results to the Executive Director for the first quarter of 2013 and third quarter of 2013 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 2 Number of violation days 180

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$300

Two quarterly events are recommended (one for each required period).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$300

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$459

This violation Final Assessed Penalty (adjusted for limits) \$459

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
Media Violation No. Public Water Supply
 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$17	1-Jan-2013	30-Sep-2013	1.66	\$1	\$17	\$18
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical samples (\$8.49 for nitrate x 2 samples), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$17

TOTAL

\$18

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.106(e)

Violation Description

Failed to timely provide the results of quarterly nitrate sampling to the Executive Director for the second quarter of 2013 monitoring period.

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 1.0%

Matrix Notes

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

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1

90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$15

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

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
Media Violation No. Public Water Supply 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$8	30-Jun-2013	14-Jan-2014	0.54	\$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 pay any outstanding lab fees so that the lab will release the results (\$8.49 x 1 period for nitrate), calculated from the last date of the monitoring period for which results were not provided to the date of compliance. The other delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$8

TOTAL \$0

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

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

365 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

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

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$61

Violation Final Penalty Total \$76

This violation Final Assessed Penalty (adjusted for limits) \$76

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
Media Violation No. Public Water Supply
 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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]	\$57	1-Jul-2013	23-Dec-2013	1.40	\$4	\$57	\$61
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply and the TCEQ (\$0.50 x 14 connections plus a flat fee of \$50 x 1 year), calculated from the date the CCRs were due to the date of screening.

Approx. Cost of Compliance

\$57

TOTAL

\$61

Screening Date 23-Dec-2013

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Susan Circle Community Water System)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101187896

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)
Violation Description Failed to collect lead and copper samples and provide the results to the Executive Director for the 2013 monitoring period.

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 collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 365 Number of violation days

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

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$164

Violation Final Penalty Total \$229

This violation Final Assessed Penalty (adjusted for limits) \$229

Economic Benefit Worksheet

Respondent Debbie Block (Susan Circle Community Water System)
Case ID No. 48075
Reg. Ent. Reference No. RN101187896
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 for this violation are included in the economic benefit worksheet for violation no. 3 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$150	1-Jan-2013	31-Dec-2013	1.92	\$14	\$150	\$164
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required annual lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$150

TOTAL

\$164



Compliance History Report

PUBLISHED Compliance History Report for CN603963026, RN101187896, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN603963026, Debbie Block
Classification: NOT APPLICABLE
Rating: N/A

Regulated Entity: RN101187896, SUSAN CIRCLE COMMUNITY WS
Classification: NOT APPLICABLE
Rating: N/A

Complexity Points: N/A
Repeat Violator: N/A

CH Group: 14 - Other

Location: 124 SUSAN CIRCLE, BRIDGE CITY, ORANGE COUNTY, TX

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1810083

Compliance History Period: September 01, 2008 to August 31, 2013
Rating Year: 2013
Rating Date: 09/01/2013

Date Compliance History Report Prepared: December 23, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 23, 2008 to December 23, 2013

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? YES
- 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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 April 13, 2010 (795311)

E. Written notices of violations (NOV) (CCEDS 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.

1 Date: 02/25/2013 (1057598) CN603963026
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(C)

	Description:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(C)(i) Failure by the Susan Circle Community water system to retain a copy of the exemption granted to the system.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(6)		
	Description:	Failure by the Susan Circle Community water system to ensure all potable water storage tanks and all associated appurtenances including valves, pipes, and fittings are secured tight against leakage.		
2	Date:	11/14/2013 (1138263)	CN603963026	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)		
	Description:	CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.		
3	Date:	11/22/2013 (1138263)	CN603963026	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)		
	Description:	NO3 MR YR2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)		
	Description:	NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)		
	Description:	NO3 MR 2Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.		

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	21-Jan-2014	Screening	22-Jan-2014	EPA Due	30-Jun-2013
	PCW	6-Feb-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Debbie Block (Sawmill Addition)				
Reg. Ent. Ref. No.	RN101260727				
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	48075	No. of Violations	1
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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** **\$750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Enhancement **Subtotals 2, 3, & 7** **\$75**

Notes: Enhancement for two NOV's with the same/similar violations.

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** **\$0**

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

Total EB Amounts: \$724
 Approx. Cost of Compliance: \$702
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$825**

OTHER FACTORS AS JUSTICE MAY REQUIRE **87.3%** **Adjustment** **\$720**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation No. 1.

Final Penalty Amount **\$1,545**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$1,545**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$309**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$1,236**

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101260727

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 10%

>> 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 two NOVs with the same/similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 10%

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)

Violation Description Failed to collect the triennial metals, minerals, and volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Failure to collect metals, minerals, and VOC samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 3 Number of violation days 1095

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$750

Three single events are recommended (one for each required chemical sample).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$724

Violation Final Penalty Total \$1,545

This violation Final Assessed Penalty (adjusted for limits) \$1,545

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
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				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	16-Dec-2013	3-Sep-2014	0.72	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$602	1-Jan-2008	31-Dec-2010	3.92	\$118	\$602	\$720
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical samples (\$264 for metals, \$155 for minerals and \$183 for VOC), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$702

TOTAL

\$724



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	21-Jan-2014	Screening	22-Jan-2014	EPA Due	30-Jun-2013
	PCW	6-Feb-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Debbie Block (Sawmill Addition)		
Reg. Ent. Ref. No.	RN101260727		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48075	No. of Violations	6
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements 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) 10%

>> **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 two NOVs with the same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 10%

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description

Failed to collect annual nitrate samples and provide the results to the Executive Director for the 2012 monitoring period.

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 collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels 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 NOV	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 \$27

Violation Final Penalty Total \$276

This violation Final Assessed Penalty (adjusted for limits) \$276

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	0.00			0.00	\$0	\$0	\$0
Buildings	0.00			0.00	\$0	\$0	\$0
Other (as needed)	0.00			0.00	\$0	\$0	\$0
Engineering/construction	0.00			0.00	\$0	\$0	\$0
Land	0.00			0.00	\$0	n/a	\$0
Record Keeping System	0.00			0.00	\$0	n/a	\$0
Training/Sampling	0.00			0.00	\$0	n/a	\$0
Remediation/Disposal	0.00			0.00	\$0	n/a	\$0
Permit Costs	0.00			0.00	\$0	n/a	\$0
Other (as needed)	0.00			0.00	\$0	n/a	\$0

Notes for DELAYED costs

The training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal	0.00			0.00	\$0	\$0	\$0
Personnel	0.00			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	0.00			0.00	\$0	\$0	\$0
Supplies/equipment	0.00			0.00	\$0	\$0	\$0
Financial Assurance [2]	0.00			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$25	1-Jan-2012	31-Dec-2012	1.92	\$2	\$25	\$27
Other (as needed)	0.00			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical samples (\$25 for nitrates), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$25

TOTAL

\$27

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect quarterly nitrate samples and provide the results to the Executive Director for the first quarter of 2013 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 90

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

Violation Base Penalty \$150

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8

Violation Final Penalty Total \$276

This violation Final Assessed Penalty (adjusted for limits) \$276

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
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	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				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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]	\$8	1-Jan-2013	31-Mar-2013	1.16	\$0	\$8	\$8
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$8.49 for nitrate), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$8

TOTAL

\$8

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.106(e)

Violation Description

Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013.

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 1.0%

Matrix Notes

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

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1

90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$18

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

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$8	30-Jun-2013	14-Jan-2014	0.54	\$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 pay any outstanding lab fees so that the lab will release the results (\$8.49 x 1 period for nitrate), calculated from the last date of the monitoring period for which results were not provided to the date of compliance. The other delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$8 **TOTAL** \$0

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

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

365 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 NOV 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 \$67

Violation Final Penalty Total \$92

This violation Final Assessed Penalty (adjusted for limits) \$92

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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]	\$62	1-Jul-2013	22-Jan-2014	1.48	\$5	\$62	\$67
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply and the TCEQ (\$0.50 x 24 connections plus a flat fee of \$50 x 1 year), calculated from the date the CCRs were due to the date of screening.

Approx. Cost of Compliance

\$62

TOTAL

\$67

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2003 to December 31, 2011 monitoring period.

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 collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

3240 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 NOV	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 \$228

Violation Final Penalty Total \$276

This violation Final Assessed Penalty (adjusted for limits) \$276

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	16-Dec-2013	3-Sep-2014	0.72	\$4	n/a	\$4
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel in a timely manner, analyzed by the Facility's laboratories, and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$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]	\$150	1-Jan-2003	31-Dec-2011	9.92	\$74	\$150	\$224
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$250

TOTAL

\$228

Screening Date 22-Jan-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Sawmill Addition)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101260727

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2) and (i)(1)

Violation Description Failed to collect lead and copper samples and provide the results to the Executive Director for the 2013 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 365

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 NOV	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 \$164

Violation Final Penalty Total \$276

This violation Final Assessed Penalty (adjusted for limits) \$276

Economic Benefit Worksheet

Respondent Debbie Block (Sawmill Addition)
Case ID No. 48075
Reg. Ent. Reference No. RN101260727
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	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 for this violation are included in the economic benefit worksheet for violation no. 5 on the revision no. 3 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$150	1-Jan-2013	31-Dec-2013	1.92	\$14	\$150	\$164
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required annual lead and copper samples (\$30 per sample x 5 required samples per period), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$150

TOTAL

\$164

he TCEQ is committed to accessibility.
 o request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603963026, RN101260727, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN603963026, Debbie Block **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101260727, SAWMILL ADDITION **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: INTERSECTION OF HALE ST AND SAWMILL RD, ORANGE COUNTY, TX

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1810034

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: January 21, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 21, 2009 to January 21, 2014

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? YES
- 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

- 1. Final Orders, court judgments, and consent decrees:**
N/A
- 2. Criminal convictions:**
N/A
- 3. Chronic excessive emissions events:**
N/A
- 4. The approval dates of investigations (CCEDS Inv. Track. No.):**
N/A
- 5. Written notices of violations (NOV) (CCEDS 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.

1 Date: 11/14/2013 (1139775) CN603963026
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

2 Date: 11/22/2013 (1139775) CN603963026
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR YR2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(e)
Description: NO3 MR 2Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	3-Feb-2014	Screening	5-Feb-2014	EPA Due	30-Jun-2013
	PCW	5-Feb-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Debbie Block (Houseman Park)
Reg. Ent. Ref. No.	RN101193571
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	48075	No. of Violations	1
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for two NOV's with the same/similar violations and one agreed order containing a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation No. 1.

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 2 (September 2002)

Case ID No. 48075

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101193571

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>)	2	10%
	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 judgements 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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 30%

>> **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 two NOVs with the same/similar violations and one agreed order containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 30%

Screening Date 5-Feb-2014
Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
Media [Statute] Public Water Supply
Enf. Coordinator Yullya Dunaway

Docket No. 2014-0006-PWS-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e)

Violation Description Failed to collect the triennial metals, minerals, and volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Failure to collect metals, minerals, and VOC samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 3 1095 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$750

Three single events are recommended (one for each required chemical sample).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$723

Violation Final Penalty Total \$1,695

This violation Final Assessed Penalty (adjusted for limits) \$1,695

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
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				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	14-Jan-2014	3-Sep-2014	0.64	\$3	n/a	\$3
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 implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$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]	\$602	1-Jan-2008	31-Dec-2010	3.92	\$118	\$602	\$720
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze the required chemical samples (\$264 for metals, \$155 for minerals and \$183 for VOC), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$702

TOTAL

\$723



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned PCW	3-Feb-2014	Screening	5-Feb-2014	EPA Due	30-Sep-2013
--------------	---------------------	------------	------------------	------------	----------------	-------------

RESPONDENT/FACILITY INFORMATION

Respondent	Debbie Block (Houseman Park)		
Reg. Ent. Ref. No.	RN101193571		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48075	No. of Violations	5
Docket No.	2014-0006-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for two NOVs with the same/similar violations and one agreed order containing a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs of compliance for Violation Nos. 1, 2 and 4.

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

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>)	2	10%
	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 judgements 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) 30%

>> 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 two NOVs with the same/similar violations and one agreed order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 30%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 30%

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description

Failed to collect annual nitrate samples and provide the results to the Executive Director for the 2012 monitoring period.

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 collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels 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 NOV	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 \$27

Violation Final Penalty Total \$229

This violation Final Assessed Penalty (adjusted for limits) \$229

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
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
<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

The training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

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	1-Jan-2012	31-Dec-2012	1.92	\$2	\$25	\$27
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical sample (\$25 for nitrate), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$25

TOTAL

\$27

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.106(c)(6) and (e)

Violation Description Failed to collect quarterly nitrate samples and provide the results to the Executive Director for the first quarter of 2013 and third quarter of 2013 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect nitrate samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 2 Number of violation days 180

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$300

Two quarterly events are recommended (one for each required period).

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$300

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$457

This violation Final Assessed Penalty (adjusted for limits) \$457

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
Media Violation No. Public Water Supply
 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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 training delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$17	1-Jan-2013	30-Sep-2013	1.66	\$1	\$17	\$18
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to collect and analyze required chemical samples (\$8.49 for nitrate x 2 samples), calculated for the time frame sampling was due.

Approx. Cost of Compliance

\$17

TOTAL

\$18

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.106(e)

Violation Description

Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013.

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 1.0%

Matrix Notes

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

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1

90 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$15

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

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$8	30-Jun-2013	14-Jan-2014	0.54	\$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 pay any outstanding lab fees so that the lab will release the results (\$8.49 x 1 period for nitrate), calculated from the last date of the monitoring period for which results were not provided to the date of compliance. The other delayed costs are included in the economic benefit worksheet for violation no. 1 on the revision no. 2 penalty calculation worksheet.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$8 **TOTAL** \$0

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

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

365 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

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

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$69

Violation Final Penalty Total \$76

This violation Final Assessed Penalty (adjusted for limits) \$76

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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]	\$64	1-Jul-2013	5-Feb-2014	1.52	\$5	\$64	\$69
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply and the TCEQ (\$0.50 x 27 connections plus a flat fee of \$50 x 1 year), calculated from the date the CCRs were due to the date of screening.

Approx. Cost of Compliance

\$64

TOTAL

\$69

Screening Date 5-Feb-2014

Docket No. 2014-0006-PWS-E

PCW

Respondent Debbie Block (Houseman Park)

Policy Revision 3 (September 2011)

Case ID No. 48075

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101193571

Media [Statute] Public Water Supply

Enf. Coordinator Yuliya Dunaway

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.51(a)(6) and Tex. Water Code § 5.702

Violation Description

Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023 for Fiscal Years 2013 and 2014.

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

Percent 0.0%

Matrix Notes

Adjustment \$1,000

\$0

Violation Events

Number of Violation Events

Number of violation days

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

Violation Base Penalty \$0

All penalties and interest will be determined by the Financial Administration Division at the next billing cycle.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$0

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$0

This violation Final Assessed Penalty (adjusted for limits) \$0

Economic Benefit Worksheet

Respondent Debbie Block (Houseman Park)
Case ID No. 48075
Reg. Ent. Reference No. RN101193571
Media Violation No. Public Water Supply
 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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

N/A

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

N/A

Approx. Cost of Compliance

\$0

TOTAL

\$0

he TCEQ is committed to accessibility.
o request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603963026, RN101193571, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	CN603963026, Debbie Block	Classification: NOT APPLICABLE	Rating: N/A
Regulated Entity:	RN101193571, HOUSEMAN PARK	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator:	N/A
PH Group:	14 - Other		
Location:	1220 BEAVER STREET, ORANGE COUNTY, TX		
TCEQ Region:	REGION 10 - BEAUMONT		
ID Number(s):			
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	1810023		

Compliance History Period:	September 01, 2008 to August 31, 2013	Rating Year:	2013	Rating Date:	09/01/2013
Date Compliance History Report Prepared:	February 03, 2014				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 03, 2009 to February 03, 2014				
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? YES
- 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: 08/26/2012 ADMINORDER 2012-0414-MLM-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain a water system's facility (spots of breakthrough corrosion on the 3,000-gallon pressure tank).

Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)
30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)
Description: Failed to inspect the Facility's 3,000 gallon pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B). Specifically, the 3,000 gallon pressure tank was not inspected within the preceding 12 months.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)
Description: Failure to provide records of the amount of water treated.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)
Description: Failure to provide a flow measuring device for Well No. 1.
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)
5A THSC Chapter 341, SubChapter A 341.0351

Description: Failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity, in violation of 30 TEX. ADMIN. CODE § 290.39(j)(1)(A) and TEX. HEALTH & SAFETY CODE § 341.0351. Specifically, the Facility did not notify the Executive Director prior to connecting a 525 gallon pressure tank.

Classification: Moderate

Citation: 2B TWC Chapter 13, SubChapter A 13.139(d)
30 TAC Chapter 291, SubChapter F 291.93(3)(A)

Description: Failure to submit a planning report to the commission for reaching over 85% of well production capacity.

Classification: Minor

Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 290, SubChapter D 290.51(b)

Description: Failed to pay all annual Public Health Service fees, for fiscal years 2006 through 2011, including any associated late fees and penalties, for TCEQ Financial Administration Account Nos. 91810023, 91810178, 91810018, 91810025, 91810062, 91810034, and 91810083.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

E. Written notices of violations (NOV) (CCEDS 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.

1	Date:	11/14/2013 (1144935)	CN603963026
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)	
	Description:	CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.	
2	Date:	11/22/2013 (1144935)	CN603963026
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)	
	Description:	NO3 MR YR2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.	
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)	
	Description:	NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.	
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(c)(6) 30 TAC Chapter 290, SubChapter F 290.106(e)	
	Description:	NO3 MR 2Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

I. Voluntary on-site compliance assessment dates:

N/A

II. Participation in a voluntary pollution reduction program:

N/A

III. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
DEBBIE BLOCK
RN101213122, RN101250710,
RN101187896, RN101260727,
AND RN101193571**

§
§
§
§
§
§
§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2014-0006-PWS-E**

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Debbie Block ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 5. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, together stipulate that:

1. The Respondent owns and operates public water supply facilities, which serve at least 25 people per day for at least 60 days per year, located at the following locations (the "Facilities"):
 - a. Capri and Gall Streets, located at the intersection of Capri Street and Gall Street in Orange County, Texas that has approximately 19 service connections ("Capri and Gall Streets Facility");
 - b. Lakeview Estates, located at 2545 Ashy Street in Orange County, Texas that has approximately 28 service connections ("Lakeview Estates Facility");
 - c. Susan Circle Community Water System, located at 124 Susan Circle in Bridge City, Orange County, Texas that has approximately 14 service connections ("Susan Circle Community Water System Facility");
 - d. Sawmill Addition, located at the intersection of Hale Street and Sawmill Road in Orange County, Texas that has approximately 24 service connections ("Sawmill Addition Facility"); and

- e. Houseman Park, located at 1220 Beaver Street in Orange County, Texas that has approximately 27 service connections ("Houseman Park Facility").
2. The Executive Director 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 notices of the violations alleged in Section II ("Allegations") on December 20, 2013, January 23, 2014, and February 7, 2014.
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 Fourteen Thousand Five Hundred Ninety-Five Dollars (\$14,595) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Hundred Seventy-Nine Dollars (\$479) of the administrative penalty and Two Thousand Nine Hundred Sixteen Dollars (\$2,916) 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 Eleven Thousand Two Hundred Dollars (\$11,200) of the administrative penalty shall be payable in 32 monthly payments of Three Hundred Fifty Dollars (\$350) 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 and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
8. The Executive Director recognizes that the Respondent provided the results of nitrate sampling to the Executive Director for the second quarter of 2013 for the Facilities as of January 14, 2014.

9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

1. As owner and operator of the Capri and Gall Streets Facility, the Respondent is alleged to have:
 - a. Failed to collect the triennial volatile organic chemical ("VOC") contaminants samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.107(c)(2) and (e), as documented during a record review conducted on December 2, 2013;
 - b. Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2002 to December 31, 2010 and 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)¹, as documented during a record review conducted on December 2, 2013;
 - c. Failed to collect quarterly and annual nitrate samples and provide the results to the Executive Director for the first quarter of 2013, third quarter of 2013, and 2012 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e), as documented during a record review conducted on December 2, 2013;
 - d. Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013, in violation of 30 TEX. ADMIN. CODE § 290.106(e), as documented during a record review conducted on December 2, 2013; and
 - e. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year,

¹ Effective May 15, 2011, 30 TEX. ADMIN. CODE § 290.117 was amended and the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1) were added (36 TEX. REG. 2860). Previously, the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1) were required under 30 TEX. ADMIN. CODE § 290.117(a)(2)(A) and (m)(1)(B) (effective Jan. 9, 2008) and 40 C.F.R. § 141.86(c), (d)(ii), and (f)(2) (2007).

in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c), as documented during a record review conducted on December 2, 2013. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.

2. As owner and operator of the Lakeview Estates Facility, the Respondent is alleged to have:
 - a. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e), as documented during a record review conducted on December 2, 2013;
 - b. Failed to collect quarterly and annual nitrate samples and provide the results to the Executive Director for the 2012 and the first quarter of 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e) as documented during a record review conducted on December 2, 2013;
 - c. Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013, in violation of 30 TEX. ADMIN. CODE § 290.106(e), as documented during a record review conducted on December 2, 2013;
 - d. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c), as documented during a record review conducted on December 2, 2013. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012; and
 - e. Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2003 to December 31, 2011 and 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1), as documented during a record review conducted on December 2, 2013.
3. As owner and operator of the Susan Circle Community Water System Facility, the Respondent is alleged to have:
 - a. Failed to collect the triennial minerals and VOC samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e), as documented during a record review conducted on December 2, 2013;
 - b. Failed to collect annual Stage 1 disinfectant byproducts ("DBP") samples and provide the results to the Executive Director for the 2008, 2009 and 2010

monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.113(c) and (e), as documented during a record review conducted on December 2, 2013;

- c. Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2002 to December 31, 2010 and 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1)², as documented during a record review conducted on December 2, 2013;
 - d. Failed to collect quarterly and annual nitrate samples and provide the results to the Executive Director for the 2012, first quarter of 2013 and third quarter of 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e), as documented during a record review conducted on December 2, 2013;
 - e. Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013, in violation of 30 TEX. ADMIN. CODE § 290.106(e), as documented during a record review conducted on December 2, 2013; and
 - f. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c), as documented during a record review conducted on December 2, 2013. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.
4. As owner and operator of the Sawmill Addition Facility, the Respondent is alleged to have:
- a. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e), as documented during a record review conducted on December 16, 2013;
 - b. Failed to collect quarterly and annual nitrate samples and provide the results to the Executive Director for the 2012 and first quarter of 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e), as documented during a record review conducted on December 16, 2013;
 - c. Failed to timely provide the results of nitrate sampling to the Executive Director for the second quarter of 2013, in violation of 30 TEX. ADMIN. CODE § 290.106(e), as documented during a record review conducted on December 16, 2013;

² Effective May 15, 2011, 30 TEX. ADMIN. CODE § 290.117 was amended and the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1) were added (36 TEX. REG. 2860). Previously, the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1) were required under 30 TEX. ADMIN. CODE § 290.117(a)(2)(A) and (m)(1)(B) (effective Jan. 9, 2008) and 40 C.F.R. § 141.86(c), (d)(ii), and (f)(2) (2007).

- d. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c), as documented during a record review conducted on December 16, 2013. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012; and
 - e. Failed to collect lead and copper samples and provide the results to the Executive Director for the January 1, 2003 to December 31, 2011 and 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2) and (i)(1), as documented during a record review conducted on December 16, 2013.
5. As owner and operator of the Houseman Park Facility, the Respondent is alleged to have:
- a. Failed to collect the triennial metals, minerals, and VOC samples and provide the results to the Executive Director for the January 1, 2008 to December 31, 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(c)(4) and (e) and 290.107(c)(2) and (e), as documented during a record review conducted on January 14, 2014;
 - b. Failed to collect quarterly and annual nitrate samples and provide the results to the Executive Director for the 2012, first quarter of 2013 and third quarter of 2013 monitoring periods, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e), as documented during a record review conducted on January 14, 2014;
 - c. Failed to provide the results of nitrate sampling to the Executive Director for the second quarter of 2013, in violation of 30 TEX. ADMIN. CODE § 290.106(e), as documented during a record review conducted on January 14, 2014; and
 - d. Failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c), as documented during a record review conducted on January 14, 2014. Specifically, the Respondent did not mail or directly deliver the CCR to the Facility's customers and did not submit the CCR or the required certification to the TCEQ for year 2012.
6. As owner and operator of the Facilities, the Respondent is alleged to have failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023 for Fiscal Years 2013 and 2014, in violation of 30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702, as documented during a record review conducted on February 5, 2014.

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: Debbie Block, Docket No. 2014-0006-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. It is further ordered that the Respondent shall undertake the following technical requirements at the Facilities:

- a. Within 30 days after the effective date of this Agreed Order, submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023, in accordance with 30 TEX. ADMIN. CODE § 290.51(a)(6). The payment shall be sent with the notation "Debbie Block Financial Administration Account Nos. 91810178, 91810025, 91810083, 91810034, and 91810023" 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

3. It is further ordered that the Respondent shall undertake the following technical requirements at the Capri and Gall Streets Facility:

- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement improvements to the Capri and Gall Streets Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Capri and Gall Streets Facility's laboratories, and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Capri and Gall Streets Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic

Contaminants); 290.107 (Organic Contaminants); and 290.117 (Regulation of Lead and Copper); and

- ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Capri and Gall Streets Facility, as required by 30 TEX. ADMIN. CODE § 290.274.
- b. Within 45 days after the effective of this Agreed Order:
- i. Submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. and 3.a.ii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Capri and Gall Streets Facility and the certifications that the CCRs have been distributed to the customers of the Capri and Gall Streets Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCRs and certifications shall be mailed to:

Public Drinking Water Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.b.ii.;
- d. Within 90 days after the effective date of this Agreed Order, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period at the Capri and Gall Streets Facility, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one compliant monitoring period; and
- e. Within 470 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.d.
4. It is further ordered that the Respondent shall undertake the following technical requirements at the the Lakeview Estates Facility:

- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement improvements to the Lakeview Estates Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical samples are collected, analyzed and the results are released by the Lakeview Estates Facility's laboratories, and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Lakeview Estates Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants); 290.107 (Organic Contaminants); and 290.117 (Regulation of Lead and Copper); and
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Lakeview Estates Facility, as required by 30 TEX. ADMIN. CODE § 290.274.
- b. Within 45 days after the effective of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 4.a.i. and 4.a.ii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Lakeview Estates Facility and the certifications that the CCRs have been distributed to the customers of the Lakeview Estates Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCRs and certifications shall be mailed to the address provided in Ordering Provision No. 3.b.ii.
- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 4.b.ii.;
- d. Within 90 days after the effective date of this Agreed Order, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period at the Lakeview Estates Facility, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one compliant monitoring period; and
- e. Within 470 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 4.d.

5. It is further ordered that the Respondent shall undertake the following technical requirements at the Susan Circle Community Water System Facility:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement improvements to the Susan Circle Community Water System Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Susan Circle Community Water System Facility's laboratories, and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Susan Circle Community Water System Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants); 290.107 (Organic Contaminants); 290.113 (Disinfection Byproducts); and 290.117 (Regulation of Lead and Copper); and
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Susan Circle Community Water System Facility, as required by 30 TEX. ADMIN. CODE § 290.274.
 - b. Within 45 days after the effective of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 5.a.i. and 5.a.ii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Susan Circle Community Water System Facility and the certifications that the CCRs have been distributed to the customers of the Susan Circle Community Water System Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCRs and certifications shall be mailed to the address provided in Ordering Provision No. 3.b.ii.
 - c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 5.b.ii.;
 - d. Within 90 days after the effective date of this Agreed Order, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the

monitoring period at the Susan Circle Community Water System Facility, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one compliant monitoring period; and

- e. Within 470 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 5.d.
6. It is further ordered that the Respondent shall undertake the following technical requirements at the Sawmill Addition Facility:
- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement improvements to the Sawmill Addition Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Sawmill Addition Facility's laboratories, and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Sawmill Addition Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants); 290.107 (Organic Contaminants); and 290.117 (Regulation of Lead and Copper); and
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Sawmill Addition Facility, as required by 30 TEX. ADMIN. CODE § 290.274.
 - b. Within 45 days after the effective of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 6.a.i. and 6.a.ii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Sawmill Addition Facility and the certifications that the CCRs have been distributed to the customers of the Sawmill Addition Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCRs and certifications shall be mailed to the address provided in Ordering Provision No. 3.b.ii.
 - c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 6.b.ii.;

- d. Within 90 days after the effective date of this Agreed Order, begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period at the Sawmill Addition Facility, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one compliant monitoring period; and
 - e. Within 470 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 6.d.
7. It is further ordered that the Respondent shall undertake the following technical requirements at the Houseman Park Facility:
- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement improvements to the Houseman Park Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample are collected, results are released by the Houseman Park Facility's laboratories, and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Houseman Park Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants); and 290.107 (Organic Contaminants); and
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers of the Houseman Park Facility, as required by 30 TEX. ADMIN. CODE § 290.274.
 - b. Within 45 days after the effective of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 7.c. below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 7.a.i. and 7.a.ii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Houseman Park Facility and the certifications that the CCRs have been distributed to the customers of the Houseman Park Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCRs and certifications shall be mailed to the address provided in Ordering Provision No. 3.b.ii.
 - c. Within 60 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. 7.b.ii. 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:

Public Water Supply Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

8. 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.
9. 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.
10. 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.
11. 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.

12. 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Navie J
For the Executive Director

8/11/14
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.

Debbie Block
Signature

5-19-14
Date

Debbie Block
Name (Printed or typed)
Authorized Representative of
Debbie Block

owner
Title

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