Order Type: Findings Agreed Order

Findings Order Justification:

Indifference to legal duty based on violation of a previous order

Media: PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

115 East Cypress Street, Roscoe, Nolan County

Type of Operation: public water system

Other Significant Matters: Additional Pending Enforcement Actions: Past-Due Penalties:	2019-1683-MSW-E, Proposed Order TBD 2021-1615-PWS-E, Proposed Order 2/24/2022 None
Past-Due Fees: Other:	None
Interested Third Parties:	None
Texas Register Publication Date:	March 18, 2022
Comments Received:	None
Penal	ty Information
Total Penalty Assessed:	\$2,285
Total Paid to General Revenue:	\$0
Total Due to General Revenue:	\$0
Supplemental Environmental Project ("SEP") Conditional Offset: Name of SEP:	\$2,285 Water Treatment Plant Improvements
Compliance History Classifications: Person/CN – Satisfactory Site/RN – Not Applicable	
Major Source:	No
Statutory Limit Adjustment:	\$32 (PCW 1; Enhancement)
Applicable Penalty Policy:	April 2014

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 48818 City of Roscoe RN101430924 Docket No. 2019-1550-PWS-E

Investigation Information

Complaint Date(s):	N/A
Date(s) of Investigation:	August 23, 2019
Date(s) of NOV(s):	February 12, 2019; August 1, 2019; November 13, 2019
Date(s) of NOE(s):	October 21, 2019

Violation Information

- 1. Failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director upon request [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), (f)(3)(A)(iv), and (f)(3)(B)(iv)].
- 2. Failed to obtain a sanitary control easement covering land within 150 feet of the Facility's Wells Nos. 2, 3, 4, 5, and 6 [30 Tex. ADMIN. CODE § 290.41(c)(1)(F)].
- 3. Failed to complete a Customer Service Inspection ("CSI") certificate prior to providing continuous water service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist [30 Tex. ADMIN. CODE § 290.46(j)].
- 4. Failed to calibrate flow measuring devices at least once every 12 months [30 TEX. ADMIN. CODE § 290.46(s)(1)].
- 5. Failed to provide all water storage tanks with a liquid level indicator located at the tank site [30 TEX. ADMIN. CODE § 290.43(c)(4)].
- 6. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day [30 TEX. ADMIN. CODE § 290.110(c)(4)(B)].
- Failed to inspect the Facility's ground storage tank ("GST") annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(A) and TCEQ Agreed Order Docket No. 2016-0374-PWS-E, Ordering Provision No. 2.a.iii].
- 8. Failed to operate the Facility under the direct supervision of a water works operator who holds a minimum of a Class "C" or higher groundwater license [Tex. HEALTH & SAFETY CODE § 341.033(a) and 30 Tex. ADMIN. CODE § 290.46(e)(4)(B)].
- 9. Failed to have an operator that has successfully completed at least one Executive Directorapproved training course or event specific to the operations and maintenance of reverse osmosis [30 Tex. ADMIN. CODE § 290.46(e)(2)(D)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

- 1. The water works operator who holds a minimum of a Class "C" or higher license had their license renewed on September 24, 2019 (Violation No. 8);
- 2. Provided a working pressure gauge on the standpipe, calibrated in feet of water, by March 16, 2020 (Violation No. 5); and
- 3. Conducted an annual inspection of the Facility's GST and submitted an annual GST inspection report, as of June 16, 2021 (Violation No. 7).

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 48818 City of Roscoe RN101430924 Docket No. 2019-1550-PWS-E

Technical Requirements:

- 1. Within 30 days:
 - a. Compile and maintain properly completed water works operation and maintenance records, including records of the amount of each chemical used each day, the dates dead-end mains were flushed, and the calibration records for laboratory equipment (Violation No. 1);
 - b. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure CSI certificates are completed prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe cross-connections or other potential hazards exist, or after any material improvements, corrections, or additions to the private water distribution facilities (Violation No. 3); and
 - c. Begin monitoring the disinfectant residual at representative locations throughout the distribution system at least once per day (Violation No. 6). This provision will be satisfied upon three months of compliant monitoring.
- 2. Within 45 days, submit written certification to demonstrate compliance with Technical Requirements Nos. 1.a. through 1.b.
- 3. Within 60 days, have an operator who has successfully completed at least one Executive Directorapproved training course or event specific to the operations and maintenance of reverse osmosis (Violation No. 9).
- 4. Within 75 days, submit written certification to demonstrate compliance with Technical Requirement No. 2.
- 5. Within 90 days, complete CSI certificates for all existing and new locations at which the water purveyor has reason to believe cross-connections or other potential contamination hazards exist (Violation No. 3).
- 6. Within 105 days, submit written certification to demonstrate compliance with Technical Requirement No. 5.
- 7. Within 135 days, submit written certification to demonstrate compliance with Technical Requirement No. 1.c.
- 8. Within 180 days:
 - a. Conduct an annual calibration of the Facility's flow meter for concentrate water at the reverse osmosis plant (Violation No. 4); and
 - b. Obtain a sanitary control easement that covers the land within 150 feet of the Facility's Wells Nos. 2, 3, 4, 5, and 6, or obtain Commission approval of an exception to the easement requirement (Violation No. 2).
- 9. Within 195 days, submit written certification to demonstrate compliance with Technical Requirements Nos. 8.a. and 8.b.

Litigation Information

Date Petition(s) Filed:	November 4, 2021
Date Green Card(s) Signed:	November 8, 2021
Settlement Date:	February 15, 2022

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 48818 City of Roscoe RN101430924 Docket No. 2019-1550-PWS-E

Contact Information

TCEQ Attorneys: Jess Robinson, Litigation Division, (512) 239-3400 Garrett Arthur, Public Interest Counsel, (512) 239-6363

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

TCEQ SEP Coordinator: Betty Sanders, Litigation Division, (512) 239-3992

TCEQ Enforcement Coordinator: Ryan Byer, Enforcement Division, (512) 239-2571

TCEQ Regional Contact: Michael Taylor, P.G., Abilene Regional Office, (325) 698-9674

Respondent Contact: Frank Porter, Mayor, City of Roscoe, P.O. Box 340, Roscoe, Texas 79545-0340 **Respondent's Attorney:** N/A

	Policy Revision 4 (Ap		nalty Calo	culatio	n Worksh	eet (PC		Revision March 26, 2014
TCEQ DATES	Assigned	28-Oct-2019						
	PCW		Screening 28-	-Oct-2019	EPA Due			
RESPO		TY INFORMATI	ON					
Bor	Respondent g. Ent. Ref. No.	City of Roscoe						
	ty/Site Region				Major/M	inor Source	Minor	
CACET	NFORMATION						•	
	f./Case ID No.	48818			No. o	f Violations	9	
	•	2019-1550-PWS	-E			Order Type	-	
Med		Public Water Su	oply		Government			
	Multi-Media				Enf. (Coordinator	Ryan Byer Enforcement T	Coam 8
Adr	nin. Penalty \$ I	imit Minimum	\$50 Ma x	ximum	\$1,000	EC S Tealli		eanto
				<u> </u>				
			,		tion Section	n		
ΤΟΤΑΙ	L BASE PENA	LTY (Sum of	violation bas	se penal	ties)		Subtotal 1	\$800
ADJU	STMENTS (+	/-) TO SUBT	OTAL 1					
	Subtotals 2-7 are of	tained by multiplying	the Total Base Penalt					+(22)
	Compliance Hi	•		79.0%	Adjustment		tals 2, 3, & 7	\$632
	Nistas		or one NOV with					
	Notes		ar violations, one and two agreed or					
		ildbilley, e	and two agreed of	ders witho		binty.		
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does no	ot meet the	culpability crite	ria.		
	10000							
	Good Faith Eff	ort to Comply T	otal Adjustment	te			Subtotal 5	-\$12
							Subtotul D	¥
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts	\$486		d at the Total EB \$ A	mount		
	Estimated	Cost of Compliance	\$1,570					
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	\$1,420
OTHE					0.00/			¢O
Reduces of	or enhances the Final	Subtotal by the indi	IAY REQUIRE cated percentage.		0.0%		Adjustment	\$0
	Notes							
						Final Pen	alty Amount	\$1,420
STAT	JTORY LIMI		NT			Final Asse	ssed Penalty	\$1,452
DEFE	RRAL				0.0%	Reduction	Adjustment	\$0
		nalty by the indicate	l percentage.		0.0 /3			֥
		NI	leferral is recomm	and ad far	Findings Order			
	Notes			lenueu Ior	mungs orders.			
							1	
PAYA	BLE PENALT	ſ						\$1,452

PCW

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

Screening Date 28-Oct-2019 Respondent City of Roscoe Case ID No. 48818 Reg. Ent. Reference No. RN101430924 Media Public Water Supply

Enf. Coordinator Ryan Byer

Compliance History Worksheet

Docket No. 2019-1550-PWS-E

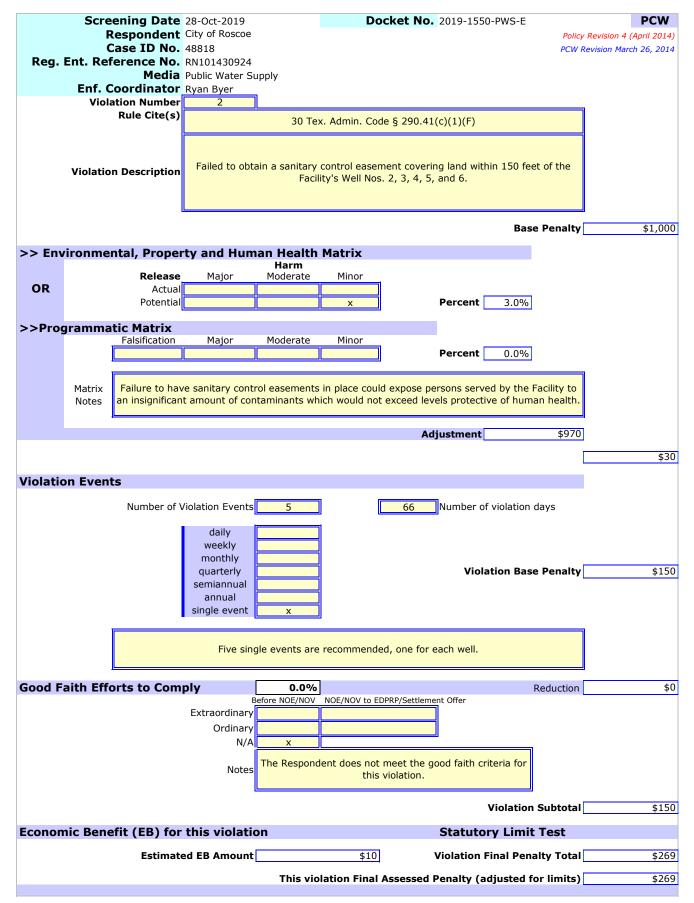
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
			570
	Other written NOVs	2	4%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

	N/A	Adjustment Percentage (Subtotal 3) 0%	_
>>	Compliance Histo	Person Classification (Subtotal 7)	
	Satisfactory P	ormer Adjustment Percentage (Subtotal 7) 0%	
>>	Compliance Histo	Summary	
	Compliance History Notes	nhancement for one NOV with the same/similar violations, two NOVs with dissimilar violations, one agreed order containing a denial of liability, and two agreed orders without a denial of liability.	
		Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 79%	,
>> I	Final Compliance I	tory Adjustment	
		Final Adjustment Percentage *capped at 100% 79%	

PCW 1 of 2

	Screening Date		Docket No	2019-1550-PWS-E	PCW
	Respondent Case ID No.				Revision 4 (April 2014) Revision March 26, 2014
Reg. E	nt. Reference No.			1011	(cvision narch 20, 201 r
		Public Water Supply			
	Enf. Coordinator Violation Number				
	Rule Cite(s)				
	Rule Cite(s)	30 Tex. Admin. Code § 290.	46(f)(2), (f)(3)(A)(i)(II)), (f)(3)(A)(iv), and (f)(3)(B)(iv)	
	Violation Description	them readily available Specifically, records of the a	for review by the Execu mount of each chemica	aintenance records and make tive Director upon request. I used each day, the dates dead- s for laboratory equipment were	
				Base Penalty	\$1,000
>> Envi	ronmental, Prope	rty and Human Health	Matrix		
	Release	Harm Major Moderate	Minor		
OR	Actual				
	Potential			Percent 0.0%	
>>Prog	rammatic Matrix				
~~riogi	Falsification	Major Moderate	Minor		
			X	Percent 1.0%	
	Matrix Notes	Less than 30% of the	e rule requirements wer	e not met.	
			Ad	djustment \$990	-
					\$10
Violatio	n Events				
Violation		Violation Events 1	66	Number of violation days	
		daily weekly monthly quarterly semiannual annual single event x		Violation Base Penalty	\$10
		One single	event is recommended.		
Good Fa	ith Efforts to Com	ply 0.0%		Reduction	\$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settler		
		Extraordinary			
		Ordinary N/A x			
			lent does not meet the this violation.	good faith criteria for	
		<u>l</u>		Violation Subtotal	\$10
Economi	ic Benefit (EB) for	this violation		Statutory Limit Test	
			4.2		
	Estimat	ed EB Amount	\$3	Violation Final Penalty Total	\$18
		This vio	lation Final Assessed	Penalty (adjusted for limits)	\$50

	E	conomic	Benefit	WO	rksheet		
Respondent	City of Roscoe	1					
Case ID No.	48818						
leg. Ent. Reference No.		L					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Item Description							
Delayed Costs							
Delayed Costs Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	<u>\$0</u> \$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	18-Dec-2018	9-Jun-2020	1.48	\$3	n/a	\$3
Training/Sampling	¥5	10 Dec 2010	<u>) Jun 2020</u>	0.00	\$0	n/a	\$0
				0.00	\$0		
Remediation/Disposal						n/a	\$0
Remediation/Disposal Permit Costs						n/a n/a	\$0 \$0
Permit Costs Other (as needed)				0.00 0.00 ount to	\$0 \$0 maintain water sys	n/a n/a n/a stem operation and quest by the Execut	\$0 \$0 maintenance
Permit Costs Other (as needed) Notes for DELAYED costs	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 ount to ble for i initially compli	\$0 \$0 maintain water sys nspection upon rec documenting the ance.	n/a n/a stem operation and quest by the Execut violation to the estir	\$0 \$0 maintenance ive Director, nated date of
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 ount to ble for i initially compli	\$0 \$0 maintain water sys nspection upon red documenting the ance. item (except for	n/a n/a stem operation and quest by the Execut violation to the estir	\$0 \$0 maintenance ive Director, nated date of d costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 ount to ble for i initially compli	\$0 \$0 maintain water sys nspection upon red documenting the ance. item (except for \$0	n/a n/a stem operation and quest by the Execut violation to the estir one-time avoide \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0unt to ble for i initially compli tering 0.00	\$0 \$0 maintain water sys nspection upon rec documenting the ance. item (except for \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0 0.00 0 0.00 0 0.00 0.00 0.0	\$0 \$0 maintain water sys nspection upon rec documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0.00 0.00 0.01 0.00 0.00 0.00	\$0 \$0 maintain water sys nspection upon rec documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoider \$0 \$0 \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 maintain water sys nspection upon rec documenting the y ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 maintain water sys nspection upon rec documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 maintain water sys nspection upon rec documenting the y ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records an calculated fi	d make them imn rom the date of th	nediately availa le investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 maintain water sys nspection upon rec documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 maintenance ive Director, nated date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

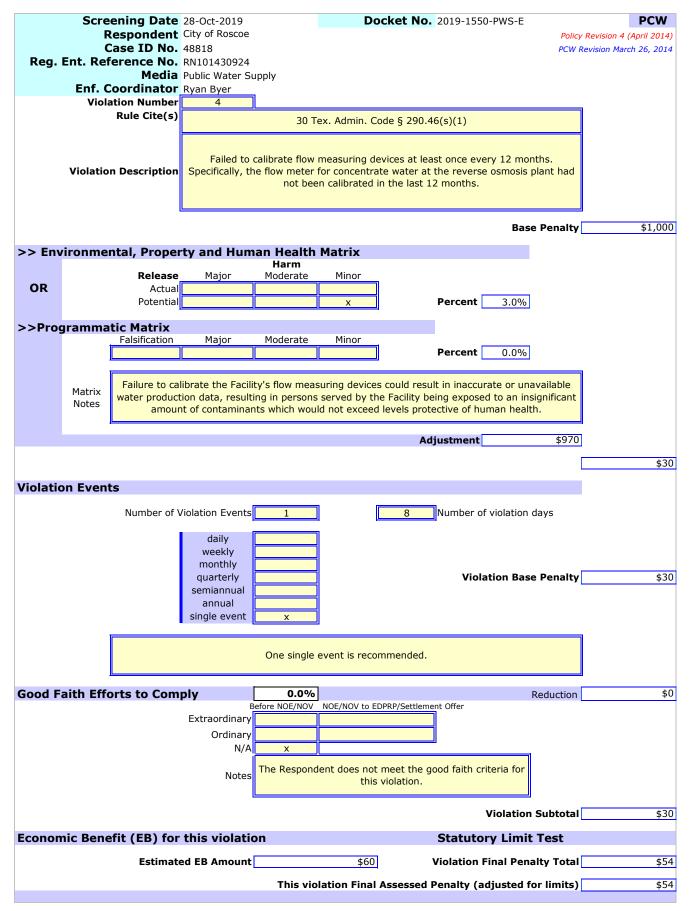


	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.							
leg. Ent. Reference No.	RN101430924						
Media	Public Water S					Percent Interest	Years of Depreciation
Violation No.	2					= -	
						5.0	1
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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				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)	\$125	18-Dec-2018	8-Aug-2020	0.00	\$0 \$10	n/a n/a	\$0 \$10
	The delayed Facility's wel	cost includes the Is (\$25 per well x	estimated amo five wells), or o	1.64 unt to o obtain a	\$10 btain and record s n exception to the		\$10 ments for the ated from the
Other (as needed)	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o obtain a nting the	\$10 btain and record s n exception to the e violation to the e	n/a anitary control ease requirement, calcul	\$10 ments for the ated from the mpliance.
Other (as needed) Notes for DELAYED costs	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o obtain a nting the tering 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0	n/a anitary control ease requirement, calcul estimated date of co one-time avoide \$0	\$10 ments for the ated from the mpliance. d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o obtain a nting the tering 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0	n/a anitary control ease requirement, calcul estimated date of co one-time avoider \$0 \$0	\$10 ments for the ated from the mpliance. d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o btain a nting the tering 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul stimated date of co one-time avoide \$0 \$0 \$0	\$10 ments for the ated from the mpliance. \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o btain a nting the tering 0.00 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul stimated date of co one-time avoided \$0 \$0 \$0 \$0 \$0	\$10 ments for the ated from the mpliance. \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o btain a nting the 10.00 0.00 0.00 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul stimated date of co one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 ments for the ated from the mpliance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o obtain a nting the 0.00 0.00 0.00 0.00 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul estimated date of co one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 ments for the ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o btain a nting the 10.00 0.00 0.00 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul stimated date of co one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 ments for the ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed Facility's wel date of t	cost includes the lls (\$25 per well x the investigation i	estimated amo five wells), or o nitially docume	1.64 unt to o obtain a nting the 0.00 0.00 0.00 0.00 0.00 0.00	\$10 btain and record s n exception to the e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a anitary control ease requirement, calcul estimated date of co one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 ments for the ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

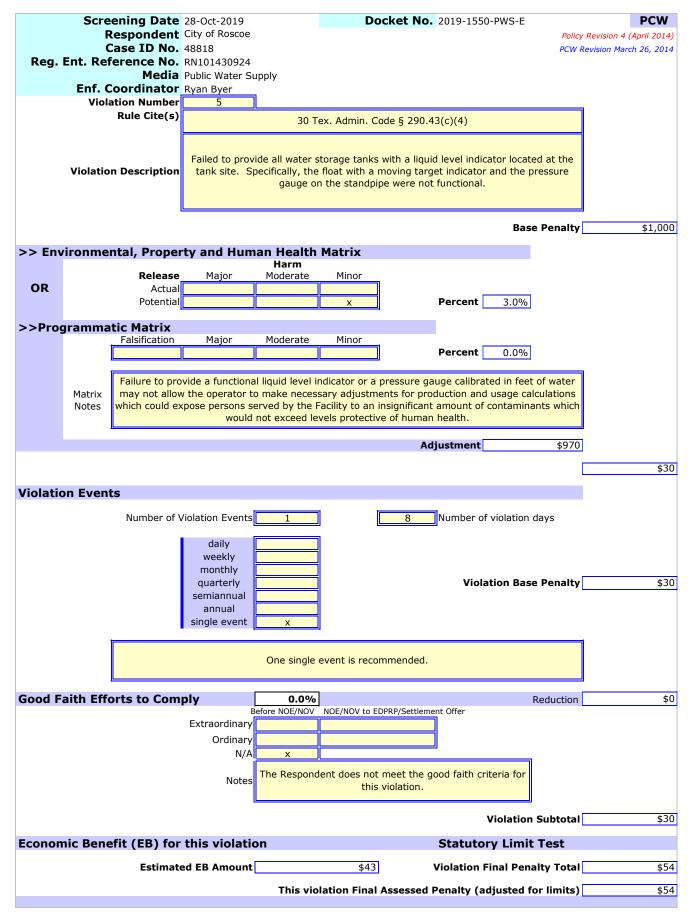
PCW 1 of 2

		ening Date		Doc	ket No. 2019-1550-PWS-E	PCW
		Respondent Case ID No.				cy Revision 4 (April 2014)
Rea.			48818 RN101430924		PCW	Revision March 26, 2014
			Public Water Supply			
		Coordinator				
	Viola	ation Number Rule Cite(s)				
				30 Tex. Admin. Co	ode § 290.46(j)	
			Failed to complete a	Customer Service I	Inspection ("CSI") certificate prior to	
					construction or any existing service when e cross-connections or other potential	1
	Violatio	n Description			CSI certificates had not been completed	
					development, Roscoe Collegiate High enience store, Chillerz convenience store	
			School, Nuchent Ag Solut	and Eagle Railc		,
					Base Penalty	\$1,000
>> Env	vironme	ntal, Prope	rty and Human Heal	th Matrix		
		Release	Harm Major Moderat	e Minor		
OR		Actual				
		Potential			Percent 0.0%	
>>Pro	gramma	tic Matrix				
		Falsification	Major Moderat	e Minor	Percent 5.0%	
		<u> </u>	x		Percent 5.0%	
	Matrix					
	Notes		100% of the	rule requirements v	were not met.	
					Adjustment \$950	
						\$50
Violatio	on Even	te				
Toraci						
		Number of \	/iolation Events 6		66 Number of violation days	
			daily			
			weekly			
			monthly quarterly	_	Violation Base Penalty	\$300
			semiannual			
			annual			
			single event x			_
			Six cingle events an	a recommended of	ne for each location.	
			Six single events an	e recommended, of	ne for each location.	
Good E	aith Eff	orts to Com	ply 0.0	96	Reduction	\$0
Good I			Before NOE/N		RP/Settlement Offer	ΨŪ
			Extraordinary			
			Ordinary N/A			
					and the sead faith with via far	
			Notes		eet the good faith criteria for olation.	
					Violation Subtota	\$300
Econor	nic Bene	efit (EB) for	this violation		Statutory Limit Test	
		Estimate	ed EB Amount	\$34	Violation Final Penalty Tota	\$537
			Thie	violation Final Ad	ssessed Penalty (adjusted for limits)	
			1115	A Station Final As	sessed renarcy (aujusted for lilling)	، درد ب

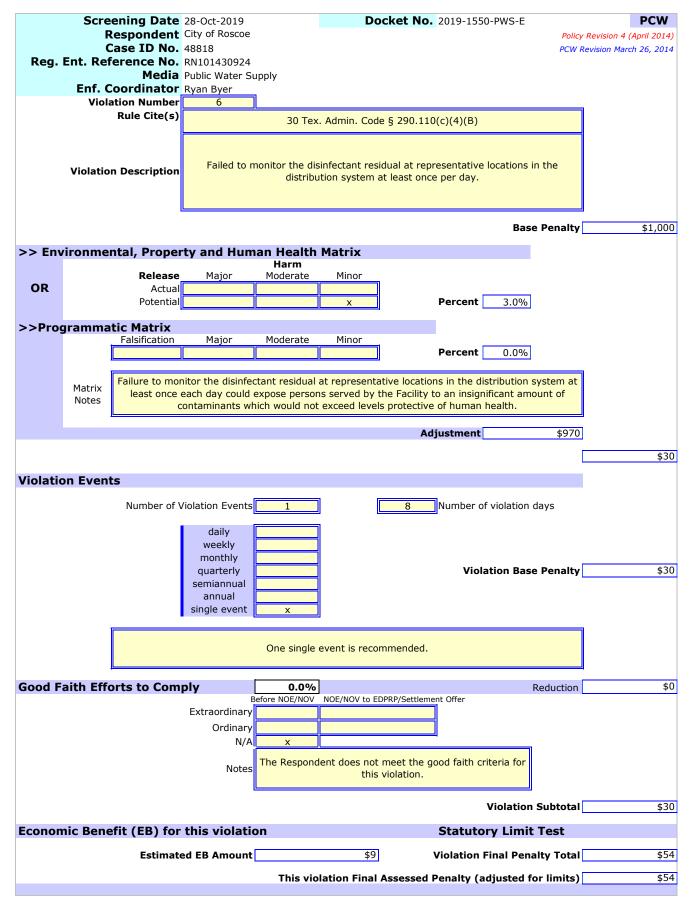
	E	conomic	Benefit	WO	rksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	3						Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed 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	\$250	18-Dec-2018	8-Aug-2020	1.64	\$21	n/a	\$21
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)		oss-connection or	elayed cost inclu potential hazar	d may e		n/a nt to conduct CSIs a om the date of the i te of compliance.	
	The record I where a cro The other dela are complet either when exist, or a	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material	elayed cost inclu- potential hazar menting the viol to the estimated ling continuous for has reason t improvements, late of the invest	ation to ation to amount water s o believ correcti stigatior	e estimated amour exist, calculated for o the estimated dat to implement a C ervice to new cons re that cross-conne ions, or additions t	nt to conduct CSIs a om the date of the i	t all locations nvestigation CSI certificate isting service ential hazards distribution
Other (as needed)	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	ades the d may e ation to amount water s o believ correcti stigation	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons te that cross-conne ions, or additions to n initially document mpliance.	nt to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated
Other (as needed) Notes for DELAYED costs	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may e ation to amount water s o believ correcti stigatior ce of con tering 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons re that cross-conne ions, or additions to n initially document mpliance. item (except for \$0	nt to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may e ation to amount water s o believ correcti stigatior te of con tering 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons to that cross-conne ions, or additions to initially document mpliance. item (except for \$0 \$0	nt to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may of ation to amount water s o believ correcti stigation te of con tering 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons re that cross-conne ions, or additions to initially document mpliance. item (except for \$0 \$0 \$0	nt to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may of ation to amount water s o believ correcti stigation te of con tering 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons- to a dditions to initially document mpliance. item (except for \$0 \$0 \$0 \$0 \$0	t to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoider \$0 \$0 \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	ades the d may of ation to amount water s o believ correcti stigation tering 0.00 0.00 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons- re that cross-conne- ions, or additions to ninitially document mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	t to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may of ation to amount water s o believ correcti stigation e of con tering 0.00 0.00 0.00 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons re that cross-conne- ions, or additions to initially document mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	t to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel Supplies/Equipment Financial Assurance	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	ades the d may of ation to amount water s o believ correcti stigation tering 0.00 0.00 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons- re that cross-conne- ions, or additions to ninitially document mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	t to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	The record k where a cro The other dela are complet either when exist, or a facilities, calc	keeping system d oss-connection or initially docur ayed cost includes ted prior to provic the water purvey fter any material culated from the c	elayed cost inclu- potential hazar menting the viol s the estimated ling continuous vor has reason t improvements, late of the inves dat	udes the d may of ation to amount water s o believ correcti stigation e of con tering 0.00 0.00 0.00 0.00 0.00	e estimated amour exist, calculated fro the estimated dat to implement a C ervice to new cons re that cross-conne- ions, or additions to initially document mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	t to conduct CSIs a om the date of the i te of compliance. SI program so that struction, on any ex ections or other pote to the private water ting the violation to r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	t all locations nvestigation CSI certificate isting service ential hazards distribution the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	4						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
The second states		Bute Required	That Date		Interest Suveu	00505 50700	ED Amount
Item Description							
Delayed Costs	(- In		-			
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		ALTZE availed a	ata hafara a		itom (overat for	r one-time avoided	L costo)
Avoided Costs	ANNU	ALIZE avoided c	osts defore er		· · ·		
Disposal				0.00	\$0	\$0	\$0
Personnel	+21	10 0 . 2017	20.0+1.2010	0.00	\$0	\$0	\$0
nspection/Reporting/Sampling	\$31	18-Dec-2017	28-Oct-2019	1.86	\$2	\$58	\$60
Supplies/Equipment		<u> </u>		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			2 months prior	to the		s flow measuring de gation initially docur	
Approx. Cost of Compliance		\$58			TOTAL		\$6



	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.	48818						
Reg. Ent. Reference No.	RN101430924						
	Public Water S					Percent Interest	Years of Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment	\$500	18-Dec-2018	16-Mar-2020	1.24	\$2	\$41	\$43
Buildings		10 Dec 2010	10 1101 2020	0.00	\$0	\$0	<u>\$45</u> \$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
						ne standpipe with a	functional liqui
Notes for DELAYED costs	level indicato	r, calculated from	the date of the	investi of comp	gation initially doc liance.	umenting the violat	functional liqui ion to the date
Avoided Costs	level indicato	r, calculated from	the date of the	investi of comp	gation initially doc liance. item (except for	umenting the violat	functional liqui ion to the date d costs)
Avoided Costs Disposal	level indicato	r, calculated from	the date of the	f comp tering	gation initially doc liance. item (except for \$0	umenting the violat r one-time avoide \$0	functional liqu ion to the date d costs) \$0
Avoided Costs Disposal Personnel	level indicato	r, calculated from	the date of the	tering 0.00	gation initially doc liance. item (except for \$0 \$0	umenting the violat r one-time avoide \$0 \$0	functional liqu ion to the date d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	level indicato	r, calculated from	the date of the	tering 0.00 0.00 0.00	gation initially doc liance. item (except for \$0 \$0 \$0	umenting the violat r one-time avoide \$0 \$0 \$0	functional liqu ion to the date d costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel	level indicato	r, calculated from	the date of the	tering 0.00 0.00 0.00 0.00 0.00	gation initially doc liance. item (except for \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	functional liqu ion to the date d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	level indicato	r, calculated from	the date of the	tering 0.00 0.00 0.00	gation initially doc liance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	functional liqu ion to the date d costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	level indicato	r, calculated from	the date of the	tering 0.00 0.00 0.00 0.00 0.00 0.00	gation initially doc liance. item (except for \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	functional liqui ion to the date d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	level indicato	r, calculated from	the date of the	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	gation initially doc liance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	functional liqui ion to the date d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



Case ID No.	48818						
eg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	1
		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				0.00	\$0	n/a	\$0
Training/Sampling	\$100	18-Dec-2018	7-Sep-2020	1.72	\$9	n/a	\$9
Remediation/Disposal				0.00	\$0	n/a	\$0
· · ·				0.00	\$0	n/a	\$0
Permit Costs						11/a	- DU
Other (as needed)	employee tra	aining to ensure t	hat disinfectant	0.00 Int to up residua	\$0 odate the Facility's I samples are colle	n/a operational guidan acted from approved	\$0 ce and conduc l sites listed in
Other (as needed) Notes for DELAYED costs	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date	\$0 odate the Facility's I samples are colle ivestigation initiall of compliance.	n/a operational guidance octed from approvec y documenting the	\$0 ce and conduc I sites listed in violation to the
Other (as needed) Notes for DELAYED costs Avoided Costs	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date	\$0 odate the Facility's I samples are colle ivestigation initiall of compliance. item (except for	n/a operational guidano octed from approved y documenting the r one-time avoide	\$0 ce and conduct I sites listed in violation to the d costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date tering 0.00	\$0 odate the Facility's I samples are colle ivestigation initiall of compliance. item (except for \$0	n/a operational guidance octed from approved y documenting the one-time avoide \$0	\$0 ce and conduct l sites listed in violation to the d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date tering 0.00	\$0 odate the Facility's I samples are colle vestigation initiall of compliance. item (except for \$0 \$0	n/a operational guidance ceted from approved y documenting the y documenting the y document y documenting the y document y docum	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date tering 0.00 0.00	\$0 odate the Facility's I samples are colle ivestigation initiall of compliance. item (except for \$0 \$0 \$0 \$0	n/a operational guidance oted from approved y documenting the one-time avoide \$0 \$0 \$0 \$0	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date tering 0.00 0.00 0.00	\$0 odate the Facility's I samples are colle vestigation initiall of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a operational guidance oted from approved y documenting the one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date htering 0.00 0.00 0.00 0.00	\$0 bdate the Facility's I samples are colle ivestigation initiall of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a operational guidance ected from approved y documenting the second y documenting the second y documenting the second y documenting the second second second second second second second second second second second second second second second seco	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 residua of the ir ed date htering 0.00 0.00 0.00 0.00 0.00	\$0 odate the Facility's I samples are colle of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a operational guidance cted from approved y documenting the y documenting the so one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 Int to up residua of the ir ed date htering 0.00 0.00 0.00 0.00	\$0 bdate the Facility's I samples are colle ivestigation initiall of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a operational guidance ected from approved y documenting the second y documenting the second y documenting the second y documenting the second second second second second second second second second second second second second second second seco	\$0 ce and conduct sites listed in violation to the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employee tra the monitorin	aining to ensure t Ig plan, calculated	hat disinfectant I from the date estimate	0.00 residua of the ir ed date htering 0.00 0.00 0.00 0.00 0.00	\$0 odate the Facility's I samples are colle of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a operational guidance cted from approved y documenting the y documenting the so one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce and conduct sites listed in violation to th violation to th s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

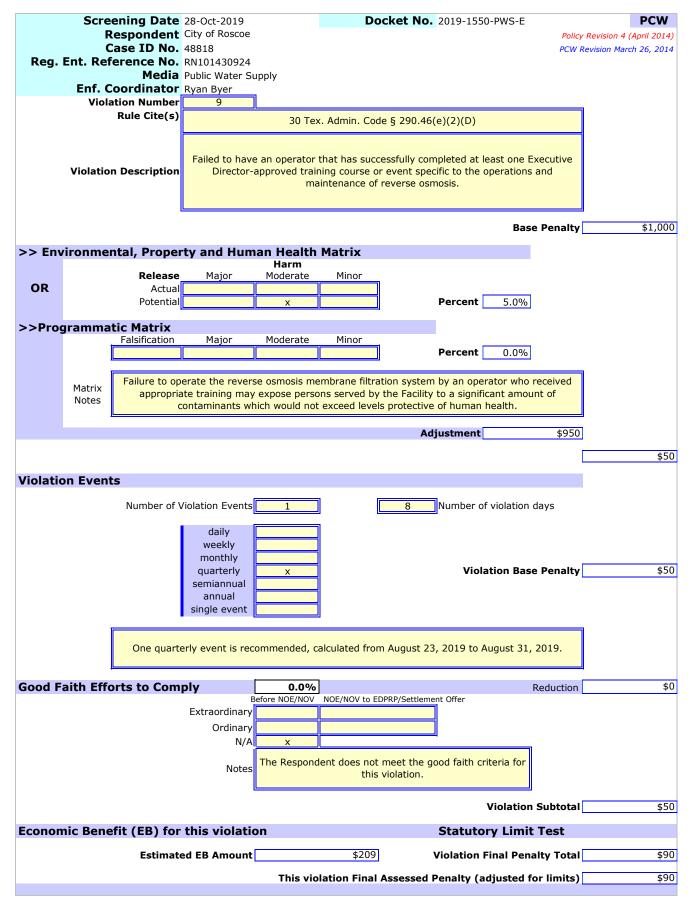
	Screening Date	28-Oct-2019	Docket No. 2019-1550-PWS-E	PCW
	Respondent			Policy Revision 4 (April 2014)
Beg	Case ID No.			PCW Revision March 26, 2014
Reg.	Ent. Reference No. Media	Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	SU TEX. Autimi. Code g 290	.46(m)(1)(A) and TCEQ Agreed Order Docke WS-E, Ordering Provision No. 2.a.iii	t No. 2016-
	Violation Description	Failed to inspect the	e Facility's ground storage tank ("GST") annu	ally.
			Ва	ase Penalty \$1,000
>> Env	ironmental, Proper	rty and Human Health) Matrix	1
	Release	Harm Major Moderate	Minor	
OR	Actual			
	Potential	X	Percent 5.0%	, o
>>Proc	grammatic Matrix			
	Falsification	Major Moderate	Minor	_
			Percent 0.0%	o
	Failure to ins	pect the GST on an annual t	asis could cause the non-detection of defects	and could
		sons served by the Facility to	a significant amount of contaminants which protective of human health.	
			Adjustment	\$950
				\$50
				\$50
Violatio	on Events			
	Number of \	Violation Events 3	849 Number of violatio	n days
		daily		
		monthly		
		quarterly	Violation Ba	se Penalty \$150
		semiannual		
		annual <u>x</u> single event	<u>j</u>	
			_	
	Three annual		alculated from the effective date of TCEQ Ag VS-E, May 4, 2017, to August 31, 2019.	reed Order
Good Fa	aith Efforts to Com	ply 0.0%		Reduction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary Ordinary		
			dent does not meet the good faith criteria for	
		Notes	this violation.	
			Violatio	on Subtotal \$150
Econom	nic Benefit (EB) for	this violation	Statutory Lim	it Test
	Estimate	ed EB Amount	\$108 Violation Final Pe	nalty Total \$269
				-
		This vi	plation Final Assessed Penalty (adjusted	for limits) \$269

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.							
Reg. Ent. Reference No.							
<u> </u>	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
		Data Data ind		Maria			-
		Date Required	Final Date	Trs	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				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 er	nterina	item (except for	· one-time avoided	d costs)
Disposal	1			0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0 \$0	\$0
Inspection/Reporting/Sampling	\$41	4-May-2017	28-Oct-2019	2.48	\$6	\$102	\$108
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					eed Order Docket	ST inspection (\$41 No. 2016-0374-PWS	
Approx. Cost of Compliance		\$102			TOTAL		\$108

PCW 1 of 2

		ening Date		Do	ocket No. 2019-1550-PWS-E		PCW
		lespondent Case ID No.					Revision 4 (April 2014) evision March 26, 2014
Reg.		erence No.	RN101430924				
	Enf (Media Coordinator	Public Water Supply				
		ation Number					
		Rule Cite(s)	30 Tex. Admin. Cod)(B) and Tex. Health & Safety C 033(a)	ode §	
	Violatio	n Description	who holds a minimum of	a Class "C" or hi	irect supervision of a water work gher groundwater license. Spec expired on July 28, 2019.		
					Bas	e Penalty	\$1,000
>> Env	vironme	ntal, Propei	rty and Human Heal	th Matrix			
		Release	Harm Major Moderat	e Minor			
OR		Actual			Percent 5.0%	1	
		Potential	X		Percent 5.0%	1	
>>Prog	gramma	tic Matrix Falsification	Major Moderat	e Minor			
					Percent 0.0%]	
					·		
	Matrix Notes	license may	result in poor plant operati	on which could	ision of an operator with the app expose persons served by the Fa xceed levels protective of human	cility to a	
					Adjustment	\$950	
						[\$50
	_					L	450
Violatio	on Event	ts					
		Number of \	/iolation Events 1		34 Number of violation	days	
			daily weekly monthly quarterly x semiannual		Violation Bas	se Penalty	\$50
			annual single event				
		One quarterly		alculated from tl 119, to August 3	ne date the operator's license ex 1, 2019.	pired, July	
Good F	aith Effo	orts to Com	ply 25.0	%		Reduction	\$12
			Before NOE/N Extraordinary	OV NOE/NOV to E	DPRP/Settlement Offer		
			Ordinary x				
			N/A			ส	
			Notes The Resp	ondent achieved	d compliance on September 24, 2019.		
					Violatio	n Subtotal	\$38
Econon	nic Bene	efit (EB) for	this violation		Statutory Limi	t Test	
		Estimate	ed EB Amount	\$10	Violation Final Per	alty Total	\$78
			This	violation Final	Assessed Penalty (adjusted	for limits)	\$78
)	φ70

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe	2					
Case ID No.	48818						
Reg. Ent. Reference No.	RN101430924	ł					
Media Violation No.	Public Water S 8	Supply				Percent Interest	Years of Depreciation
						5.0	1
	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				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							
Avoided Costs	ANNU	ALIZE avoided c	osts before er	ntering	<u> </u>	one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$62	28-Jul-2019	24-Sep-2019	0.16	\$0	\$10	\$10
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	<u>\$0</u> \$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	supervision of	f a water works op	erator who hole all all all all all all all all all a	ds a mir ited fror	nimum of a Class "	cility is operated un C" or higher license erator's license expir	(\$111 renewa



	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.							
Reg. Ent. Reference No. Media	Public Water S					Percent Interest	Years of
Violation No.	9					r creent interest	Depreciation
						5.0	1!
	Thom Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
		Date Required	Fillal Date	115	Interest Saveu	Costs Saveu	ED AIIIOUIIL
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
	1						
Notes for DELAYED costs	ANNU	ALIZE avoided c	osts before er	terina	item (excent for	one-time avoide	d costs)
Avoided Costs	ANNU	ALIZE avoided c	osts before er		· · ·	r one-time avoide	
Avoided Costs Disposal	ANNU	ALIZE avoided c	osts before er	0.00	\$0	\$0	\$0
Avoided Costs Disposal Personnel	ANNU/	ALIZE avoided c	osts before er	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU/	ALIZE avoided c	osts before en	0.00 0.00 0.00 0.00 0.00 0.86	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$9	\$0 \$0 \$0 \$0 \$0 \$0 \$200	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$209
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	\$200	18-Dec-2018	28-Oct-2019	0.00 0.00 0.00 0.00 0.00 0.86 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$9 \$9 \$0	\$0 \$0 \$0 \$0 \$0 \$200 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$209 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$200 The avoided	Cost includes the	28-Oct-2019 estimated amo	0.00 0.00 0.00 0.00 0.00 0.86 0.00	\$0 \$0 \$0 \$0 \$0 \$9 \$0 egister for and con tion initially docum	\$0 \$0 \$0 \$0 \$0 \$0 \$200	\$0 \$0 \$0 \$0 \$0 \$209 \$0 \$0

REAL OF COMMENTAL OF	Policy R	Pen Pevision 4 (April 2014)	alty Calcul	ation	Worksh	eet (PC		ision September	- 1, 2019
DATES	Assigned	28-Oct-2019					_		
	PCW	28-May-2020	Screening 28-Oct	-2019	EPA Due				
DESDO	NDENT/EACTLT	TY INFORMATION	J						
RESPU		City of Roscoe	•						
Reg	g. Ent. Ref. No.								
Facili	ty/Site Region	3-Abilene			Major/Mi	inor Source	Minor		
	NFORMATION f./Case ID No.	10010			No. of	f Violations	2		
EII		2019-1550-PWS-E				Order Type			
Med		Public Water Supp		G	overnment/				
	Multi-Media		1			Coordinator			
							Enforcement T	eam 8	
Adr	nin. Penalty \$ I	.imit Minimum	\$50 Maxim	um	\$5,000				
			Denalty Ca	loulatio	n Castia	<u>n</u>			
			Penalty Ca			11			
ΤΟΤΑ	L BASE PENA	LTY (Sum of v	iolation base p	penalties	s)		Subtotal 1		\$500
ADJU	STMENTS (+	/-) TO SUBTO	AL 1						
	Subtotals 2-7 are of	ptained by multiplying th	ne Total Base Penalty (S	ubtotal 1) by	the indicated pe				
	Compliance Hi	story	7	'9.0% A	Adjustment	Subto	tals 2, 3, & 7		\$395
		Enhancement for	one NOV with the	same/simil	lar violations,	two NOVs			
	Notes	with dissimilar	violations, one agr	eed order	containing a d	denial of			
		liability, and	d two agreed orders	s without a	a denial of liat	oility.			
	Culuchility	Ne		0.00/ -			Cubbatal 4		¢0
	Culpability	No		0.0% En	nhancement		Subtotal 4		\$0
	Notes	The Resp	ondent does not m	eet the cul	lpability criter	ia.			
	Cood Faith Fff	aut ta Causulu Tat					Cubbabal F		* C2
	Good Faith Eff	ort to Comply Tot	al Adjustments				Subtotal 5		-\$62
	Economic Ben			0.0% Enha	ancement*		Subtotal 6		\$0
	Ectimated	Total EB Amounts Cost of Compliance	\$0	*Capped at	the Total EB \$ Ai	mount			
	Estimateu		\$0						
SUM (OF SUBTOTA	LS 1-7				E	inal Subtotal		\$833
								L	
		AS JUSTICE MA			0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indicate	ed percentage.				1		
	Net								
	Notes								
						Final Per	alty Amount		\$833
						i mai ren	arty Amount		4033
STATI	JTORY LIMI	ADJUSTMENT	•			Final Asse	ssed Penalty		\$833
									-
DEFE					0.0%	Reduction	Adjustment		\$0
Reduces t	he Final Assessed Pe	nalty by the indicated p	ercentage.				1		
	Notes	No del	erral is recommend	ied for Find	ungs Orders.				
]		
DAVA	BLE PENALT	/							\$833
IAIA								1	φ000

PCW

Policy Revision 4 (April 2014) PCW Revision September 1, 2019

Enf. Coordinator Ryan Byer

>> Repeat Violator (Subtotal 3)

Compliance History Worksheet

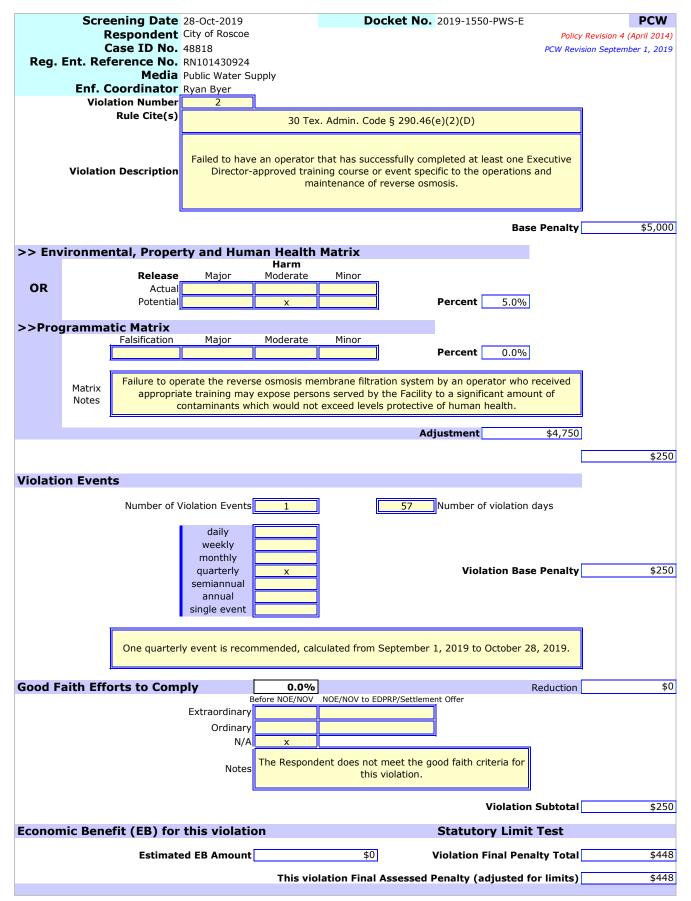
Docket No. 2019-1550-PWS-E

 ritten notices of violation ("NOVs") with same or similar violations as those in a current enforcement action (<i>number of NOVs meeting criteria</i>) her written NOVs y agreed final enforcement orders containing a denial of liability (<i>number of ders meeting criteria</i>) y adjudicated final enforcement orders, agreed final enforcement orders thout a denial of liability, or default orders of this state or the federal vernment, or any final prohibitory emergency orders issued by the commission y non-adjudicated final court judgments or consent decrees containing a denial liability of this state or the federal government (<i>number of judgments or nsent decrees meeting criteria</i>) y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state the federal government y criminal convictions of this state or the federal government (<i>number of liability</i>) 	1 2 1 2 0 0	5% 4% 20% 50% 0%
y agreed final enforcement orders containing a denial of liability (<i>number of ders meeting criteria</i>) y adjudicated final enforcement orders, agreed final enforcement orders thout a denial of liability, or default orders of this state or the federal vernment, or any final prohibitory emergency orders issued by the commission y non-adjudicated final court judgments or consent decrees containing a denial liability of this state or the federal government (<i>number of judgments or nsent decrees meeting criteria</i>) y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state	1 2 0	20% 50% 0%
ders meeting criteria) y adjudicated final enforcement orders, agreed final enforcement orders thout a denial of liability, or default orders of this state or the federal vernment, or any final prohibitory emergency orders issued by the commission y non-adjudicated final court judgments or consent decrees containing a denial liability of this state or the federal government (<i>number of judgments or</i> <i>nsent decrees meeting criteria</i>) y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state the federal government	2	50%
thout a denial of liability, or default orders of this state or the federal vernment, or any final prohibitory emergency orders issued by the commission y non-adjudicated final court judgments or consent decrees containing a denial liability of this state or the federal government (<i>number of judgments or nsent decrees meeting criteria</i>) y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state the federal government	0	0%
liability of this state or the federal government (<i>number of judgments or</i> <i>nsent decrees meeting criteria</i>) y adjudicated final court judgments and default judgments, or non-adjudicated al court judgments or consent decrees without a denial of liability, of this state the federal government		
al court judgments or consent decrees without a denial of liability, of this state the federal government	0	0%
y criminal convictions of this state or the federal government (number of		
unts)	0	0%
ronic excessive emissions events (number of events)	0	0%
tters notifying the executive director of an intended audit conducted under the xas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 95 (number of audits for which notices were submitted)	0	0%
sclosures of violations under the Texas Environmental, Health, and Safety Audit vilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were sclosed</i>)	0	0%
vironmental management systems in place for one year or more	No	0%
luntary on-site compliance assessments conducted by the executive director der a special assistance program	No	0%
rticipation in a voluntary pollution reduction program	No	0%
		0%
vi k l l d	Intary on-site compliance assessments conducted by the executive director er a special assistance program	Allosures of violations under the Texas Environmental, Health, and Safety Audit ilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were</i> <i>losed</i>) ironmental management systems in place for one year or more intary on-site compliance assessments conducted by the executive director No No

	N/A		Adjustment Percentage (Subtotal 3	3) 0%
>>	Compliance Histo	ory Person	Classification (Subtotal 7)	
	Satisfactory P	Performer	Adjustment Percentage (Subtotal 2	7) 0%
>>	Compliance Histo	ory Summa	ıry	
	Compliance History Notes		eet for one NOV with the same/similar violations, two NOVs with dissimilar violations, reed order containing a denial of liability, and two agreed orders without a denial of liability.	
			Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7	7) 79%
>>	Final Compliance	HISTORY Ad		
			Final Adjustment Percentage *capped at 100	% 79%

	Scre	ening Date	28-Oct-2019	Docket No. 2019-1550-PWS-E	PCW
			City of Roscoe		Policy Revision 4 (April 2014)
Peg		Case ID No.	48818 RN101430924		PCW Revision September 1, 2019
Keg.			Public Water Supply		
	Enf. C	Coordinator			
	Viola	ation Number			
		Rule Cite(s)	30 Tex. Admin. Code	§ 290.46(e)(4)(B) and Tex. Health & Safety Code	e §
				341.033(a)	
	Violatio	n Description	who holds a minimum of a	ty under the direct supervision of a water works o Class "C" or higher groundwater license. Specific 's license had expired on July 28, 2019.	
				Base	Penalty \$5,000
>> Env	vironme	ntal, Propei	rty and Human Healt	h Matrix	
		Release	Harm		
OR		Actual			
		Potential		Percent 5.0%	
>>Pro	gramma	tic Matrix Falsification	Major Moderate	Minor	
				Percent 0.0%	
	Matuit	Failure to o	perate the Facility under the	e direct supervision of an operator with the approp	priate
	Matrix Notes			n which could expose persons served by the Facili ch would not exceed levels protective of human h	
				Adjustment	\$4,750
					+250
					\$250
Violati	on Event	ts			
		Number of \	Violation Events 1	23 Number of violation da	iys
			daily weekly monthly quarterly x semiannual annual single event	Violation Base	Penalty \$250
		One quarterly		lculated from September 1, 2019 to the date the ved, September 24, 2019.	license
Good F	aith Effo	orts to Com			eduction \$62
			Before NOE/NO	V NOE/NOV to EDPRP/Settlement Offer	
			Extraordinary Ordinary x		
			N/A		
				ndent achieved compliance on September 24, 2019.	
				Violation S	ubtotal \$188
Econor	mic Bene	efit (EB) for	this violation	Statutory Limit 1	est
		Fetimat	ed FB Amount	\$0 Violation Final Panal	ty Total ¢286
		Estimate	ed EB Amount	\$0 Violation Final Penalt	

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Roscoe						
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	ирріу				Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs		1 		1	1		
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	<u>\$0</u> \$0	n/a n/a	\$0 \$0
Training/Sampling 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 co	osts before ei		item (except for	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)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs			um of a Class	'C" or h		ect supervision of a otured on the Econo /.	



	E	conomic	Benefit	Wo	rksheet		
Respondent							
Case ID No.							
leg. Ent. Reference No.							
							Years of
	Public Water S	арріу				Percent Interest	
Violation No.	2						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Item Description							
Delawed Cente							
Delayed Costs	· · · · · · · · · · · · · · · · · · ·	<u></u>			+0	±0	+0
Equipment	l			0.00	\$0	\$0	\$0
Buildings Other (as needed)		<u> </u>		0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$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							
Notes for DELAYED costs Avoided Costs	ANNUA	ALIZE avoided c	osts before er		· · · ·	one-time avoide	
Avoided Costs Disposal	ANNU/	ALIZE avoided c	osts before er	0.00	\$0	\$0	\$0
Avoided Costs Disposal Personnel	ANNU/	ALIZE avoided c	osts before er	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			or and complete	0.00 0.00 0.00 0.00 0.00 0.00 0.00 e the re	\$0 \$0 \$0 \$0 \$0 \$0 \$0 quired training is o	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 captured on the Eco	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)			or and complete	0.00 0.00 0.00 0.00 0.00 0.00 0.00 e the re	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 captured on the Eco	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



Compliance History Report

Compliance History Report for CN600738843, RN101430924, Rating Year 2019 which includes Compliance History (CH) components from September 1, 2014, through August 31, 2019.

Customer, Respo Owner/Operator		r CN600738843, City of	Roscoe	Classification: S	ATISFACTORY	Rating]: 24.51
Regulated Entity	:	RN101430924, CITY 0	OF ROSCOE	Classification: N	OT APPLICABL	E Rating]: N/A
Complexity Point	ts:	N/A		Repeat Violator:	N/A		
CH Group:		14 - Other		•	-		
Location:		115 FAST CYPRESS S	TREET IN ROSCOE, NO	AN COUNTY, TEXAS			
TCEQ Region:		REGION 03 - ABILENE					
ID Number(s): PUBLIC WATER SY	STEM/SU	PPLY REGISTRATION 1	770001				
Compliance Histo	ory Perio	d: September 01, 2	014 to August 31, 2019	9 Rating Year:	2019	Rating Date:	09/01/2019
Date Compliance	History	Report Prepared:	September 28, 20	21			
Agency Decision	Requirir	ng Compliance Hist	ory: Enforcemer	nt			
Component Perio	od Select	ted: December 28,	2014 to December 28	, 2019			
TCEQ Staff Memb	per to Co	ntact for Additiona	l Information Reg	arding This Compli	ance History	y.	
Name: Ryan	Byer			Phone: (512) 239-2571		
Site and Owner	r/Opera	<u>itor History:</u>					
2) Has there been a Components (N	(known) ch 1ultime d	e and/or operation for t hange in ownership/oper dia) for the Site /	rator of the site during	the compliance period?		YES NO	
	Date: 05	dgments, and cons 5/04/2017	ADMINORDER 2016	5-0374-PWS-E (Findin	gs Order-Agree	ed Order Withou	t Denial)
Classit	fication: N	Minor					
Citatio	on: 30 T	AC Chapter 290, SubCh	apter D 290.41(c)(3)(k	<)			
	•	ilure to provide a well ca ownward, elevated and l					resistant
Classit	fication: N	Minor					
Citatio	on: 30 T	AC Chapter 290, SubCh	apter D 290.46(t)				
Facility		ilure to post a legible sig mergency telephone nui Minor				s that contains tl	he name of the
Citatio	on: 30 T	AC Chapter 290, SubCh	apter D 290.42(m)				
	30 T.	AC Chapter 290, SubCh	apter D 290.43(e)				
		ilure to provide an intru	der-resistant fence or l	ockable building for the	standpipe and	pressure mainte	enance
faciliti Classil	es. fication: N	Minor					
Citatio		AC Chapter 290, SubCh	apter D 290.46(m)(1)				
		ilure to conduct annual i		ity's one ground storage	tank and two	elevated storage	e tanks
Classi	fication: N	Major				-	
Citatio		AC Chapter 290, SubCh	apter D 290.46(e)(4)(E	3)			
Rqmt	Prov: Prov	ision No. 2.a.iii ORDER					
Descri 250 co	ption: Fa	ilure to use an operator , but no more than 1,00					ving more than
			Pag	le 1			

3

Effective Date: 03/20/2018 Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(g)(2)(A)

Description: LCR SOWT - The system failed to submit the Source Water Treatment Recommendation for alternative treatment including ion exchange, reverse osmosis, lime softening, coagulation/filtration, or none from the end of the reduced monitoring period from 01/01/2016 to 12/31/2016 plus 180 days.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(f)(3)(A)

Description: LCR OCCT - The system failed to submit the Optimal Corrosion Control Treatment (OCCT) Recommendation in accordance with TCEQ rules after exceeding the lead/copper action level during the reduced monitoring period from 01/01/2016 to 12/31/2016 plus 180 days.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2015 - The system failed to provide the Consumer Confidence Report (CCR) for 2015 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

Effective Date: 07/01/2019 ADMINORDER 2018-0434-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)

5A THSC Chapter 341, SubChapter A 341.031(a)

Description: NO3 AMCL 4Q2017 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 12 mg/L collected on 12/04/2017.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)

30 TAC Chapter 290, SubChapter F 290.117(h)

30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 2nd 6M2017 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 2nd 6M2017 monitoring period at entry point location W Booster -1500 BLK Broadway / Cedar EP001 and the distribution system.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

1

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

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

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

1	Date:	02/12/2019	(1548278)		
	Self Repor	t? NO		Classification:	Minor
	Citation: Description	n: Failure t Director	•	290.46(e)(2)(D) s successfully completed at lea or event specific to the operation	
	Self Repor	t? NO		Classification:	Minor
	Citation: Description	30 TAC 30 TAC 30 TAC n: Failure t readily a	available for review by the E	290.46(f)(3)(A)(i)(II) 290.46(f)(3)(A)(iv)	st. Specifically,
		flushed,		for laboratory equipment were	e not available.
	Self Repor			Classification:	Minor
	Citation: Description	n: Failure t	Chapter 290, SubChapter D to obtain a sanitary control of Well Nos. 2, 3, 4, 5, and 6	easement covering land within	150 feet of the
	Self Repor	t? NO		Classification:	Moderate

Compliance History Report for CN600738843, RN101430924, Rating Year 2019 which includes Compliance History (CH) components from December 28, 2014, through December 28, 2019.

Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)		
Description:	Failure to adopt either a plumbing ordinance, so provide enforceable provisions for cross connect		
	practices.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(j)		
Description:	Failure to complete a Customer Service Inspect continuous water service to new construction o purveyor has reason to believe cross-connectio hazards exists. Specifically, CSI certificates had and Cypress housing development, Roscoe Coll Solutions, Stripes convenience store, Chillerz co	r any existing serv ns or other potenti I not been complet egiate High School	ice when the water al contamination ed for the James Wells , Nutrient Ag
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.42(g)(3)(F)	
Description:	Failure to provide cross-connection protection t cleaning processes from contaminating other m operation. Specifically, there was no cross-cor filtrate, and waste piping of the reverse osmosi	o prevent chemical nembrane units in connection protection	other modes of
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(
Description:	Failure to calibrate flow measuring devices at le the flow meter for concentrate water at the rev calibrated in the last 12 months.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)(
Description:	Failure to provide all water storage tanks with a site. Specifically, the standpipe did not have a		
Self Report?	NO	Classification:	Minor
Citation: Description:	30 TAC Chapter 290, SubChapter D 290.43(c)(Failure to have covers on the standpipe and ele tightly with no gap greater than 1/16 inch.		overflows that fit
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(30 TAC Chapter 290, SubChapter D 290.43(e)	3)(0)	
Description:	Failure to provide a lock to the gate of the fence 6 enclosures.	e at the standpipe	and to the well 5 and
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)	(4)(B)	
Description:	Failure to monitor the disinfectant residual at resystem at least once per day. Specifically, the water system was not taking samples from the	Facility's records in	ndicated that the
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(d) 30 TAC Chapter 290, SubChapter D 290.46(d)(30 TAC Chapter 290, SubChapter D 290.46(d)(30 TAC Chapter 290, SubChapter F 290.110(b)	2)(A)	
Description:	Failure to maintain the required free chlorine re distribution at all times.	esidual of 0.2 mg/L	throughout
Date: 08/	/01/2019 (1581338)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.118(a)		
Description:	30 TAC Chapter 290, SubChapter F 290.118(b) Failure to meet the secondary constituent levels		d pH.
Date: 11/	/13/2019 (1605772)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.118(a)		
Description:	30 TAC Chapter 290, SubChapter F 290.118(b) Failure to meet the secondary constituent levels		d pH.

F. Environmental audits:

N/A

2

3

G. Type of environmental management systems (EMSs): \$N/A\$

Compliance History Report for CN600738843, RN101430924, Rating Year 2019 which includes Compliance History (CH) components from December 28, 2014, through December 28, 2019.

- H. Voluntary on-site compliance assessment dates: \$N/A\$
- I. Participation in a voluntary pollution reduction program: \$N/A\$
- J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CITY OF ROSCOE; RN101430924

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER

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DOCKET NO. 2019-1550-PWS-E

On _______, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Roscoe ("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 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 115 East Cypress Street in Roscoe, Nolan County, Texas (the "Facility").¹ The Facility provides water for human consumption, has approximately 594 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS as defined in 30 Tex. ADMIN. CODE § 290.38(71).
- 2. During an investigation conducted on and around August 23, 2019, an investigator documented that Respondent:
 - a. Failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, records of the amount of each chemical used each day, the dates the dead-end mains were flushed, and the calibration records for laboratory equipment were not available;
 - b. Failed to obtain a sanitary control easement covering land within 150 feet of the Facility's Wells Nos. 2, 3, 4, 5, and 6;
 - c. Failed to complete a Customer Service Inspection ("CSI") certificate prior to providing continuous water service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other

¹ This is the Facility's address as registered by the City of Roscoe, but this address is for an administration building for the City of Roscoe. The components of the Facility are located throughout the City of Roscoe.

potential contamination hazards exist. Specifically, CSI certificates had not been completed for the James Wells and Cypress housing development, Roscoe Collegiate High School, Nutrient Ag Solutions, Stripes convenience store, Chillerz convenience store, and Eagle Railcar Services;

- d. Failed to calibrate flow measuring devices at least once every 12 months. Specifically, the flow meter for concentrate water at the reverse osmosis plant had not been calibrated in the last 12 months;
- e. Failed to provide all water storage tanks with a liquid level indicator located at the tank site. Specifically, the float with a moving target indicator and the pressure gauge on the standpipe were not functional;
- f. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day. Specifically, the Facility's records indicated that the water system was not taking samples from the sites listed in the monitoring plan;
- g. Failed to inspect the Facility's ground storage tank ("GST") annually;
- h. Failed to operate the Facility under the direct supervision of a water works operator who holds a minimum of a Class "C" or higher groundwater license. Specifically, the operator's license had expired on July 28, 2019; and
- i. Failed to have an operator that has successfully completed at least one Executive Director-approved training course or event specific to the operations and maintenance of reverse osmosis.
- 3. The Executive Director recognizes that Respondent implemented the following corrective measures at the Facility:
 - a. The water works operator who holds a minimum of a Class "C" or higher license had their license renewed on September 24, 2019 (Conclusion of Law No. 9);
 - b. Provided a working pressure gauge on the standpipe, calibrated in feet of water, by March 16, 2020 (Conclusion of Law No. 6); and
 - c. Conducted an annual inspection of the Facility's GST and submitted an annual GST inspection report, as of June 16, 2021 (Conclusion of Law No. 8).

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 water works operations and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), (f)(3)(A)(iv), and (f)(3)(B)(iv).
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to obtain a sanitary control easement covering land within 150 feet of the Facility's Wells Nos. 2, 3, 4, 5, and 6, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(1)(F).
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to complete a CSI certificate prior to providing continuous water service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, in violation of 30 Tex. ADMIN. CODE § 290.46(j).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent failed to calibrate flow measuring devices at least once every 12 months, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).

- 6. As evidenced by Finding of Fact No. 2.e., Respondent failed to provide all water storage tanks with a liquid level indicator located at the tank site, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(4).
- 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(4)(B).
- 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to inspect the Facility's GST annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A) and TCEQ Agreed Order Docket No. 2016-0374-PWS-E, Ordering Provision No. 2.a.iii.
- 9. As evidenced by Finding of Fact No. 2.h., Respondent failed to operate the Facility under the direct supervision of a water works operator who holds a minimum of a Class "C" or higher groundwater license, in violation of TEX. HEALTH & SAFETY CODE § 341.033(a) and 30 TEX. ADMIN. CODE § 290.46(e)(4)(B).
- 10. As evidenced by Finding of Fact No. 2.i., Respondent failed to have an operator that has successfully completed at least one Executive Director-approved training course or event specific to the operations and maintenance of reverse osmosis, in violation of 30 Tex. ADMIN. CODE § 290.46(e)(2)(D).
- 11. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 12. An administrative penalty in the amount of two thousand two hundred eighty-five dollars (\$2,285.00) 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(b). Pursuant to TEX. WATER CODE § 7.067, two thousand two hundred eighty-five dollars (\$2,285.00) of the penalty shall be conditionally offset by Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment A"—incorporated herein by reference). Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes any payment schedule and the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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. 12 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 not raised here.
- 2. Respondent shall implement and complete a SEP as set forth in Conclusion of Law No. 12. The amount of two thousand two hundred eighty-five dollars (\$2,285.00) of the assessed administrative penalty is conditionally offset based on Respondent's implementation and completion of a SEP pursuant to the terms and conditions contained in the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

- 3. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Compile and maintain properly completed water works operation and maintenance records, including records of the amount of each chemical used each day, the dates dead-end mains were flushed, and the calibration records for laboratory equipment, in accordance with 30 Tex. ADMIN. CODE § 290.46 (Conclusion of Law No. 2);
 - ii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure CSI certificates are completed prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe crossconnections or other potential hazards exist, or after any material improvements, corrections, or additions to the private water distribution facilities, in accordance with 30 Tex. ADMIN. CODE § 290.46 (Conclusion of Law No. 4); and
 - iii. Begin monitoring the disinfectant residual at representative locations throughout the distribution system at least once per day, in accordance with 30 TEX. ADMIN. CODE § 290.110 (Conclusion of Law No. 7). This provision will be satisfied upon three months of compliant monitoring.
 - b. Within 45 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j., to demonstrate compliance with Ordering Provisions Nos. 3.a.i. and 3.a.ii.
 - c. Within 60 days after the effective date of this Order, have an operator who has successfully completed at least one Executive Director-approved training course or event specific to the operations and maintenance of reverse osmosis, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 10).
 - d. Within 75 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j., to demonstrate compliance with Ordering Provision No. 3.c.
 - e. Within 90 days after the effective date of this Order, complete CSI certificates for all existing and new locations at which the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, in accordance with 30 Tex. ADMIN. CODE § 290.46 (Conclusion of Law No. 4).
 - f. Within 105 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j., to demonstrate compliance with Ordering Provision Nos. 3.e.
 - g. Within 135 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j., to demonstrate compliance with Ordering Provision No. 3.a.iii.
 - h. Within 180 days after the effective date of this Order:
 - i. Conduct an annual calibration of the Facility's flow meter for concentrate water at the reverse osmosis plant, in accordance with 30 Tex. ADMIN. CODE § 290.46 (Conclusion of Law No. 5); and
 - ii. Obtain a sanitary control easement that covers the land within 150 feet of the Facility's Wells Nos. 2, 3, 4, 5, and 6, in accordance with 30 Tex. ADMIN. CODE § 290.41, or obtain Commission approval of an exception to the easement requirement pursuant to

City of Roscoe Docket No. 2019-1550-PWS-E Page 5

30 TEX. ADMIN. CODE § 290.39(l) (Conclusion of Law No. 3). This exception request shall be submitted to:

Technical Review and Oversight Team Water Supply Division, MC 159 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-30870

- i. Within 195 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j., to demonstrate compliance with Ordering Provisions Nos. 3.h.i. and 3.h.ii.
- j. The certifications required by these Ordering Provisions 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 based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

Water Section Manager Abilene Regional Office Texas Commission on Environmental Quality 1977 Industrial Boulevard Abilene, Texas 79602-7833

- 4. All relief not expressly granted in this Order is denied.
- 5. 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.
- 6. The Executive Director may grant an extension of any deadline in this Order or 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 Order Compliance Team at the address listed above.
- 7. 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 the TCEQ's jurisdiction, or of a rule adopted or an order or permit

issued by the 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 Respondent has not complied with one or more of the terms or conditions in this Order.

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

City of Roscoe Docket No. 2019-1550-PWS-E Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

FRINE. Chanallop

04/18/22

For the Executive Director

Date

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

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

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

In addition, 1 understand that any falsification of any compliance documents may result in criminal prosecution.

02-15-2022 Date

Signature - - Mayor Frank S. Porter City of Roscoe P.O. Box 340 Roscoe, Texas 79545

□ If mailing address has changed, please check this box and provide the new address below:

Attachment A

Docket Number: 2019-1550-PWS-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Roscoe
Penalty Amount:	Two Thousand Two Hundred Eighty-Five Dollars (\$2,285)
SEP Offset Amount:	Two Thousand Two Hundred Eighty-Five Dollars (\$2,285)
Type of SEP:	Compliance
Project Name:	Water Treatment Plant Improvements
Location of SEP:	Nolan County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its public water system (the "Facility") which are described in this Agreed Order. This Agreed Order cites violations at Respondent's Facility.

1. Project Description

A. Project

Respondent shall hire a contractor to purchase and install a reverse osmosis ("RO") flow meter on the RO concentrate line at the Facility. Specifically, the SEP Offset Amount shall be used to purchase the RO flow meter, install the RO flow meter on the RO concentrate line, and connect the RO flow meter to a Supervisory control and data acquisition ("SCADA") system (the "Project"). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Subsection C. Minimum Expenditure, Estimated Cost Schedule, below. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

City of Roscoe Docket No. 2019-1550-PWS-E Attachment A

B. Environmental Benefit

This SEP will provide access to safe drinking water. Safe, reliable drinking water is necessary for human health and household sanitation. Untreated water may harbor bacteria, viruses, protozoa (parasitic organisms), helminths (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from like gastroenteritis to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Safe water is also necessary in the home for bathing, flushing toilets, washing hands, and cooking.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Item	Cost	Quantity	Total
Purchase RO Flow Meter	\$850	1	\$850
Install RO Meter on Concentrate Line	\$1,120	1	\$1,120
Connect RO Meter to SCADA	\$1,500	1	\$1,500
Total			\$3,470

Estimated Cost Schedule

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 180 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 180-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

City of Roscoe Docket No. 2019-1550-PWS-E Attachment A

Reporting Schedule

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Notice of SEP completion

B. Final Report

Within 180 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

- 1. Itemized list of expenditures and total cost of the Project;
- 2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
- 3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
- 4. Copies of proof of advertisement of invitation for bids, if applicable;
- 5. A certified statement of SEP completion and document authentication;
- 6. Detailed map showing specific location of the project site(s);
- 7. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
- 8. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.
- C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

City of Roscoe Docket No. 2019-1550-PWS-E Attachment A

5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 through 4 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

6. Publicity

Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

7. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.