EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 55516 THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS RN110053949

Docket No. 2019-1329-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

PWS

Small Business:

N/A

Location(s) Where Violation(s) Occurred:

133 Army Avenue, Pottsboro, Grayson County

Type of Operation:

Public Water System

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, 2023-0444-UTL-E

Past-Due Penalties: None
Past-Due Fees: \$1.90
Other: None
Interested Third Parties: None

Texas Register Publication Date: June 7, 2024

Comments Received: None

Penalty Information

Total Penalty Assessed: \$2,600

Total Paid to General Revenue: \$2,600

Total Due to General Revenue: \$0

Compliance History Classifications:

Person/CN - N/A Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: \$110, enhancement

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Date(s) of Investigation: May 21, 2019

Date(s) of NOV(s): N/A

Date(s) of NOE(s): August 29, 2019

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Docket No. 2019-1329-PWS-E

Violation Information

- 1. Failed to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the PWS until the Facility is decommissioned [30 Tex. Admin. Code § 290.46(n)(1) and TCEQ Agreed Order Docket No. 2018-0048-PWS-E, Ordering Provision No. 2.a.].
- 2. Failed to provide a well capacity of 0.6 gallons per minute per connection [Tex. Health & Safety Code § 341.0315(c) and 30 Tex. Admin. Code § 290.45(b)(1)(B)(i)].
- 3. Failed to provide a pressure tank capacity of 20 gallons per connection [Tex. Health & Safety Code § 341.0315(c) and 30 Tex. Admin. Code § 290.45(b)(1)(B)(iv)].
- 4. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days [30 Tex. Admin. Code § 290.110(c)(4)(A)].
- 5. Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations [30 Tex. ADMIN. CODE § 290.46(s)(2)(C)(i)].
- 6. Failed to adopt an accurate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted [30 Tex. Admin. Code § 290.46(i)].
- 7. Failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code [30 Tex. ADMIN. CODE § 290.46(v)].
- 8. Failed to provide a concrete sealing block that extends a minimum of three feet from the well casing in all directions with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inch per foot [30 Tex. ADMIN. CODE § 290.41(c)(3)(J)].
- 9. Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water [30 Tex. ADMIN. CODE § 290.41(c)(3)(K)].
- 10. Failed to ensure that the Facility's potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder resistant fence with lockable gates [30 Tex. Admin. Code § 290.43(e)].
- 11. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements [30 Tex. Admin. Code § 290.121(a) and (b)].
- 12. Failed to provide an accurate and up-to-date map of the distribution system so that the valves and mains can be easily located during emergencies [30 Tex. ADMIN. CODE § 290.46(n)(2)].
- 13. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference [30 Tex. ADMIN. CODE § 290.42(l)].
- 14. Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use [30 Tex. ADMIN. CODE § 290.42(e)(3)(D)].
- 15. Failed to furnish a copy of the well completion data for review and approval by the Executive Director prior to placing the Facility's public drinking water well into service [30 Tex. Admin. Code § 290.41(c)(3)(A) and TCEQ Agreed Order Docket No. 2018-0048-PWS-E, Ordering Provision Nos. 2.c. and 2.e.].
- 16. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted [30 Tex. ADMIN. CODE § 290.46(t)].

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 55516 THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS RN110053949

Docket No. 2019-1329-PWS-E

- 17. Failed to maintain water works operation and maintenance records and make them available for review to the Executive Director during the investigation [30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(ii)(III)].
- 18. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 Tex. ADMIN. CODE § 290.46(m)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Respondent implemented the following corrective measures at the Facility:

As of December 1, 2020:

- 1. Incorporated provisions for proper enforcement into the service agreement maintained by the Facility;
- 2. Updated its chemical and microbiological monitoring plan to identify all sampling locations, describe the sampling frequency, and specify the procedures and laboratories that the Facility uses;
- 3. Updated the Facility's distribution system map so that it accurately reflects the Facility's distribution system;
- 4. Compiled and provided a plant operations manual; and
- 5. Began recording the amount of water distributed each week by the Facility.

As of November 1, 2022:

6. Respondent's PWS interconnected with a regional water provider to supply treated drinking water to its customers, and that on August 16, 2023, it capped the groundwater well it previously used to provide water at the Facility—addressing violations 1,2, 3, 7, 8, 9, 10, 11, and 15.

Technical Requirements:

- 1. Within 90 days:
 - a. Provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use;
 - b. Begin monitoring the disinfectant residual at representative locations in the distribution system at least once every seven days;
 - c. Verify the accuracy of the manual disinfectant residual analyzer using chlorine solutions of known concentrations; and
 - d. Post a legible sign at the Facility's treatment and storage facilities that contain the name of the Facility and an emergency telephone number where a responsible official can be contacted.
- 2. Within 105 days, submit written certification to demonstrate compliance with Technical Requirement Nos. 1.a. through 1.d.

Litigation Information

Date Petition(s) Filed:November 13, 2020Date(s) of Service:November 16, 2020Date Answer(s) Filed:December 7, 2020

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EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 55516 THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS RN110053949

Docket No. 2019-1329-PWS-E

SOAH Referral Date: November 4, 2021

Hearing Date(s):

Preliminary hearing: January 13, 2022

Evidentiary hearing: April 27, 2023 (scheduled); continued without a future

setting

Settlement Date: March 29, 2024

Contact Information

TCEQ Attorneys: Jim Sallans, Litigation Division, (512) 239-3400

Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division, (210) 403-4077

TCEQ Regional Contact: Brent Candler, Dallas/Fort Worth Regional Office, (817) 588-5800

Respondent Contact: Dan Kovach, Commander, THE AMERICAN LEGION, MISSING IN ACTION POST

NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS

133 Army Avenue, Pottsboro, Texas 75076-3815

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PAYABLE PENALTY

DCW Pavision March 26 201/

\$2,600

	Tolley Revision + (A)	5111 2014)					7 CW K	CVISION March 20, 2014
TCEQ_								
DATES	Assigned				_		1	
	PCW	19-Jun-2020	Screening	16-Sep-2019	EPA Due			
DECDO	NDENT /FACTIT	TV THEODMATT	ON					
KESPO	NDENT/FACILI			CINC IN ACTIO	L DOCT NO. 22	4 THE AMERI	CANLLECTON	
	Daamamdamb	THE AMERICAN				I, THE AMERI	CAN LEGION,	
D	Respondent g. Ent. Ref. No.	DEPARTMENT O	F TEXAS, PO	ITSBORO, TEXAS	<u> </u>			
			o wth		Major / N	Aines Course	Minor	
гасііі	ty/Site Region	4-Dallas/Fort W	ortii		мајог/ г	linor Source	MILIOI	
CASE I	NFORMATION							
	f./Case ID No.	55516			No.	of Violations	18	
		2019-1329-PWS	5-F			Order Type		
Med	lia Program(s)				Governmen	t/Non-Profit		
	Multi-Media		FF·/				Yuliya Dunawa	V
							Enforcement To	
Adr	min. Penalty \$ I	Limit Minimum	\$50	Maximum	\$1,000			
			Penal	ty Calculat	ion Secti	on		
				•		011		
TOTA	L BASE PENA	LTY (Sum of	violation	base penalt	ies)		Subtotal 1	\$2,075
ADILI	CTMENTS ()	/	OTAL 1					
ADJUS	STMENTS (+	otained by multiplyin	OTAL I a the Total Base	Penalty (Subtotal 1)	by the indicated r	percentage		
	Compliance Hi		g the rotal base		Adjustment		tals 2, 3, & 7	\$415
		J. 1		2010 /0	riajastirierie]	
	Notes	Enhancement	due to one a	greed order con	taining a denia	l of liability		
	110103			9.000 0.00. 00				
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	espondent do	es not meet the	culpability crite	eria.		
]	
	Cood Enith Eff	out to Commity T	Catal Adimet				Cubtotal E	<u> </u>
	Good Faith En	ort to Comply T	otal Aujusti	ments			Subtotal 5	\$0
	Economic Bend	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts		*Capped	at the Total EB \$	Amount	_	
	Estimated	Cost of Compliance	\$32,599					
CLIM (SE CURTOTAL	1617				-	:	¢2.400
SUM (OF SUBTOTA	LS 1-/				r	inal Subtotal	\$2,490
OTLIE	D FACTORS	C THETTEE A	AAV DEOU	TDE	0.00/			
Reduces	R FACTORS A or enhances the Final	AS JUSTICE N	TAY REQU	IKE	0.0%		Adjustment	\$0
reduces e	or entitatives the titla	Subtotal by the mai	catea percentagi	<u> </u>			1	
	Notes							
	Notes							
						Final Pen	alty Amount	\$2,490
								+=/:50
STATI	UTORY LIMIT	ADJUSTMF	NT			Final Asse	ssed Penalty	\$2,600
J.,						7.530	- County	+-,500
DEFER	RRAL				0.0%	Reduction	Adjustment	\$0
	the Final Assessed Pe	nalty by the indicate	d percentage.		5.5 70		ajastinent	
	Notes	No	deferral is red	commended for I	Findings Orders	5.		
							1	

PCW

THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE

Respondent AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS

Case ID No. 55516

Reg. Ent. Reference No. RN110053949

Media Public Water Supply

Enf. Coordinator Yuliya Dunaway

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2) Component Number of... Number Adjust. Written notices of violation ("NOVs") with same or similar violations as those in 0 0% NOVs the current enforcement action (number of NOVs meeting criteria) 0 0% Any agreed final enforcement orders containing a denial of liability (number of 1 20% orders meeting criteria) Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal 0% 0 government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or 0 0% **Judgments** consent decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state 0 0% or the federal government Any criminal convictions of this state or the federal government (number of Convictions 0 0% counts) Chronic excessive emissions events (number of events) **Emissions** 0 0% Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0 0% 1995 (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0 0% disclosed) Environmental management systems in place for one year or more 0% No Voluntary on-site compliance assessments conducted by the executive director 0% No under a special assistance program Other Participation in a voluntary pollution reduction program No 0% Early compliance with, or offer of a product that meets future state or federal No 0% government environmental requirements Adjustment Percentage (Subtotal 2) 20% >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) N/A Adjustment Percentage (Subtotal 7) >> Compliance History Summary Compliance

Compliance History Notes

Enhancement due to one agreed order containing a denial of liability.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

20%

Scree	ening Date	16-Sep-2019		Dock	cet No. 2019-1329-PWS-E		PCW
					ON POST NO. 231, THE		
			ION, DEPARTI	MENT OF TEXA	S, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
	ase ID No.					PCW F	Revision March 26, 2014
Reg. Ent. Refe							
Emf C		Public Water Su					
	tion Number	Yuliya Dunaway	Y 1				
				16()(1)	T050 4	2010	
	Rule Cite(s)	30 Tex. Admi	_		TCEQ Agreed Order Docket No g Provision No. 2.a	. 2018-	
Violation) Description	drawings and	aintain accura	ate and up-to-d	late detailed as-built plans or r ment plant, pump station, and il the Facility is decommissione	storage d.	
>> Environmon	tal Brono	ty and Hum	an Haalth	Matrix	Base	Penalty	\$1,000
>> Environmen	ıcaı, Propei	cy and Hum	Harm	матлх			
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential				Percent 0.0%		
>> Dua a un manada	ia Matrix						
>>Programmat	Falsification	Major	Moderate	Minor			
	Taisincation	Х	Moderate	MINO	Percent 5.0%		
F					3.070		
Matrix Notes		100	% of the rule	requirements v		+050	
					Adjustment	\$950	
							\$50
Violation Events	S						
	Number of \	/iolation Events	1		426 Number of violation of	lays	
		daily weekly monthly quarterly semiannual annual single event	x		Violation Base	Penalty	\$50
			One single e	event is recomr	mended.		
Good Faith Effo	rts to Com	ply	0.0%		F	Reduction	\$0
		В	efore NOE/NOV	NOE/NOV to EDP	RP/Settlement Offer		
		Extraordinary					
		Ordinary	, v				
		N/A Notes	The Responde		eet the good faith criteria for olation.		
					Violation	Subtotal	\$50
Economic Benef	fit (EB) for	this violation	on		Statutory Limit	Test	
				±102	-		+60
	Estimate	ed EB Amount		\$102	Violation Final Pena	ity rotal	\$60
			This viola	ation Final As	sessed Penalty (adjusted fo	or limits)	\$60

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICA	N LEGION, MISSII	NG IN ACTION	POST N	O. 231, THE AMER	ICAN LEGION, DEPA	ARTMENT OF
Respondent		SBORO, TEXAS					
Case ID No.							
Reg. Ent. Reference No.							.,
Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation
Violation No.	1					5.0	15
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
Item Description		Date Required	rillai Date	113	TitleTest Saveu	Costs Saveu	LB Alliount
Item Description							
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	#1.000	17.1.1.2010	1 1 2020	0.00	\$0 \$102	n/a	\$0
Other (as needed)	\$1,000	17-Jul-2018	_	2.04		n/a	\$102
	,				5	ccurate and up-to-da	
Notes for DELAYED costs						it, pump station, an	
	calculated fr	om the effective d				18-0048-PWS-E to	the estimated
					mpliance.		
Avoided Costs	ANNU	ALIZE avoided c	osts before er		<u> </u>	r one-time avoide	d 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	3 0	3 0	\$ 0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,000			TOTAL		\$102

	Scre	ening Date	16-Sep-2019	Docket No. 2019-1329-PWS-	·E	PCW
	_			EGION, MISSING IN ACTION POST NO. 231, THE		
	R	Respondent	AMERICAN LEGIO	N, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS		Revision 4 (April 2014)
_		ase ID No.			PCW F	Revision March 26, 2014
Reg.	Ent. Ref		RN110053949			
			Public Water Supp	ply		
			Yuliya Dunaway			
	Viola	ation Number				Ī
		Rule Cite(s)	30 Tex. Admi	in. Code \S 290.45(b)(1)(B)(i) and Tex. Health & Safet	y Code §	
				341.0315(c)		
			Failed to provide	e a well capacity of 0.6 gallon per minute ("gpm") per	connection	
	Violatio	n Description	•	Facility had 47 connections requiring a well capacity of		
			' ''	he Facility only provided 8 gpm, indicating a 72% defi		
			ŕ	, , , , , , , , ,	,	
					Base Penalty	\$1,000
				•	ase Penalty	\$1,000
>> Env	/ironme	ntal. Proper	rty and Humai	n Health Matrix		
		, т. горо	c, and name	Harm		
		Release	Major	Moderate Minor		
OR		Actual				
		Potential	X	Percent 15.0	%	
>>Prog	gramma	tic Matrix				
		Falsification	Major	Moderate Minor		
				Percent 0.0	%	
	Matrix			capacity could result in water outages and low pressu		
	Notes	exposing per	rsons served by the	e Facility to contaminants which would exceed levels p	rotective of	
	11000			human health.		
				Adjustment	\$850	
						\$150
						Ψ130
Violatio	on Event	ts				
			_			
		Number of \	Violation Events	2 102 Number of violati	on days	
			_			
			daily			
			weekly			
			monthly			
			quarterly	X Violation E	ase Penalty	\$300
			semiannual			
			annual			
			single event			
						I
		Two quarter	ly events are reco	mmended, calculated from the date of the investigation	n, May 21,	
				2019, to August 31, 2019.		
Good F	aith Fff	orts to Com	nlv	0.0%	Reduction	\$0
230u 1	= 110	. 15 15 65111		re NOE/NOV NOE/NOV to EDPRP/Settlement Offer	reduction	ΨΟ
			Extraordinary			
			Ordinary			
			N/A	X		
				<u> </u>		
			Notes TI	he Respondent does not meet the good faith criteria fo	or	
			110103	this violation.		
				Violat	ion Subtotal	\$300
Econon	nic Bene	efit (EB) for	thic violation		nit Tost	
		(==)	tilis violation	Statutory Lir	iiit i est	
						#2C0
			ed EB Amount	\$1,525 Violation Final P		\$360

	E	conomic	Benefit	Woı	rksheet		
Respondent	THE AMERICA	N LEGION, MISSII SBORO, TEXAS	NG IN ACTION I	POST NO	O. 231, THE AMER	ICAN LEGION, DEPA	ARTMENT OF
Case ID No.	55516	,					
Reg. Ent. Reference No.	RN110053949)					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	\$15,000	21-May-2019	1-Nov-2020	1.45	\$73	\$1,452	\$1,525
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 \$0	n/a	\$0
Remediation/Disposal Permit Costs					\$0 \$0	n/a	\$0 #0
Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	connec	tion, calculated fro	om the date of	he inve	estigation to the es	e a well capacity of otimated date of con	npliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoide	
Disposal				0.00	\$0 #0	\$0 #0	\$0 #0
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$15,000			TOTAL		\$1,525

	Scre	ening Date	16-Sep-2019	Do	ocket No. 2019-1329-PWS-E		PCW
			THE AMERICAN	LEGION, MISSING IN ACT	TON POST NO. 231, THE		
				ION, DEPARTMENT OF TEX	KAS, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
		Case ID No.	55516			PCW F	Revision March 26, 2014
Reg.	Ent. Ref	ference No.	RN110053949				
		Media	Public Water Su	pply			
	Enf. C		Yuliya Dunaway				
		ation Number					
		Rule Cite(s)		nin Codo 5 300 45(b)(1)(B)(iv) and Tex. Health & Safety Co	odo S	
		()	30 Tex. Auti		1315(c)	oue g	
	Violatio	n Description	the Facility ha	d 47 connections requiring acility only provided 255 g	of 20 gallons per connection. Sp g a pressure tank capacity of 940 allons of pressure tank capacity, i leficiency.	gallons.	
					Base	Penalty	\$1,000
>> Env	vironme	ntal, Proper	ty and Huma	an Health Matrix			
		, орог	,	Harm			
		Release	Major	Moderate Minor			
OR		Actual					
		Potential	X		Percent 15.0%		
>>Prog	gramma	tic Matrix					
		Falsification	Major	Moderate Minor			
					Percent 0.0%		
		1					
	Matrix			• • •	d result in water outages and low		
	Notes	problems, e	exposing persons		contaminants which would exceed	levels	
	Notes			protective of human	health.		
					Adjustment	\$850	
							¢1.F0
							\$150
Violatio	on Even	te					
Violatio	OII LVEII	LS					
		Number of \	/iolation Events	2	102 Number of violation d	lavs	
		raniber of t	riolation Events		TOZ ITAMBEL OF VIOLATION O	ays	
			daily				
			weekly				
			monthly				
			quarterly	Х	Violation Base	Penalty	\$300
			semiannual				,
			annual				
			single event				
			L.				
		Two quarter	ly events are rec	•	om the date of the investigation, M	1ay 21,	
				2019, to August 31,	2019.		
							•
Good F	aith Effe	orts to Com		0.0%		Reduction	\$0
				efore NOE/NOV NOE/NOV to E	DPRP/Settlement Offer		
			Extraordinary				
			Ordinary				
			N/A	Х			
				The Respondent does not	meet the good faith criteria for		
			Notes	•	violation.		
				tilis	VIOIGEIOII.		
			_				
					Violation	Subtotal	\$300
Eggs	nia Daw	fit (ED) for	this wister.		Chahuba l izzit	Toct	
conon	uic Rene	ent (EB) for	this violatio	'n	Statutory Limit	est	
		Estimate	ed EB Amount	\$1,016	Violation Final Pena	Ity Total	\$360
		Estimate	ed EB Amount	\$1,016	Violation Final Pena	ity Total	\$360

Violation No	RN110053949 Public Water S 3					Percent Interest	Years of Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	n						
5.1							
Delayed Costs	\$10,000	21-May-2019	1-Nov-2020	1.45	\$48	\$968	\$1,016
Equipment Buildings	\$10,000	21-May-2019	1-1100-2020	0.00	\$46 \$0	\$900	\$1,016
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	gallons per c	onnection, calcula	ted from the da	ount ne	ecessary to provide e investigation to	e a pressure tank ca the estimated date	apacity of 20 of compliance.
Notes for DELAYED costs Avoided Costs	gallons per c	onnection, calcula	ted from the da	ount ne	ecessary to provide e investigation to item (except for	e a pressure tank ca the estimated date r one-time avoide	apacity of 20 of compliance.
Notes for DELAYED costs	gallons per c	onnection, calcula	ted from the da	ount ne	ecessary to provide e investigation to	e a pressure tank ca the estimated date	apacity of 20 of compliance.
Notes for DELAYED costs Avoided Costs Disposal Personnel	gallons per c	onnection, calcula	ted from the da	ount ne te of th	ecessary to provide e investigation to item (except for \$0	e a pressure tank ca the estimated date r one-time avoide \$0	apacity of 20 of compliance. d costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel	gallons per c	onnection, calcula	ted from the da	ount ne te of th tering 0.00 0.00 0.00	ecessary to provide e investigation to item (except for \$0 \$0 \$0 \$0 \$0	e a pressure tank ca the estimated date r one-time avoider \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	gallons per c	onnection, calcula	ted from the da	ount ne te of th 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e a pressure tank ca the estimated date r one-time avoider \$0 \$0 \$0 \$0	apacity of 20 of compliance. d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	gallons per c	onnection, calcula	ted from the da	ount net te of the control of the co	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e a pressure tank ca the estimated date r one-time avoider \$0 \$0 \$0 \$0 \$0	apacity of 20 of compliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	gallons per c	onnection, calcula	ted from the da	ount ne te of th 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e a pressure tank ca the estimated date r one-time avoider \$0 \$0 \$0 \$0	apacity of 20 of compliance. d costs) \$0 \$0 \$0 \$0 \$0

	Scre	ening Date	•			cket No. 2019-1329-PWS-E		PCW
						ON POST NO. 231, THE		
		•		ION, DEPARTI	MENT OF TEXA	AS, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
_		ase ID No.					PCW R	evision March 26, 2014
Reg.	Ent. Ref	erence No.						
			Public Water Su					
			Yuliya Dunaway	(
	Viola	ition Number						
		Rule Cite(s)		30 Tex	. Admin. Code	§ 290.110(c)(4)(A)		
	Violatio	n Description		tem at least o	nce every sev	dual at representative locations in en days. Specifically, disinfectant taken once per month.		
						Base	Penalty	\$1,000
>> Env	ironme	ital, Proper	ty and Hum	an Health	Matrix			
		,	-,	Harm				
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential		Х		Percent 5.0%		
>>Prog	gramma	tic Matrix	Maiau	Madauaka	Minan			
	,	Falsification	Major	Moderate	Minor	Percent 0.0%		
						Percent 0.0%		
	Matrix					d frequency could expose persons		
	Notes	by the Facility	to a significant		ntaminants wi uman health.	nich would not exceed levels prote	ective of	
				11	uman neam.			
						Adjustment	\$950	
						Aujustilielit	\$ 550	
								\$50
Violatio	on Event	:s						
		Number of V	iolation Events	1	L	Number of violation d	ays	
			daily					
			weekly					
			monthly					
			quarterly			Violation Base	Penalty	\$50
			semiannual	х			- [
			annual					
			single event					
	,							
		One semian	nual event is re	commended, o	calculated from	n the date of the investigation, M	ay 21,	
				2019, t	o August 31, 2	2019.	, .	
Good F	aith Effo	rts to Com	ply	0.0%		R	eduction	\$0
				efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer		·
			Extraordinary					
			Ordinary					
			N/A	х				
			14/7					
			IV/A		ent does not	meet the good faith criteria for		
			Notes			meet the good faith criteria for		
						meet the good faith criteria for violation.		
						violation.	Sulpere of	450
	_		Notes	The Respond		violation. Violation 9	_	\$50
Econon	nic Bene	fit (EB) for		The Respond		violation.	_	\$50
Econon	nic Bene		Notes	The Respond		violation. Violation 9	Test	\$50 \$60
Econon	nic Bene		Notes this violation	The Respond	\$124	violation. Violation Statutory Limit	Test	

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	55516		NG IN ACTION F	OST N	O. 231, THE AMER	ICAN LEGION, DEPA	ARTMENT OF
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
Item Description		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$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	ANNU	ALIZE avoided c	osts before en			one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel	+360	1111	16.6 2012	0.00	\$0	\$0	\$0
	\$360	14-May-2019	16-Sep-2019			\$123	
	\$300	ITTICY ZOIS	10 000 2017	0.34	\$1		\$124
Supplies/Equipment	\$300	11110 2015	10 00p 2019	0.00	\$0	\$0	\$0
Supplies/Equipment Financial Assurance	#300	I I	10 OOP L015	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance ONE-TIME avoided costs	3300		10 COp 2013	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Supplies/Equipment Financial Assurance				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Financial Assurance ONE-TIME avoided costs	The avoided which is being	costs include the o	estimated amou out representat alized), calculate	0.00 0.00 0.00 0.00 nt to cove located from	\$0 \$0 \$0 \$0 sonduct weekly mor	\$0 \$0 \$0	\$0 \$0 \$0 \$0 ectant residual 10 per week x

	Scre	ening Date				No. 2019-1329-PWS-E		PCW
	_				SSING IN ACTION PC			
				ION, DEPARTI	MENT OF TEXAS, PO	TISBORO, TEXAS		Revision 4 (April 2014)
D		ase ID No.					PCW Re	evision March 26, 2014
кед.	Ent. Kei	erence No.						
	Enf (Public Water Su Yuliya Dunaway					
		ation Number		1				
	VIOI	Rule Cite(s)						
		Rule Cite(3)		30 Tex.	Admin. Code § 290	.46(s)(2)(C)(i)		
	Violatio	n Description				nfectant residual analyzer a ns of known concentrations		
						Base	Penalty	\$1,000
>> Env	/ironme	ntal. Proper	ty and Hum	an Health	Matrix			
			c, una man	Harm	11441111			
		Release	Major	Moderate	Minor			
OR		Actual				_		
		Potential		Х		Percent 5.0%		
> > D#04	~ ~ ~ ~ ~ ~	tic Matrix						
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor			
		Taisineation	Hajoi	Hoderate	THITOI	Percent 0.0%		
						0.070		
		Failure to ye	rify the accuracy	of the manu:	al disinfectant residu	al analyzer could cause ina	ccurate	
	Matrix					problems, thus exposing pe		
	Notes					s which would not exceed I		
			·	protecti	ve of human health.			
		<u> </u>						
						Adjustment	\$950	
							Г	\$50
							L	Ψ30
Violatio	on Event	ts						
		Number of \	/iolation Events	1	102	Number of violation d	ays	
					1			
			daily					
			weekly					
			monthly guarterly			Violation Base	Donalty	\$50
			semiannual	X		Violation base	r charty	\$50
			annual					
			single event					
					•			
		One semian	nual event is re	commended of	calculated from the	date of the investigation M	av 21	
		One semian	nual event is re			date of the investigation, M	ay 21,	
		One semian	nual event is re		calculated from the coordinates of August 31, 2019.	date of the investigation, M	ay 21,	
Good F	aith Eff			2019, t				\$ 0
Good F	aith Effe	One semian	ply			R	eduction	\$0
Good F	aith Effo		ply	2019, t	o August 31, 2019.	R		\$0
Good F	aith Effe		ply B Extraordinary	2019, t 0.0% Before NOE/NOV	o August 31, 2019.	R		\$0
Good F	aith Effo		ply B Extraordinary Ordinary	2019, t	o August 31, 2019.	R		\$0
Good F	aith Effe		ply B Extraordinary	2019, t	NOE/NOV to EDPRP/Set	tlement Offer		\$0
Good F	aith Effo		ply B Extraordinary Ordinary	2019, t	NOE/NOV to EDPRP/Set	tlement Offer he good faith criteria for		\$0
Good F	aith Effe		ply Extraordinary Ordinary N/A	2019, t	NOE/NOV to EDPRP/Set	tlement Offer he good faith criteria for	eduction	\$0
Good F	aith Effo		ply Extraordinary Ordinary N/A	2019, t	NOE/NOV to EDPRP/Set	tlement Offer he good faith criteria for	eduction	\$0 \$50
		orts to Com	ply Extraordinary Ordinary N/A	2019, t 0.0% efore NOE/NOV x The Respond	NOE/NOV to EDPRP/Set	tlement Offer he good faith criteria for	eduction Subtotal	
		orts to Com	ply Extraordinary Ordinary N/A Notes	O.0% Defore NOE/NOV X The Respond	NOE/NOV to EDPRP/Set ent does not meet t this violation	tlement Offer he good faith criteria for n. Violation S Statutory Limit	eduction Subtotal Test	\$50
		orts to Com	ply Extraordinary Ordinary N/A Notes	O.0% Defore NOE/NOV X The Respond	NOE/NOV to EDPRP/Set	tlement Offer he good faith criteria for n. Violation 5	eduction Subtotal Test	
		orts to Com	ply Extraordinary Ordinary N/A Notes	2019, t 0.0% Sefore NOE/NOV X The Respond	NOE/NOV to EDPRP/Set lent does not meet t this violatio	tlement Offer he good faith criteria for n. Violation S Statutory Limit	eduction Subtotal Test	\$50

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICAL TEXAS, POTTS	N LEGION, MISSIN BORO, TEXAS	NG IN ACTION F	OST N	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No.		,					
Reg. Ent. Reference No.							
	Public Water S	vlaau					Years of
Violation No.						Percent Interest	Depreciation
11014110111101						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	200 0050	Date Required	· mai bate		ziitei est suveu	COSIS Surcu	25 Amount
Item Description							
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	ANNU	NITTE avaided or	ata hafaya ay	to vino	itam (avaant fa	r one-time avoided	L costo)
	ANNUA	ALIZE avoided Co	osts before en	0.00			\$0
Disposal Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
personnel nspection/Reporting/Sampling	\$20	20-Feb-2019	16-Sep-2019	0.00	\$0 \$1	\$0 \$11	\$0 \$12
Supplies/Equipment	\$ZU	20-160-2019	10-26h-7018	0.00	\$1	\$11	\$12 \$0
Financial Assurance				0.00	\$0	\$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0 \$0
Notes for AVOIDED costs		ast once every 90	days (\$5 per 9	nt to ve 0-day	erify the accuracy	of the manual disinfo), calculated from 90	ectant residual
Approx. Cost of Compliance		\$11			TOTAL		\$12

Screening Date	16-Sep-2019	Docket No. 2	019-1329-PWS-E	PCW
_	THE AMERICAN LEGION, MIS		•	
	AMERICAN LEGION, DEPART	MENT OF TEXAS, POTTSBO	RO, TEXAS Policy	Revision 4 (April 2014)
Case ID No			PCW I	Revision March 26, 2014
Reg. Ent. Reference No				
	Public Water Supply			
Enf. Coordinator Violation Number				
				1
Rule Cite(s)	30	Tex. Admin. Code § 290.46	5(i)	
Violation Description			either cross-connections nor d. Specifically, the service	
			Base Penalty	\$1,000
>> Environmental, Prope	rty and Human Health	Matrix		
2 2 2 11 on mental, 1 1 ope	Harm	I Idei IX		
Release	Major Moderate	Minor		
OR Actua				
Potentia		P	ercent 0.0%	
>>Programmatic Matrix	Maior Moderate	Minor		
Falsification	1	Minor	ercent 2.5%	
	X		2.3%	
Matrix Notes	Between 70% and 30% of	the rule requirements wer	e not met.	
		Adiu	stment \$975	- 1
		Auju	Stillelit \$973	
				\$25
Violation Events				
Number of	Violation Events 1	118 N	umber of violation days	
Nulliber of	daily weekly	<u> </u>	umber of violation days	
	monthly			
	quarterly		Violation Base Penalty	\$25
	semiannual			
	annual			
	single event x			
	One single e	event is recommended.		
Good Faith Efforts to Con	vlqı 0.0%		Reduction	\$0
Cood I ditil Elloi to to coll		NOE/NOV to EDPRP/Settlement		Ψ0
	Extraordinary			
	Ordinary			
	Ordinary N/A x			
	N/A x	ent does not meet the goo	d faith criteria for	
	N/A X	ent does not meet the goo this violation.		435
	Notes The Respond	this violation.	Violation Subtotal	\$25
Economic Benefit (EB) fo	Notes The Respond	this violation.		\$25
	Notes The Respond	this violation.	Violation Subtotal	
	Notes The Responder this violation	this violation. S \$11	Violation Subtotal	\$30

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICAL TEXAS, POTTS		NG IN ACTION F	OST N	O. 231, THE AMER	ICAN LEGION, DEP	ARTMENT OF
Case ID No.	,	, -					
Reg. Ent. Reference No.	RN110053949						
Media	Public Water S	upply				Dawasuk Tukawask	Years of
Violation No.	6	,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$180	21-May-2019	1-Aug-2020	1.20	\$11	n/a	\$11
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs						olumbing ordinance, e estimated date of	
Avoided Costs	ANNUA	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Notes for AVOIDED costs		<u> </u>		0.00	3 0	1 20	Φ0
Approx. Cost of Compliance		\$180			TOTAL		\$11

Respondent AMERICAN LEGION, HISSING IN ACTION POST NO. 231, THE Respondent AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSOROR, TEXAS Case ID No. 55516 Reg. Ent. Reference No. 8110053949 Media Public Water Supply Firt. Coordinator Vulya Dunaway Violation Number Violation Number Violation Description Reg. Ent. Reference No. 8110053949 Failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loose and not in conduit. **Notes** Percent 15.0% >> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Percent 15.0% >> Programmatic Matrix Fainfication Major Moderate Minor Percent 0.0% **Notes** Pailure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health Notes **Violation Events** Number of Violation Events 2 102 Number of violation days daily weekly weekly daily quarrenty x 10.0% Two quarterity events are recommended, calculated from the date of the investigation, May 21, 2015, to August 31, 2019. Good Faith Efforts to Comply 0.0% Letter NUL/NOV NOL/NOV to LUPHAY/settlement Offer Extraordinary Cordinary Work 11.000 Faith Efforts to Comply 0.0% Letter NUL/NOV NOL/NOV to LUPHAY/settlement Offer Extraordinary Cordinary Cordin		Screening Date			cket No. 2019-1329-PWS-E		PCW
Reg. Ent. Reference No. S1516 Reg. Ent. Reference No. No. N110033949 Media Public Water Supply Finf. Coordinator Vulva Dunaway Violation Number Rule Cite(s) Failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was local or national electrical code. Specifically, the electrical wiring for the well was local or national electrical code. Specifically, the electrical wiring for the well was local or national electrical code. Specifically, the electrical wiring for the well was local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ell electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ell electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ell electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ell electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ellectrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Failure to install ellectrical wiring in compliance with a local or national code may cause equipment malfunctioning which wiring in compliance with a local or national code may cause equipment malfunctioning which wiring in compliance with a local or national code may cause equipment malfunctioning which wiring in compliance with a local or national code may cause equipment malfunctioning which wiring in compliance with a local or national code may cause equipment malfunctioning which wiring in compliance with a local or national code ma		Daanandani		-	•		
Reg. Ent. Reference No. Mal 100 33949 Media Public Water Supply Enf. Coordinator Vollya Duneway Violation Number 7 Rule Cite(s) Violation Description Violation Description Violation Description Violation Description Failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loose and not in conduit. **Separation** **Percent** **Percent** **Posterial** **Percent** **Posterial** **Percent** **Posterial** **				JON, DEFARTMENT OF TEX	AS, FOTTSBORO, TEXAS		
Media Public Water Supply Senf. Coordinator Yulya Dunavay Violation Number Talled to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was lose and not in conduit. Palied to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was lose and not in conduit. Palied to ensure that all electrical wiring is securely installed in compliance with a local or national wiring for the well was lose and not in conduit. Palied to ensure that all electrical wiring is securely installed in compliance with a local or national code may cause apulpment malfunctioning which could expose persons served by the facility to contaminants which would exceed levels protective of human health. Percent	Rea.					FCW F	CEVISION MAICH 20, 2014
Violation Number Rule Cite(s) Solution Description Tailed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loss and not in conduit. Solution Description Solution Description Solution Description Solution Description				upply			
Tailed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loose and not in conduit. Sase Penalty \$1,000				y			
Falled to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loose and not in conduit. Sase Penalty S1,000							
Sase Penalty \$1,000		Rule Cite(s)		30 Tex. Admin.	Code § 290.46(v)		
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Moderate Minor Potential X Percent 15.0%		Violation Description		nal electrical code. Specific	cally, the electrical wiring for the		
Release Major Moderate Minor Actual Potential X Percent 15.0% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Major Moderate Minor Percent 0.0%					Bas	e Penalty	\$1,000
Release Major Moderate Minor Actual Potential X Percent 15.0% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Major Moderate Minor Percent 0.0%	>> Env	ironmental, Prope	rty and Hum	nan Health Matrix			
>>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Matrix Notes Falsification Major Moderate Minor Percent 0.0% Failure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily weekly monthly quarterly x semiannual annual single event 100 Number of Violation Base Penalty 9.300 Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply 0.0% Before NOE/NOV NOE/NOV to EDPRE//Settlement Offer Extraordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$300 Economic Benefit (EB) for this violation \$515 Violation Final Penalty Total \$360			-	Harm			
>>Programmatic Matrix Failure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily weekly monthly weekly monthly semiannual annual single event 2019, to August 31, 2019. Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply 0.0% Reduction \$0 Extraordinary Ordinary No.7 Notes 100 Note	OR			Moderate Minor			
>>Programmatic Matrix Falsification Major Moderate Minor Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily Weekly Moderatery Weekly Moderate Minor Seminary Weekly Moderate Minor Falsification Major Falsif	O.C				Percent 15.0%		
Falsification Major Moderate Minor Percent 0.0% Failure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily weekly monthly quarterly x semiannual single event							
Failure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty semiannual annual single event Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Extraordinary Ordinary Notes The Respondent does not meet the good faith criteria for this violation. Violation Statutory Limit Test Estimated EB Amount \$15 Violation Final Penalty Total \$360	>>Pro		Maiau	Madauaka Misas			
Failure to install all electrical wiring in compliance with a local or national code may cause equipment malfunctioning which could expose persons served by the Facility to contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily weekly nonthly quarterly x semiannual single event 102 Number of violation Base Penalty \$300 Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply 0.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Noels NOE/NOV to EDPRP/Settlement Offer Extraordinary Noels Noels Notes No		Faisification	Major	Moderate Minor	Percent 0.0%		
Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty weekly monthly weekly monthly semiannual single event Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$150 Violation Final Penalty Total \$350					0.070	ı	
Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty weekly monthly weekly monthly semiannual single event Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$150 Violation Final Penalty Total \$350		Failure t	o install all electr	rical wiring in compliance w	ith a local or national code may	cause	
Adjustment \$850 \$150 Violation Events Number of Violation Events 2 102 Number of violation days daily weekly monthly 100 quarterly x semiannual 3 single event 100 semiannual 4 single		equipment m	alfunctioning whi	ich could expose persons se	erved by the Facility to contamin		
Violation Events Number of Violation Events 2		Notes	wou	ld exceed levels protective	of human health.		
Violation Events Number of Violation Events 2					Adjustment	¢850	
Number of Violation Events Violation Events 2					Aujustillent	φ030	
Number of Violation Events 2 102 Number of violation days daily weekly monthly quarterly x semiannual annual single event							\$150
Number of Violation Events 2 102 Number of violation days daily weekly monthly quarterly x semiannual annual single event	Violati	on Events					
daily weekly monthly quarterly system annual single event	Violati	on Events					
weekly monthly yaurterly x semiannual single event		Number of	Violation Events	2	102 Number of violation	days	
weekly monthly yaurterly x semiannual single event							
Two quarterly x semiannual annual single event Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360							
quarterly semiannual annual single event Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360							
Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$360				X	Violation Bas	e Penalty	\$300
Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360			semiannual			•	
Two quarterly events are recommended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Good Faith Efforts to Comply O.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360							
Good Faith Efforts to Comply Defore NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360			single event				
Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A 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 \$15 Violation Final Penalty Total \$360		T			and the date of the transfer of	M 21	
Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x 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 \$15 Violation Final Penalty Total \$360		I wo quarte	riy events are re	•	,	May 21,	
Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$300 Economic Benefit (EB) for this violation \$15\$ Violation Final Penalty Total \$360							
Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$300 Economic Benefit (EB) for this violation \$15\$ Violation Final Penalty Total \$360	Good F	aith Efforts to Con	ply	0.0%		Reduction	\$0
Ordinary N/A 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 \$15 Violation Final Penalty Total \$360			В	Before NOE/NOV NOE/NOV to E	OPRP/Settlement Offer		
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 \$15 Violation Final Penalty Total \$360							
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 \$15 Violation Final Penalty Total \$360							
Violation Subtotal \$300 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$15 Violation Final Penalty Total \$360			N/A	X		1	
Violation Subtotal \$300 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$15 Violation Final Penalty Total \$360			Notes				
Economic Benefit (EB) for this violation Statutory Limit Test Violation Final Penalty Total \$360			110103	this	violation.		
Economic Benefit (EB) for this violation Statutory Limit Test Violation Final Penalty Total \$360			'				
Estimated EB Amount \$15 Violation Final Penalty Total \$360					Violation	Subtotal	\$300
	Econor	nic Benefit (EB) fo	this violation	on	Statutory Limit	t Test	
This violation Final Assessed Penalty (adjusted for limits) \$360		Estimat	ed EB Amount	\$15	Violation Final Pen	alty Total	\$360
				This violation Final	Assessed Penalty (adjusted f	or limits)	\$360

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICAL TEXAS, POTTS	N LEGION, MISSII SBORO, TEXAS	NG IN ACTION I	POST N	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No. Reg. Ent. Reference No.							
Media Violation No.	Public Water S 7	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs		· · · · · · · · · · · · · · · · · · ·		1			
Equipment				0.00	\$0	\$0	\$0
Buildings	1000	0.4.1400.40		0.00	\$0	\$0	\$0
Other (as needed)	\$200	21-May-2019	1-Jun-2020	1.03	\$1	\$14	\$15
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 Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	in accordanc	e with a local or n	estimate	al code, ed date	calculated from the of compliance.	ical wiring at the Fac ne date of the invest	igation to the
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	<u> </u>	r one-time avoide	d 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$200		_	TOTAL		\$15

	Scre	ening Date	16-Sep-2019	Doc	ket No. 2019-1329-PWS-E		PCW
		_	THE AMERICAN LEGION,		•		
			AMERICAN LEGION, DEP	ARTMENT OF TEXA	S, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
_	_	ase ID No.				PCW R	evision March 26, 2014
Reg.	Ent. Ref		RN110053949				
	Enf C		Public Water Supply				
		ation Number	Yuliya Dunaway				
	VIOI	Rule Cite(s)					
		Rule Cite(s)	30) Tex. Admin. Code	e § 290.41(c)(3)(J)		
	Violatio	n Description	the well casing in all dire	ctions with a minin	nat extends a minimum of three num thickness of six inches and nan 0.25 inch per foot.		
					Bas	e Penalty	\$1,000
>> Env	rironme	ntal, Propei	ty and Human Hea	Ith Matrix			
			Harm	l			
O D		Release	Major Modera	te Minor			
OR		Actual Potential	X		Percent 15.0%		
		roteiitiai	X		Fercent 15.0%		
>>Proc	ramma	tic Matrix					
77.109	J. a	Falsification	Major Modera	te Minor			
					Percent 0.0%		
	Matrix Notes	Failure to prov	-		a flow of contaminants into the e of human health.	water well	
					Adjustment	\$850	
					Aujustillelit	φ030	
							\$150
Violatio	on Event	ts					
		Number of \	/iolation Events 2		102 Number of violation	davs	
			270110		rumber er metatien	44,5	
			daily				
			weekly				
			monthly			-	
			quarterly x		Violation Bas	e Penalty	\$300
			semiannual				
			annual				
			single event				
		Two quarter	•	•	the date of the investigation,	May 21,	
			20	19, to August 31, 2	019.		
			_				
Good F	aith Effo	orts to Com		0%		Reduction	\$0
			Before NOE/	NOV NOE/NOV to EDP	RP/Settlement Offer		
			·				
			Ordinary N/A x				
				<u> </u>			
			Notes The Res		neet the good faith criteria for iolation.		
					Violation	Subtotal	\$300
Econon	nic Bene	efit (EB) for	this violation		Statutory Limit	t Test	
		Fetimate	ed EB Amount	\$42	Violation Final Pen	alty Total	\$360
		Latinidu	Ca ED AMOUNT	 ምተረ	Violation Fillar Pell	anty iotal	φ300
			This	violation Final A	ssessed Penalty (adjusted f	or limits)	\$360

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICAL TEXAS, POTTS	N LEGION, MISSII BORO, TEXAS	NG IN ACTION I	POST NO	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No. Reg. Ent. Reference No.	55516						
	Public Water S						Years of
Violation No.		. чрр. у				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	Īr —	11 11 11 11 11 11 11 11 11 11 11 11 11 		0.00	+0	40	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	±500	21 May 2010	1 4 2020	0.00	\$0 \$2	\$0	\$0
Engineering/Construction	\$500	21-May-2019	1-Aug-2020	1.20		\$40	\$42
Land				0.00	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System				0.00			
Training/Sampling					\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	drainage aw	ay from the wellh	ead, calculated	from th compli	e date of the inve	a concrete sealing stigation to the estir	nated date of
Avoided Costs	ANNUA	ALIZE avoided c	osts before er			one-time avoide	
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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$500			TOTAL		\$42

	Screening Date	16-Sep-2019	Do	cket No. 2019-1329-PWS-E	PCW
				ON POST NO. 231, THE	
			PARTMENT OF TEX	AS, POTTSBORO, TEXAS	Policy Revision 4 (April 2014)
	Case ID No.				PCW Revision March 26, 2014
Reg. E	nt. Reference No.				
		Public Water Supply			
	Enf. Coordinator	Yuliya Dunaway			
	Violation Number	9			
	Rule Cite(s)	3	30 Tex. Admin. Cod	e § 290.41(c)(3)(K)	
,	Violation Description	compound and properl	y vented to preven	o bases are sealed by a gasket or s t the possibility of contaminating t ell did not have a well casing vent.	
				Base I	Penalty \$1,000
>> Envi	ronmental, Propei	ty and Human He	alth Matrix		
		Harı			
OR	Release Actual	Major Moder	ate Minor		
OK	Potential	X		Percent 5.0%	
	rotential	X		Fercent 3.0%	
>>Progr	ammatic Matrix				
, , i i eg.	Falsification	Major Moder	ate Minor		
				Percent 0.0%	
			·		
	Matrice Epileme to p	concelly want the wellboa	d could recult in th	introduction of a cignificant amou	int of
				e introduction of a significant amou s protective of human health.	int of
	Notes	ontaminants which woul	u not exceed levels	protective of Human Health.	
				Adjustment	\$950
					\$50
					430
Violation	Events				
	Number of \	iolation Events 1		102 Number of violation da	ys
		daily			
		weekly monthly			
		quarterly		Violation Base I	Penalty \$50
		semiannual x		Violation base i	\$30
		annual			
		single event			
	One cemian	nual event is recommen	ded calculated from	n the date of the investigation, Ma	v 21
	One semian)19, to August 31,		19 21,
Good Fai	ith Efforts to Com	alv 0	.0%	Do	eduction \$0
Good I al	itii Liioits to coiii	Before NOE		PRP/Settlement Offer	eduction
		Extraordinary		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
		Ordinary			
		N/A X			
				and the second first section of first	
		Notes The Res	•	meet the good faith criteria for violation.	
			uils	violation.	
				Violation S	ubtotal \$50
Economi	c Benefit (EB) for	this violation		Statutory Limit T	est
				-	
	Estimate	ed EB Amount	\$42	Violation Final Penalt	ty Total \$60
		Thi	e violetien Final	Assessed Penalty (adjusted for	limits) \$60

	E	conomic	Benefit	Wo	rksheet		
Respondent	THE AMERICA	N LEGION, MISSIN	NG IN ACTION F	POST NO	O. 231, THE AMER	ICAN LEGION, DEPA	ARTMENT OF
Case ID No.		BORO, TEXAS					
Reg. Ent. Reference No.							
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Dalawad Casta							
Delayed Costs Equipment		1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	21-May-2019	1-Aug-2020	1.20	\$2	\$40	\$42
Engineering/Construction	\$300	ZI May 2015	1 Aug 2020	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	c	alculated from the	e date of the inv	estigat	ion to the estimate	sing vent for the Fa ed date of compliand	ce.
Avoided Costs	ANNU	ALIZE avoided co	osts before en			r one-time avoide	
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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed) Notes for AVOIDED costs		<u> </u>		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$500			TOTAL		\$42

	Scre	ening Date	16-Sep-2019	Doc	cket No. 2019-1329-PWS-E		PCW
	_	_		LEGION, MISSING IN ACTI			
		•		ON, DEPARTMENT OF TEXA	AS, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
_		ase ID No.				PCW R	Revision March 26, 2014
Reg.	Ent. Ref	erence No.					
	F C		Public Water Sup	pply			
		oorginator ation Number	Yuliya Dunaway				
	VIOI	Rule Cite(s)					
		Rule Cite(s)		30 Tex. Admin. C	ode § 290.43(e)		
	Violatio	n Description	maintenance fac intruder acces	cilities are installed in a lociess or enclosed by an intrud	ble water storage tanks and pro- kable building that is designed t ler-resistant fence with lockable storage tank was not enclosed stant fence.	o prevent gates.	
					Bas	e Penalty	\$1,000
>> Fnv	/ironme	ntal. Proper	ty and Huma	an Health Matrix			
, ,			,	Harm			
		Release	Major	Moderate Minor			
OR		Actual			_		
		Potential	Х		Percent 15.0%		
>> Dros	~ ~ ~ ~ ~ ~	tic Matrix					
>>Prog	gramma	tic Matrix Falsification	Major	Moderate Minor			
		Taisincation	Major	Moderate Millor	Percent 0.0%		
					0.070		
		E-11			All a section of the	and the Lands	
	Matrix				the potable water storage susc contaminants which would exc		
	Notes	variualisiii, tiit	is exposing perso	protective of human h		eeu ieveis	
				proceedive of Human II	Calcin		ı
					Adjustment	\$850	
					Aujustment	4030	
							\$150
	_						
Violatio	on Event	ts					
		Number of V	/iolation Events	2	102 Number of violation	dave	
		Number of V	iolation Events		102 Number of violation	uays	
			daily weekly monthly quarterly semiannual	X	Violation Bas	e Penalty	\$300
			annual				
			single event				
		Two quarter	ly events are reco	ommended, calculated from 2019, to August 31, 2	n the date of the investigation, 2019.	May 21,	
Good F	aith Eff	orts to Com	nly	0.0%		Reduction	\$0
Good I	aitii Liit	or to com			PRP/Settlement Offer	reduction	7.5
			Extraordinary				
			Ordinary				
			N/A	Х			
			Notes		neet the good faith criteria for riolation.		
					Violation	Subtotal	\$300
Econon	nic Bene	efit (EB) for	this violation	n	Statutory Limit	Test	
		Estimate	ed EB Amount	\$168	Violation Final Pen	alty Total	\$360
				This violation Final <i>F</i>	ssessed Penalty (adjusted f	or limits)	\$360

Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	\$2,000	21-May-2019	1-Aug-2020	1.20	\$8	\$160	\$168
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 \$0	n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	<u>\$U</u>
	The delayed of	osts include the e	stimated amou	nt to er	nclose the Facility's	s potable water stora	ge tank by an
Notes for DELAYED costs	intruder-resis	tant fence with lo	ckable gates, ca dat	lculated e of cor	d from the date of mpliance.	s potable water stora the investigation to	the estimated
Avoided Costs	intruder-resis	tant fence with lo	ckable gates, ca dat	lculated e of cor tering	d from the date of mpliance. item (except for	the investigation to	the estimated
Avoided Costs Disposal	intruder-resis	tant fence with lo	ckable gates, ca dat	e of cor tering	d from the date of mpliance. item (except for \$0	the investigation to	the estimated I costs) \$0
Avoided Costs Disposal Personnel	intruder-resis	tant fence with lo	ckable gates, ca dat	e of cor tering 0.00	d from the date of mpliance. item (except for \$0 \$0 \$0	r one-time avoided \$0 \$0	the estimated I costs) \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	intruder-resis	tant fence with lo	ckable gates, ca dat	e of cor tering 0.00 0.00 0.00	d from the date of mpliance. item (except for \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0	the estimated costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	intruder-resis	tant fence with lo	ckable gates, ca dat	tering 0.00 0.00 0.00 0.00	d from the date of mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	the estimated Costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	intruder-resis	tant fence with lo	ckable gates, ca dat	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated Costs
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	intruder-resis	tant fence with lo	ckable gates, ca dat	tering 0.00 0.00 0.00 0.00	d from the date of mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	the estimated Costs) \$0 \$0 \$0 \$0

	Scre	ening Date				cket No. 2019-1329-PWS-E		PCW
			THE AMERICAN	LEGION, MIS	SSING IN ACT	ON POST NO. 231, THE		
				ION, DEPART	MENT OF TEX	AS, POTTSBORO, TEXAS		Revision 4 (April 2014)
D = ==		ase ID No.					PCW R	evision March 26, 2014
кед.	ent. Ker		RN110053949	unnly.				
	Enf C		Public Water Su Yuliya Dunaway					
		tion Number						
	7.0.0	Rule Cite(s)		20.7		5 200 121() 1(1)		
				30 Tex.	Admin. Code	§ 290.121(a) and (b)		
	Violatio	n Description	monitoring frequency, and	plan that ider d specifies the	ntifies all sam e analytical pr	-to-date chemical and microbiolog oling locations, describes the sam ocedures and laboratories that the vith the monitoring requirements.	pling	
						Base	Penalty	\$1,000
>> Env	/ironme	ntal, Propei	ty and Hum		Matrix			
		Dolones	Major	Harm Moderate	Minor			
OR		Release Actual	Major	Moderate	Minor			
O.K		Potential				Percent 0.0%		
						0.070		
>>Prog	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor			
			Х			Percent 5.0%		
	Matrix Notes		100	% of the rule	requirements	s were not met.		
						Adjustment	\$950	
							7	
								\$50
Violatio	on Event	-						
Violatio	on Eveni	.5						
		Number of \	/iolation Events	1	1 [118 Number of violation d	ays	
			daily					
			weekly					
			monthly quarterly			Violation Base	Donalty	\$50
			semiannual			Violation base	Penaity	\$50
			annual					
			single event	х				
			-					
				One single	event is recon	nmended.		
Good F	aith Effo	orts to Com		0.0%	NOT MOULT		eduction	\$0
			Extraordinary	efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer		
			Ordinary					
			N/A	Х				
			14/ A					
			Notes	The Respond		meet the good faith criteria for violation.		
						Violation 9		\$50
Econon	nic Bene	fit (EB) for	this violation	n		Statutory Limit	Test	
		Fetimate	ed EB Amount		\$9	Violation Final Penal	tv Total	\$60
				This vio	lation Final A	Assessed Penalty (adjusted fo	r limits)	\$60

	E	conomic	Benefit	Wo	rksheet		
Respondent		N LEGION, MISSI BORO, TEXAS	NG IN ACTION I	POST N	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No. Reg. Ent. Reference No.							
Media Violation No.	Public Water S 11	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
·							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$180	21-May-2019	1-Jun-2020	1.03	\$9	n/a	\$9
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	microbiolog	gical monitoring pl	an, calculated f	rom the compli	e date of the invest ance.	ntain the Facility's ch tigation to the estim	ated date of
Avoided Costs	ANNUA	ALIZE avoided c	osts before er			r one-time avoided	
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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed) Notes for AVOIDED costs		<u>Jl</u> J		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$180			TOTAL		\$9

	Scre	ening Date	16-Sep-2019		2019-1329-PWS-E		PCW
			THE AMERICAN LEGION, MISS				
		•	AMERICAN LEGION, DEPARTM	ENT OF TEXAS, POTTS	BORO, TEXAS		Revision 4 (April 2014)
_		ase ID No.				PCW R	evision March 26, 2014
Reg.	Ent. Rei	erence No.					
			Public Water Supply				
			Yuliya Dunaway				
	VIOI	ation Number					
		Rule Cite(s)	30 Te	k. Admin. Code § 290.4	6(n)(2)		
	Violatio	n Description	Failed to provide an accurate valves and mains can be edistribution system map has	easily located during em	ergencies. Specificall	y, the	
					Base	Penalty	\$1,000
>> Env	vironme	ntal, Proper	ty and Human Health I	Matrix			
		D-1	Harm Madausta	Minau			
OR		Release Actual	Major Moderate	Minor			
OK		Potential			Percent 0.0%		
		roteritiai			0.070		
>>Pro	gramma	tic Matrix					
	J	Falsification	Major Moderate	Minor			
				X	Percent 1.0%		
				<u> </u>			
	Matrix Notes		Less than 30% of the i	rule requirements were	not met.		
						±000	
				Ad	justment	\$990	
							\$10
Violation	on Event	ts					
		Number of V	(inlation Events	110	Number of violation	dave	
		Number of V	/iolation Events 1	118	Number of violation of	uays	
			daily weekly monthly quarterly		Violation Base	a Panalty	\$10
			semiannual		Violation base	. i Citaley	Ψ10
			annual				
			single event x				
		1	<u> </u>				
			One single e	vent is recommended.			
Good F	aith Fff	orts to Com	ply 0.0%			Reduction	\$0
doou i	aitii Liit	orts to com		NOE/NOV to EDPRP/Settleme		Reduction	ΨΟ
			Extraordinary				
			Ordinary				
			N/A x		<u> </u>		
			Notes The Responde	nt does not meet the go	ood faith criteria for		
					Violation	Subtotal	\$10
Econor	nic Bene	efit (ER) for	this violation		Statutory Limit	Test	
					-	_	
		Estimate	ed EB Amount	\$9	Violation Final Pena	ilty Total	\$12
			This viols	ation Final Assessed I	Penalty (adjusted fo	or limite)	\$50
			Tills Viole	A336336U I	charty (aujusteu it	ts)	400

Economic Benefit Worksheet									
Respondent THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS									
Case ID No. Reg. Ent. Reference No.									
	Public Water S					Percent Interest	Years of Depreciation		
						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description									
Delayed Costs				_					
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0	\$0	\$0		
Engineering/Construction				0.00	\$0	\$0	\$0		
Land				0.00	\$0	n/a	\$0		
Record Keeping System	\$180	21-May-2019	1-Jun-2020	1.03	\$9	n/a	\$9		
Training/Sampling				0.00	\$0	n/a	\$0		
Remediation/Disposal				0.00	\$0	n/a	\$0		
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0		
Notes for DELAYED costs	Notes for DELAYED costs The delayed costs include the estimated amount to maintain an accurate and up-to-date map of the distribution system so that all valves and mains can be easily located, calculated from the date of the investigation to the estimated date of compliance.								
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	d 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				0.00	\$0	\$0	\$0		
ONE-TIME avoided costs				0.00	\$0	\$0	\$0		
Other (as needed) Notes for AVOIDED costs		<u> </u>		0.00	\$0	\$0	\$0		
Approx. Cost of Compliance		\$180			TOTAL		\$9		

	Scre	ening Date				cket No. 2019-1329-PWS-E		PCW
	_					ON POST NO. 231, THE		
		•		ION, DEPART	1ENT OF TEXA	AS, POTTSBORO, TEXAS		Revision 4 (April 2014)
_		Case ID No.					PCW F	Revision March 26, 2014
Reg.	Ent. Rei	ference No.						
			Public Water Su					
			Yuliya Dunaway	/				
	Viol	ation Number	13					
		Rule Cite(s)		30	Tex. Admin. C	Code § 290.42(I)		
	Violatio	n Description	Failed to comp			and up-to-date plant operation wand reference.	s manual	
						Bas	e Penalty	\$1,000
>> Env	vironme	ntal, Proper	ty and Hum	an Health	Matrix			
		_	_	Harm				
		Release	Major	Moderate	Minor			
OR		Actual				_		
		Potential				Percent 0.0%		
>>Pro	gramma	tic Matrix Falsification	Maior	Moderate	Minor			
		raisilication	Major	Moderate	Minor	Percent 5.0%		
			Х			Percent 5.0%		
	Matrix Notes		100)% of the rule	requirements	were not met.		
						Adjustment	\$950	
						Aujustilielit	\$930	
								\$50
								·
Violati	on Even	ts						
					Œ			
		Number of V	iolation Events/	1	L	118 Number of violation	days	
			daily 					
			weekly					
			monthly			Walstin Dan	- Danalin.	¢ΓΩ
			quarterly			Violation Bas	e Penaity	\$50
			semiannual					
			annual					
			single event	X				
				One single	event is recom	nmended.		
				,				
Good F	aith Eff	orts to Com		0.0%			Reduction	\$0
				efore NOE/NOV	NOE/NOV to EDI	PRP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	х			ı	
			Notes	The Responde		meet the good faith criteria for violation.		
	_						Subtotal	\$50
Econor	nic Bene	efit (EB) for	this violation	n		Statutory Limit	Test	
		Estimate	ed EB Amount		\$10	Violation Final Pen	alty Total	\$60
				This viol	ation Final A	Assessed Penalty (adjusted f	or limits)	\$60

Economic Benefit Worksheet									
Respondent THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS									
Case ID No. Reg. Ent. Reference No.	55516								
	Public Water S	upply				Percent Interest	Years of Depreciation		
						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description									
Delayed Costs	<u> </u>	1		1					
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0		
Engineering/Construction				0.00	\$0 \$0	n/a	\$0 \$0		
Land Record Keeping System	\$180	21-May-2019	1-Jul-2020	1.12	\$10	n/a n/a	\$10		
Training/Sampling	\$100	21-14ay-2019	1-Jul-2020	0.00	\$10	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	Notes for DELAYED costs The delayed costs include the estimated amount to compile and maintain a thorough plant operations manual, calculated from the date of the investigation to the estimated date of compliance.								
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoide			
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				0.00	\$0	\$0	\$0		
ONE-TIME avoided costs				0.00	\$0	\$0	\$0		
Other (as needed) Notes for AVOIDED costs		<u> </u>		0.00	\$0	\$0	\$0		
Approx. Cost of Compliance		\$180			TOTAL		\$10		

	Scie	ening Date	•	Docket No. 2019-1329-PWS-E	PCW
			THE AMERICAN	LEGION, MISSING IN ACTION POST NO. 231, THE	
	F	Respondent	AMERICAN LEG	SION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS	cy Revision 4 (April 2014)
	(Case ID No.	55516		Revision March 26, 2014
Reg.	Ent. Ref	ference No.	RN110053949		
		Media	Public Water Su	upply	
			Yuliya Dunaway	y	
	Viol	ation Number			_
		Rule Cite(s)		30 Tex. Admin. Code § 290.42(e)(3)(D)	
	Violatio	n Description	Failed to provid	de facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use.	
				Base Penalt	\$1,000
>> Env	/ironme	ntal, Propei	ty and Hum	an Health Matrix	
		Release	Major	Harm Moderate Minor	
OR		Actual	Major	Ploderate Millor	
0.0		Potential		x Percent 5.0%	
				X 51070	
>>Prog	gramma	tic Matrix			
		Falsification	Major	Moderate Minor	
				Percent 0.0%	
		Ir-			-
		Failure to prov	vide facilities for	determining the amount of disinfectant used daily and the amount of	f
	Matrix	·		e would not allow means for proper levels of disinfection, and persons	
	Notes	served by th	e Facility could b	be exposed to a significant amount of contaminants which would not	
			е	exceed levels protective of human health.	
				Adjustment \$95	0
				101111111111111111111111111111111111111	
					\$50
Violeti.	F				\$50
Violatio	on Even	ts			\$50
Violatio	on Even		/iolation Events	1 102 Number of violation days	\$50
Violatio	on Even		/iolation Events	1 102 Number of violation days	\$50
Violatio	on Even		/iolation Events daily	1 102 Number of violation days	\$50
Violatio	on Even			1 102 Number of violation days	\$50
Violatio	on Even		daily	1 102 Number of violation days	\$50
Violatio	on Even		daily weekly monthly quarterly	1 102 Number of violation days Violation Base Penalt	
Violatio	on Even		daily weekly monthly quarterly semiannual		
Violatio	on Even		daily weekly monthly quarterly semiannual annual	Violation Base Penalt	
Violatio	on Even		daily weekly monthly quarterly semiannual	Violation Base Penalt	
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt	
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt x commended, calculated from the date of the investigation, May 21,	
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt	
		Number of N	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019.	\$50
		Number of \	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019.	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction O.0% NOE/NOV to EDPRP/Settlement Offer	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary N/A	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction O.0% NOE/NOV to EDPRP/Settlement Offer	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer x	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary N/A	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer X The Respondent does not meet the good faith criteria for	\$50
		Number of N	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary N/A	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer X The Respondent does not meet the good faith criteria for	\$50
Good F	aith Eff	One semian	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary N/A	Violation Base Penalt x commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer x The Respondent does not meet the good faith criteria for this violation. Violation Subtota	\$50
Good F	aith Eff	One semian	daily weekly monthly quarterly semiannual annual single event nual event is rec ply Extraordinary Ordinary N/A Notes	Violation Base Penalt X Commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Reduction Reduction X The Respondent does not meet the good faith criteria for this violation. Violation Subtota Statutory Limit Test	\$50 \$50 \$0
Good F	aith Eff	One semian	daily weekly monthly quarterly semiannual annual single event nual event is reconstructed ply Extraordinary Ordinary N/A Notes this violatio	Violation Base Penalt X Commended, calculated from the date of the investigation, May 21, 2019, to August 31, 2019. Reduction Reduction Reduction X The Respondent does not meet the good faith criteria for this violation. Violation Subtota Statutory Limit Test	\$50 \$0 \$50 \$50

Economic Benefit Worksheet Respondent THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS **Case ID No.** 55516 Reg. Ent. Reference No. RN110053949 Percent Interest Depreciation Media Public Water Supply Violation No. 14 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved **Costs Saved EB Amount Item Description Delayed Costs** 1-Jun-2020 1.03 Equipment \$2 \$34 \$36 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 \$0 **\$0** \$0 **\$0 Engineering/Construction** 0.00 0.00 n/a **Record Keeping System** 0.00 \$0 \$0 n/a Training/Sampling 0.00 \$0 \$0 n/a Remediation/Disposal 0.00 \$0 n/a \$0 Permit Costs 0.00 \$0 n/a \$0 Other (as needed) 0.00 \$0 n/a The delayed costs include the estimated amount to provide facilities for determining the amount of Notes for DELAYED costs disinfectant used daily and remaining for use, calculated from the date of the investigation to the estimated date of compliance. **Avoided Costs** ANNUALIZE avoided costs before entering item (except for one-time avoided costs) Disposal 0.00 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/Equipment 0.00 \$0 \$0 \$0 **Financial Assurance** 0.00 \$0 \$0 \$0 ONE-TIME avoided costs 0.00 \$0 \$0 \$0 0.00 Other (as needed) Notes for AVOIDED costs TOTAL Approx. Cost of Compliance \$500 \$36

	Scre	ening Date	16-Sep-2019		Doc	ket No. 2019-1329-PWS-E		PCW
		_				N POST NO. 231, THE		
				ION, DEPARTME	NT OF TEXAS	S, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
	_	Case ID No.					PCW Re	evision March 26, 2014
Reg.	Ent. Ref		RN110053949					
			Public Water Su					
			Yuliya Dunaway					
	Viola	ation Number						
		Rule Cite(s)	30 Tex. Admin			d TCEQ Agreed Order Docket No. :	2018-	
				0048-PWS-E,	Ordering Pro	ovision Nos. 2.c and 2.e		
			Failed to furnis	sh a copy of the	well complet	ion data for review and approval b	v the	
	Violatio	n Description				acility's public drinking water well i		
		-			servi	ce.		
						Base Po	enalty	\$1,000
								1 / 2 2 2
>> Env	vironme	ntal, Proper	ty and Hum		atrix			
		5 -1	NA - 4 -	Harm	Mina			
OB		Release	Major	Moderate	Minor			
OR		Actual Potential				Percent 0.0%		
		Potential				Percent 0.0%		
>> Dro	aramma	tic Matrix						
//F10	gi allillia	Falsification	Major	Moderate	Minor			
		raisineation	X	rioderate	1111101	Percent 5.0%		
						5.6.70		
	Matrix		100	% of the rule re	quirements	were not met.		
	Notes				,			
						Adjustment	\$950	
							_	+50
								\$50
Violatio	on Event	te						
Violatio	on Even							
		Number of \	/iolation Events	1		426 Number of violation day	S	
			<u></u>		<u></u>			
			daily					
			weekly					
			monthly				_	
			quarterly 			Violation Base Po	enalty	\$50
			semiannual					
			annual					
			single event	X				
				One single eve	ent is recomi	mended.		
				.				
			_					
Good F	aith Effo	orts to Com		0.0%			luction	\$0
				efore NOE/NOV NO	DE/NOV to EDP	RP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	Х				
			_	The Responden	t does not m	neet the good faith criteria for		
			Notes			olation.		
			L					
						Violation Su	htotal	\$50
						violation Su	Julian	φυθ
Econon	nic Bene	efit (EB) for	this violatio	n		Statutory Limit Te	est	
Econor	nic Bene		_	n	4470	Statutory Limit Te	_	150
Econor	nic Bene		this violationed EB Amount	n	\$172		_	\$60
Econor	nic Bene		_			Statutory Limit Te	Total	\$60 \$60

Economic Benefit Worksheet									
THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT O									
Kesponaent	TEXAS, POTTSBORO, TEXAS								
Case ID No.									
Reg. Ent. Reference No.									
	Public Water S						Years of		
Violation No.		- 1- 1- 7				Percent Interest	Depreciation		
						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description	110 0051	Date Required	i iiiai Bate		2.11.01.051.541.04	00010 00100	25 Amount		
Item Description									
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)	\$1,500	17-Jul-2018	1-Nov-2020	2.30	\$172	n/a	\$172		
	The delayed	costs include the	actimated amo	int to f	urnish a conv of th	e well completion d	ata for review		
Notes for DELAYED costs						Docket No. 2018-0			
Notes for DELAYED COSTS	and approva	i, calculated iroili			e of compliance.	DOCKEL NO. 2016-0	J46-PW5-E (0		
			the estima	iteu uai	e or compliance.				
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoide	d 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				0.00	\$0	\$0	\$0		
ONE-TIME avoided costs				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0	\$0	\$0		
Notes for AVOIDED costs									
Notes for AVOIDED costs									
Approx. Cost of Compliance		\$1,500			TOTAL		\$172		
· ·	1	, ,,,,,,							

	Scre	ening Date	16-Sep-2019		Dock	ket No. 2019-1329-PWS-E		PCW
				•		N POST NO. 231, THE		
				ION, DEPARTMENT OF	- TEXAS	S, POTTSBORO, TEXAS	Policy	Revision 4 (April 2014)
		ase ID No.					PCW R	evision March 26, 2014
Reg.	Ent. Ref		RN110053949					
			Public Water Su	11 /				
			Yuliya Dunaway	(
	Viola	ition Number	16					
		Rule Cite(s)		30 Tex. Adı	min. Co	de § 290.46(t)		
						3 ()		
	Violatio	1 Description	facilities that co	ontains the name of the name o	ne Facili ontacte	's production, treatment, and sto ity and an emergency telephone r id. Specifically, a system ownersh ell site and the plant.	number	
						Base P	Penalty	\$1,000
							_	
>> Env	vironme	ntal, Proper	ty and Hum	an Health Matrix	•			
		Release	Major	Harm Moderate Mino	r			
OR		Actual		Moderate Millo	<u> </u>			
0.1		Potential				Percent 0.0%		
		rotential				0.0 70		
>>Pro	gramma	tic Matrix						
	J	Falsification	Major	Moderate Mino	r			
			Х			Percent 5.0%		
	· '			<u> </u>				
	Matrix Notes		100	0% of the rule require	ments v	were not met.		
						Adjustment	\$950	
						-		
							L	\$50
\/:-I-+:	F	_						
violatio	on Event	S						
		Number of \	/iolation Events	2		118 Number of violation day	ve	
		Number of V	Holdtion Events	2		110 Number of Violation day	ys	
			daily weekly monthly					
			quarterly			Violation Base P	Penalty	\$100
			semiannual			violation base i	Cilaity	Ψ100
			annual					
			single event	X				
		'	J					
			Two sing	gle events are recomm	iended	(one per location).		
Good F	aith Effa	rts to Com	nlv	0.0%			duction	\$0
good F	altii EIIC	rts to Com			/ to FDPF	RP/Settlement Offer	duction	\$ U
			Extraordinary	CIOIC NOL/NOV	to EDITI	wysettlement offer		
			Ordinary					
			N/A	X				
			19/74					
			Notes	The Respondent does		eet the good faith criteria for olation.		
						Violation Su	ubtotal	\$100
Econor	nic Bene	fit (EB) for	this violation	on		Statutory Limit T	est	
		Estimat	ed EB Amount		\$16	Violation Final Penalt	v Total	¢120
		Estimate	su ED AMOUNT				-	\$120
				This violation F	inal As	ssessed Penalty (adjusted for	limits)	\$120

	E	conomic	Benefit	Woı	rksheet		
THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF							
·	TEXAS, POTTSBORO, TEXAS						
Case ID No.). 55516						
Reg. Ent. Reference No.	RN110053949						
Media Violation No.	Public Water S 16	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1	•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	21-May-2019	1-Jul-2020	1.12	\$1	\$15	\$16
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	at the plant (\$100 per sign x tv	wo locations), ca dat	alculated te of cor	d from the date of mpliance.	ign at the Facility's the investigation to	the estimated
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoide	
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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed) Notes for AVOIDED costs		<u> </u>		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$200			TOTAL		\$16

	Scre	ening Date				cket No. 2019-1329-PWS-E		PCW
	_		THE AMERICAN	LEGION, MIS	SING IN ACTI	ON POST NO. 231, THE AS, POTTSBORO, TEXAS		
		espondent Case ID No.		ION, DEFARTI	TENT OF TEXA	AS, FOTTSBORO, TEXAS		Revision 4 (April 2014)
Rea		erence No.					PCW R	Revision March 26, 2014
iteg.	Liit. Kei		Public Water Su	vlagu				
	Enf. C		Yuliya Dunawa					
	Viola	ation Number	17					
		Rule Cite(s)	3	0 Tex. Admin.	Code § 290.4	6(f)(2) and (f)(3)(A)(ii)(III)		
	Violatio	n Description	available for re	eview to the Ex	kecutive Direc	and maintenance records and m tor during the investigation. S _l each week were not available f	pecifically,	
	_					Bas	e Penalty	\$1,000
>> Env	ironme	ntal, Proper	ty and Hum	an Health Harm	Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual					_	
		Potential				Percent 0.0%		
> > D#00		tic Matrix						
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor			
					X	Percent 1.0%		
	Matrix Notes		Less tha	an 30% of the	rule requirem	nents were not met.		
						Adjustment	\$990	
							Ī	\$10
								\$10
Violatio	on Event	ts						
		Number of \	/iolation Events	1		118 Number of violation	davs	
		Walliber of V	riolation Events		L	110 Ivaniber of violation	days	
			daily weekly monthly					
			quarterly			Violation Bas	e Penalty	\$10
			semiannual				- 1	
			annual					
			single event	Х				
				One single e	event is recom	nmended.		
Good F	aith Effo	orts to Com		0.0% Before NOE/NOV	NOE/NOV += FD	PRP/Settlement Offer	Reduction	\$0
			Extraordinary	Before NOE/NOV	NOE/NOV to EDI	PRP/Settlement Offer		
			, Ordinary					
			N/A	х				
			Notes	The Responde		meet the good faith criteria for violation.		
						Violation	Subtotal	\$10
Econon	nic Bene	efit (EB) for	this violation	on		Statutory Limit	t Test	
		Estimate	ed EB Amount		\$2	Violation Final Pen	alty Total	\$12
							-	·
				This viol	ation Final A	Assessed Penalty (adjusted f	or limits)	\$50

Economic Benefit Worksheet							
Respondent	THE AMERICAL TEXAS, POTTS		NG IN ACTION F	POST N	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No. Reg. Ent. Reference No.							
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
•							
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	\$45	21-May-2019	1-Jun-2020	1.03	\$2	n/a	\$2
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 maintain water system operation and maintenance records and make them immediately available for inspection upon request by Agency personnel, calculated from the date of the investigation to the estimated date of compliance.						
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering	item (except for	one-time avoided	d 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$45			TOTAL		\$2

	Scre	ening Date	L6-Sep-2019 Docket No. 2019-1329-PWS-E	PCW
	R	espondent	THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE	Policy Revision 4 (April 2014)
	C	ase ID No.	55516	PCW Revision March 26, 2014
Reg. E	Ent. Ref	erence No.	RN110053949	
_			Public Water Supply	
	Enf. C	oordinator	/uliya Dunaway	
	Viola	ition Number	18	
		Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)	
			30 Text Harrish code 3 250 To(III)	
			Failed to initiate maintenance and housekeeping practices to ensure the	good
	Violatio	n Description	working condition and general appearance of the system's facilities and eq	
			Specifically, the annular space around the well head was deteriorate	≱d.
			Base	Penalty \$1,000
>> Envi	ironmar	ntal Proper	y and Human Health Matrix	
// LIIV	ii Oillilei	itai, Propei	Harm	
		Release	Major Moderate Minor	
OR		Actual		
		Potential	x Percent 3.0%	
>>Prog	ramma	tic Matrix		
	1	Falsification	Major Moderate Minor	
	l		Percent 0.0%	
	Ī	F 11 .	the state of the s	1
	Matrix		aintain the good working condition and general appearance of the Facility a	
	Notes		lld result in persons served by the Facility being exposed to an insignificant contaminants which would not exceed levels protective of human health.	. amount
	l	01	ontaminants which would not exceed levels protective of number health.	
			Adjustment	\$970
			, and the same and	Ψ3.0
				\$30
	_			
Violatio	n Event	:S		
		Number of \	olation Events 1 118 Number of violation of	daye
		Number of V	olation Events 1 110 Number of violation (lays
			daily	
			weekly	
			monthly	
			quarterly Violation Base	Penalty \$30
			semiannual	
			annual	
			single event x	
	ī			
			One of the land of the second of	
			One single event is recommended.	
	Į			
Good Fa	aith Effo	orts to Com	ly 0.0%	Reduction \$0
			Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
			Extraordinary	
			Ordinary	
			N/A x	
			The Decree death does not recent the good feith suiterie for	
			Notes The Respondent does not meet the good faith criteria for this violation.	
			this violation.	
			Malada.	Cubicial +30
			Violation	Subtotal \$30
Econom	ic Bene	fit (EB) for	this violation Statutory Limit	Test
		Estimate	d EB Amount \$22 Violation Final Pena	alty Total \$36
			This violation Final Assessed Penalty (adjusted fo	or limits) \$50

	E	conomic	Benefit	Wo	rksheet		
		N LEGION, MISSI	NG IN ACTION I	POST N	O. 231, THE AMER	ICAN LEGION, DEPA	RTMENT OF
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	18						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$300	21-May-2019	1-Jun-2020	1.03	\$1	\$21	\$22
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 repair the annular space around the well head, calculated from the date of the investigation to the estimated date of compliance. Avoided Costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Avoided Costs Disposal	ANNO	ALIZE avoided C	osts before er	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							7-2
Approx. Cost of Compliance		\$300			TOTAL		\$22

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



Compliance History Report

Compliance History Report for CN605444256, RN110053949, Rating Year 2019 which includes Compliance History (CH) components from September 1, 2014, through August 31, 2019.

Customer, Respondent, or CN605444256, THE AMERICAN LEGION,

Owner/Operator:

MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS,

POTTSBORO, TEXAS

Regulated Entity:

RN110053949, AMERICAN LEGION MIA

POST 231

Complexity Points: N/A

7 14 - Other

CH Group: Location:

133 ARMY AVENUE NEAR POTTSBORO, GRAYSON COUNTY, TEXAS

TCEQ Region:

REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0910153

Compliance History Period: Sep

September 01, 2014 to August 31, 2019

Rating Year: 2019

Classification: NOT APPLICABLE

Classification: NOT APPLICABLE

N/A

Repeat Violator:

Rating Date: 09

Rating: N/A

Rating: N/A

09/01/2019

Date Compliance History Report Prepared:

November 19, 2019

Agency Decision Requiring Compliance History:

Enforcement

Component Period Selected:

November 19, 2014 to November 19, 2019

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Yuliya Dunaway

Phone: (210) 403-4077

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five-year compliance period?

NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

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

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 07/17/2018 ADMINORDER 2018-0048-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Major

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

Description: Failed to use an operator with a Class "D" or higher license.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(1)

Description: Failed to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each

treatment plant, pump station, and storage tank at the public water system until the facility is decommissioned.

Classification: Moderate

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

Description: Failed to furnish a copy of well completion data for review and approval by the Executive Director prior to placing the

Facility's public drinking water well into service.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to operate the disinfection equipment to maintain a minimum chlorine residual of 0.2 milligrams per liter ("mg/L"). Specifically, a disinfectant residual of 0.0 mg/L free chlorine was documented at 52 Air Force and 5 Veterans Way.

B. Criminal convictions:

N/A

_				-
	Chronic	AVCACCIVA	emissions	AVANTCI

N/A

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

NI/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.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
THE AMERICAN LEGION,	§	TEXAS COMMISSION ON
MISSING IN ACTION POST NO. 231,	§	TEAAS COMMISSION ON
THE AMERICAN LEGION, DEPARTMENT	§	
OF TEXAS, POTTSBORO, TEXAS;	§	
RN110053949	§	ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2019-1329-PWS-E

On _________, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding THE AMERICAN LEGION, MISSING IN ACTION POST NO. 231, THE AMERICAN LEGION, DEPARTMENT OF TEXAS, POTTSBORO, TEXAS ("Respondent") under the authority of Tex. Health & Safety Code ch. 341. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondent presented this Order to the Commission.

Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, to request an evidentiary hearing, receive notice of an evidentiary hearing, and a right to appeal. By entering into this Order, Respondent agrees to waive all notice and procedural rights which might otherwise be authorized or required in this action.

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

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

FINDINGS OF FACT

- 1. Respondent owns and operates a public water system ("PWS") located at 133 Army Avenue near Pottsboro, Grayson, County, Texas (the "Facility"). The Facility provides water for human consumption, had approximately 47 service connections, and serves at least 25 people per day for at least 60 days a year. As such, the Facility is a PWS as defined in 30 Tex. Admin. Code § 290.38(71).
- 2. During an investigation conducted May 21, 2019, an investigator documented that Respondent:
 - a. Failed to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the PWS until the Facility is decommissioned;
 - b. Failed to provide a well capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, the Facility has 47 connections requiring a well capacity of 28.2 gpm. However, the Facility only provided 8 gpm, indicating a 72% deficiency;
 - c. Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 47 connections requiring a pressure tank capacity of 940 gallons. However, the Facility only provided 225 gallons of pressure tank capacity, indicating a 73% deficiency;

- d. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days. Specifically, disinfectant residual measurements were only taken once per month;
- e. Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations;
- f. Failed to adopt an accurate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted. Specifically, the service agreement maintained by the Facility did not contain provisions for proper enforcement;
- g. Failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring for the well was loose and not in conduit;
- h. Failed to provide a concrete sealing block that extends a minimum of three feet from the well casing in all directions with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inch per foot;
- i. Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. Specifically, the Facility's well did not have a well casing vent;
- j. Failed to ensure that the Facility's potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder resistant fence with lockable gates. Specifically, the Facility's potable water storage tank was not enclosed by an intruder-resistant fence;
- k. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements;
- l. Failed to provide an accurate and up-to-date map of the distribution system so that the valves and mains can be easily located during emergencies. Specifically, the distribution system map has not been updated since changes were made to the distribution system;
- m. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference;
- n. Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use;
- o. Failed to furnish a copy of the well completion data for review and approval by the Executive Director prior to placing the Facility's public drinking water well into service;
- p. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted. Specifically, a system ownership sign was not posted at the well site and the treatment plant;
- q. Failed to maintain water works operation and maintenance records and make them available for review to the Executive Director during the investigation. Specifically, records of the amount of water distributed each week were not available for review; and
- r. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the annular space around the well head was deteriorated.

- 3. The Executive Director recognizes that Respondent implemented the following corrective measures at the Facility, as of December 1, 2020:
 - a. Incorporated provisions for proper enforcement into the service agreement maintained by the Facility (Conclusion of Law No. 7);
 - b. Updated its chemical and microbiological monitoring plan to identify all sampling locations, describe the sampling frequency, and specify the procedures and laboratories that the Facility uses (Conclusion of Law No. 12);
 - c. Updated the Facility's distribution system map so that it accurately reflects the Facility's distribution system (Conclusion of Law No. 13);
 - d. Compiled and provided a plant operations manual (Conclusion of Law No. 14); and
 - e. Began recording the amount of water distributed each week by the Facility (Conclusion of Law No. 18).
- 4. The Executive Director further recognizes that as of November 1, 2022, Respondent's public water system interconnected with a regional water provider to supply treated drinking water to its customers, and that on August 16, 2023, it capped the groundwater well it previously used to provide water at the Facility (Conclusion of Law Nos. 2, 3, 4, 8, 9, 10, 11, 12, and 16).

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a., Respondent failed to maintain accurate and upto-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the PWS until the Facility is decommissioned, in violation of 30 Tex. ADMIN. CODE § 290.46(n)(1) and TCEQ Agreed Order Docket No. 2018-0048-PWS-E, Ordering Provision No. 2.a.
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to provide a well capacity of 0.6 gpm per connection, in violation of Tex. Health & Safety Code § 341.0315(c) and 30 Tex. Admin. Code § 290.45(b)(1)(B)(i).
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to provide a pressure tank capacity of 20 gallons per connection, in violation of Tex. Health & Safety Code § 341.0315(c) and 30 Tex. Admin. Code § 290.45(b)(1)(B)(iv).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(4)(A).
- 6. As evidenced by Finding of Fact No. 2.e., Respondent failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations, in violation of 30 Tex. Admin. Code § 290.46(s)(2)(C)(i).
- 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to adopt an accurate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 Tex. Admin. Code § 290.46(i).
- 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 Tex. ADMIN. CODE § 290.46(v).

- 9. As evidenced by Finding of Fact No. 2.h., Respondent failed to provide a concrete sealing block that extends a minimum of three feet from the well casing in all directions with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inch per foot, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(J).
- 10. As evidenced by Finding of Fact No. 2.i., Respondent failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(K).
- 11. As evidenced by Finding of Fact No. 2.j., Respondent failed to ensure that the Facility's potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates, in violation of 30 Tex. ADMIN. CODE § 290.43(e).
- 12. As evidenced by Finding of Fact No. 2.k., Respondent failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements, in violation of 30 Tex. Admin. Code § 290.121(a) and (b).
- 13. As evidenced by Finding of Fact No. 2.l., Respondent failed to provide an accurate and upto-date map of the distribution system so that the valves and mains can be easily located during emergencies, in violation of 30 Tex. ADMIN. CODE § 290.46(n)(2).
- 14. As evidenced by Finding of Fact No. 2.m., Respondent failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 Tex. ADMIN. CODE § 290.42(l).
- 15. As evidenced by Finding of Fact No. 2.n., Respondent failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use, in violation of 30 Tex. Admin. Code § 290.42(e)(3)(D).
- 16. As evidenced by Finding of Fact No. 2.o., Respondent failed to furnish a copy of the well completion data for review and approval by the Executive Director prior to placing the Facility's public drinking water well into service, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(A) and TCEQ Agreed Order Docket No. 2018-0048-PWS-E, Ordering Provision Nos. 2.c. and 2.e.
- 17. As evidenced by Finding of Fact No. 2.p., Respondent failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted, in violation of 30 Tex. ADMIN. CODE § 290.46(t).
- 18. As evidenced by Finding of Fact No. 2.q., Respondent failed to maintain water works operation and maintenance records and make them available for review to the Executive Director during the investigation, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(ii)(III).
- 19. As evidenced by Finding of Fact No. 2.r., Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 Tex. ADMIN. CODE § 290.46(m).
- 20. Pursuant to Tex. Health & Safety Code § 341.049(a), TCEQ has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

21. An administrative penalty in the amount of \$2,600 is justified by the facts recited in this Order and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(a). Respondent paid \$2,600 of the penalty.

ORDERING PROVISIONS

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

- 1. Respondent is assessed an administrative penalty as set forth in Conclusion of Law No. 21 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
- 2. Respondent shall undertake the following technical requirements:
 - a. Within 90 days of the effective date of this Order, Respondent shall:
 - i. Provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use in accordance with 30 Tex. Admin. Code § 290.42 (Conclusion of Law No. 15);
 - ii. Begin monitoring the disinfectant residual at representative locations in the distribution system at least once every seven days, in accordance with 30 Tex. Admin. Code § 290.110 (Conclusion of Law No. 5);
 - iii. Verify the accuracy of the manual disinfectant residual analyzer using chlorine solutions of known concentrations, in accordance with 30 Tex. Admin. Code § 290.46 (Conclusion of Law No. 6); and
 - iv. Post a legible sign at the Facility's treatment and storage facilities that contain the name of the Facility and an emergency telephone number where a responsible official can be contacted, in accordance with 30 Tex. Admin. Code § 290.46 (Conclusion of Law No. 17).
 - b. Within 105 days after the effective date of this Order, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.iv. The certification shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

Respondent shall submit the written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions to:

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

and:

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

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address stated above.
- 6. This Order, issued by the Commission, shall not be admissible against Respondent in a civil proceeding, unless the proceeding is brought by the Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order, or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- This Order may be executed in separate and multiple counterparts, which together shall 9. constitute a single instrument. Any page of this 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 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.
- 10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Frent Chanallox	7/1/24
For the Executive Director	Date
attached Order, and I do agree to the terms an	the attached Order. I am authorized to agree to the id conditions specified therein. I further nent for the penalty amount, is materially relying
I also understand that failure to comply with t to timely pay the penalty amount may result in	the Ordering Provisions in this Order and/or failuren:
• A negative impact on compliance history;	
• Greater scrutiny of any permit applications	s;
 Referral of this case to the Attorney Gener additional penalties, and/or attorney fees, 	
 Increased penalties in any future enforcem 	ent actions;
 Automatic referral to the Attorney General 	l's office of any future enforcement actions; and
 TCEQ seeking other relief as authorized by 	law.
In addition, I understand that any falsification criminal prosecution.	of any compliance documents may result in
Dan Kovach, Commander	29 March 2024 Date
THE AMERICAN LEGION, MISSING IN ACTION I THE AMERICAN LEGION, DEPARTMENT OF TEX 133 Army Avenue	
Pottsboro, Texas 75076-3815	
☐ If mailing address has changed, please che	ck this box and provide the new address below: