EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 59689 **SRC Water Supply Inc** RN101174894

Docket No. 2020-1072-PWS-E

Order Type: Default Order

Media: **PWS**

Small Business:

N/A

Location(s) Where Violation(s) Occurred:

22 Christi Lane, Krum, Denton County

Type of Operation:

public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Case No. 62546; Docket Nos. 2021-0327-PWS-E,

2021-0331-PWS-E, 2021-1047-PWS-E

Past-Due Penalties: \$285

\$18,299.76 Past-Due Fees: None Other: **Interested Third Parties:** None

Texas Register Publication Date: October 27, 2023

Comments Received: None

Penalty Information

Total Penalty Assessed: \$1,388 \$0 **Total Paid to General Revenue: Total Due to General Revenue:** \$1,388

Compliance History Classifications: Person/CN - High; Site/RN - N/A

Major Source: No **Statutory Limit Adjustment:** None

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Date(s) of Investigation: July 27, 2020 through August 7, 2020; August 17, 2020

Date(s) of NOV(s): January 15, 2020; February 24, 2020; April 16, 2020; July 2, 2020

Date(s) of NOE(s): August 7, 2020

EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE NO. 59689 SRC Water Supply Inc RN101174894 Docket No. 2020-1072-PWS-E

Violation Information

- 1. Failed to provide the results of cyanide sampling to the Executive Director for the January 1, 2018 through December 31, 2018 monitoring period [30 Tex. ADMIN. CODE § 290.106(e)].
- 2. Failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2013 through December 31, 2018 monitoring period [30 Tex. ADMIN. CODE § 290.108(e)].
- 3. Failed to provide the results of nitrite sampling to the Executive Director for the January 1, 2019 through December 31, 2019 monitoring period [30 Tex. ADMIN. CODE § 290.106(e)].
- 4. Failed to submit a Disinfection Level Quarterly Operating Report to the Executive Director by the tenth day of the month following the end of each quarter for the third quarter of 2019 through the first quarter of 2020 [30 Tex. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3)].
- 5. Failed to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 90610016 for Fiscal Years 2017 through 2019. [Tex. WATER CODE § 5.702 and 30 Tex. ADMIN. CODE § 290.51(a)(6)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

None

Technical Requirements:

- 1. Within 30 days:
 - a. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are released by the Facility's laboratories and reported to the Executive Director within the first ten days following the month in which the results are received by the public water system or the first ten days following the end of the monitoring period, whichever occurs first.
 - b. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established.
 - c. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 90610016.
- 2. Within in 45 days submit written certification to demonstrate compliance with Technical Requirement Nos. 1.a. through 1.c.

Litigation Information

Date Petition(s) Filed:September 12, 2023Date(s) of Service:September 14, 2023

Date Answer(s) Filed: N/A

Contact Information

TCEQ Attorneys: Cynthia Sirois, Litigation Division, (512) 239-3400

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

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

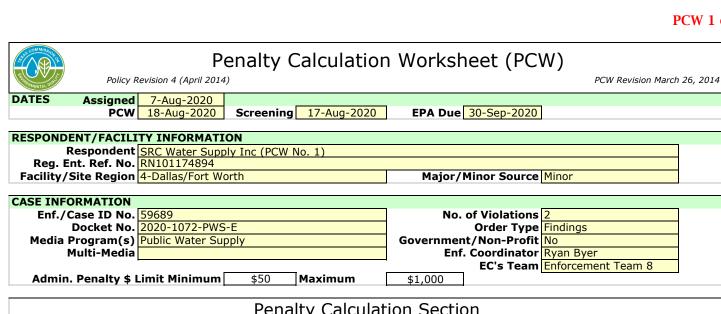
TCEQ Enforcement Coordinator: Ryan Byer, Enforcement Division, (512) 239-2571

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

Respondent Contact: Sandra Barbey, SRC Water Supply Inc., P.O. Box 385, Mount Enterprise, Texas

75681

Respondent's Attorney: N/A



		Pen	alty Calcula	tion Section	n		
TOTAL BASE PEN	IALTY (Sum of violatio	n base penalti	es)		Subtotal 1	\$100
ADJUSTMENTS (+/-) TC	SUBTOTAL 1					
Subtotals 2-7 are Compliance I		multiplying the Total Bas	se Penalty (Subtotal 1) 10.0%			otals 2, 3, & 7	\$10
Note	Fn	hancement for four reduction		e/similar violatior			, -
Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
Note	es	The Respondent	does not meet the	culpability criteri	a.		
Good Faith E	ffort to C	Comply Total Adjus	stments			Subtotal 5	\$0
Economic Be	nefit		0.0%	Enhancement*		Subtotal 6	\$0
Estimat	Total E ted Cost of C	B Amounts \$42 Compliance \$433	*Саррес	d at the Total EB \$ Am	nount		1 -
SUM OF SUBTOTA	ALS 1-7					Final Subtotal	\$110
OTHER FACTORS Reduces or enhances the Fire				9.1%		Adjustment	\$10
Notes	Subtotu	·	o offset High Perfor	mer classification			
					Final Pe	nalty Amount	\$120
STATUTORY LIM	IT ADJU	JSTMENT			Final Asse	essed Penalty	\$120
DEFERRAL	Daniella, hari			0.0%	Reduction	Adjustment	\$0
Reduces the Final Assessed Notes	renaity by t	·	recommended for	Findings Orders.			
PAYABLE PENAL	TY						\$120

Screening Date 17-Aug-2020

Docket No. 2020-1072-PWS-E

PCW

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent SRC Water Supply Inc (PCW No. 1)

Case ID No. 59689

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Enf. Coordinator Ryan Byer

Compliance History Worksheet Compliance History Site Enhancement (Subtotal 2) Number Component Number of... Adjust. Written notices of violation ("NOVs") with same or similar violations as those in the 20% current enforcement action (number of NOVs meeting criteria) NOVs Other written NOVs 0 0% Any agreed final enforcement orders containing a denial of liability (number of n 0% orders meeting criteria) Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any 0 0% final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent n 0% **Judgments** decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state or Λ 0% the federal government Convictions Any criminal convictions of this state or the federal government (number of counts) n 0% Chronic excessive emissions events (number of events) 0% **Emissions** 0 Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 0 0% (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0 0% disclosed) Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under No 0% a special assistance program Other Participation in a voluntary pollution reduction program 0% No Early compliance with, or offer of a product that meets future state or federal No government environmental requirements Adjustment Percentage (Subtotal 2) >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) High Performer Adjustment Percentage (Subtotal 7) -10% >> Compliance History Summary Compliance Enhancement for four NOVs with the same/similar violations and a reduction for High Perfomer **History** classification. **Notes** Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10% >> Final Compliance History Adjustment Final Adjustment Percentage *capped at 100% 10%

	Screening Date	17-Aug-2020	Docket No. 2020-1072-PWS-E	PCW
		SRC Water Supply Inc (PC)	W No. 1)	Policy Revision 4 (April 2014)
	Case ID No.			PCW Revision March 26, 2014
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator Violation Number			
		1		
	Rule Cite(s)	3	0 Tex. Admin. Code § 290.106(e)	
			· · · · · · · · · · · · · · · · · · ·	
	Violation Description		ults of cyanide sampling to the Executive Director fo 3 through December 31, 2018 monitoring period.	r the
			Base F	Penalty \$1,000
				,
>> Env	ironmental, Proper	ty and Human Healt	h Matrix	
	Release	Harm Major Moderate	Minor	
OR	Actual		·	
	Potential		Percent 0.0%	
>>Pro	grammatic Matrix Falsification	Major Moderate	Minor	
	Faisincation	Major Moderate	Minor Percent 5.0%	
			3 0. 00.10	
	Materia			
	Matrix Notes	100% of the r	ule requirements were not met.	
	Hotes			
			Adjustment	\$950
			Aujustinent	φ930
				\$50
Violatio	on Events			
Violatio	on Events			
	Number of \	/iolation Events 1	595 Number of violation days	
		J = 11	¬	
		daily weekly	-	
		monthly	=	
		quarterly	Violation Base F	Penalty \$50
		semiannual		•
		annual		
		single event x		
		One sing	le event is recommended.	
Cood E	aith Efforts to Com	ply 0.0%	/	duction \$0
GOOG F	aith Efforts to Com	Before NOE/NO		duction \$0
		Extraordinary		
		Ordinary		
		N/A x		
		The Peens	ondent does not meet the good faith criteria for	
		Notes	this violation.	
			Violation S	ubtotal \$50
	ula Dan-St. (ED) C	Alain vialette		
conon	nic Benefit (EB) for	this violation	Statutory Limit Tes) T
	Estimate	ed EB Amount	\$10 Violation Final Penalt	y Total \$60
		Thie	violation Final Assessed Penalty (adjusted for	limits) \$60
		71113	(uajusted for	5

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	SRC Water Su 59689	pply Inc (PCW No.					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	±100	27-Jul-2020	4 May 2021	0.00	\$0	n/a	\$0
Training/Sampling	\$100	27-Jui-2020	4-May-2021	0.77	\$4 \$0	n/a	\$4 ¢0
Remediation/Disposal Permit Costs				0.00	\$0	n/a n/a	\$0 \$0
				0.00	3 U	II/a	ΦU
Other (as needed)						n/a implement process	
Other (as needed) Notes for DELAYED costs	The Trainin guidance, train Facility's labor The Other (\$53.75 for c	g/Sampling delayining, and/or overs ratories and repor (as needed) dela	ed cost includes sight to ensure to the Execution estimate yed cost include ple) so that the	the esithat futive Died date	timated amount to ure drinking water rector, calculated of compliance. stimated amount t release all drinkin		procedures, released by the iew date to the ing lab fees nalysis results,
` .	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	s the est that fut utive Di ed date es the e lab will esults v	timated amount to ure drinking water rector, calculated of compliance. stimated amount t release all drinkin were due to the est item (except for	implement process sample results are from the record rev to pay any outstand g water chemical artimated date of com	procedures, released by the iew date to the ing lab fees nalysis results, pliance.
Notes for DELAYED costs	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	s the esithat futive Died date es the esithat will esults villesults villesul	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinkin were due to the est item (except for \$0	implement process sample results are from the record revelopment of pay any outstanding water chemical artimated date of commoner one-time avoider	procedures, released by the iew date to the ing lab fees nalysis results, pliance.
Notes for DELAYED costs Avoided Costs Disposal Personnel	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	s the est that futive Died date esthe esthe esth	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinkin were due to the est item (except for \$0 \$0	implement process sample results are from the record revelopment of pay any outstanding water chemical artimated date of comerone-time avoider \$0	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	the est the est that futive Died date est the est the est the est the est that will est that wil	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinking were due to the est item (except for \$0 \$0 \$0 \$0	to pay any outstand g water chemical artimated date of com	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	the est that futurive Died date es the est lab will esults v	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinking were due to the est item (except for \$0 \$0 \$0 \$0 \$0 \$0	implement process sample results are from the record reverse pay any outstanding water chemical artimated date of common one-time avoider \$0 \$0 \$0 \$0 \$0 \$0	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	the est that fut utive Died date est the est lab will esults vering 0.00 0.00 0.00 0.00 0.00	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinking were due to the est item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	to pay any outstanding water chemical artimated date of common \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	the est the est that fut tive Died date est the est lab will esults vertically a constant of the constant of t	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinkin were due to the est item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	to pay any outstand g water chemical artimated date of com r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The Trainin guidance, train Facility's labo The Other (\$53.75 for c calcula	g/Sampling delaying, and/or overstatories and report (as needed) delaying yanide x one samuted from the date	ed cost includes sight to ensure to ted to the Exec estimate yed cost include ple) so that the the sampling r	the est that fut utive Died date est the est lab will esults vering 0.00 0.00 0.00 0.00 0.00	timated amount to ure drinking water rector, calculated of compliance. stimated amount to release all drinking were due to the est item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	to pay any outstanding water chemical artimated date of common \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	procedures, released by the iew date to the ing lab fees nalysis results, pliance. d costs) \$0 \$0 \$0 \$0 \$0

	Screening Date	17-Aug-2020 Docket No. 2020-1072-PWS-E SRC Water Supply Inc (PCW No. 1)	PCW
	Case ID No.		Policy Revision 4 (April 2014) PCW Revision March 26, 2014
Reg.	Ent. Reference No.	RN101174894	
	Media Enf. Coordinator	Public Water Supply	
	Violation Number	2	
	Rule Cite(s)	30 Tex. Admin. Code § 290.108(e)	
		50 10/11/11/11/11 Code 3 250/200(c)	
	Violation Description	Failed to provide the results of radionuclides sampling to the Executive Director the January 1, 2013 through December 31, 2018 monitoring period.	for
		Base Pen	salty \$1,000
>> En	vironmental, Proper	ty and Human Health Matrix	
		Harm	
OR	Release Actual	Major Moderate Minor	
	Potential	Percent 0.0%	
> > D#0	grammatic Matrix		
>>P10	Falsification	Major Moderate Minor	
		X Percent 5.0%	
	Matrix	100% of the rule requirements were not met.	
	Notes	·	
		Adjustment	\$950
		Adjustment	
			\$50
Violati	on Events		
	Number of \	iolation Events 1 595 Number of violation days	
		daily weekly monthly quarterly semiannual annual single event	salty \$50
		One single event is recommended.	
Good F	aith Efforts to Com		ction \$0
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary	
		Ordinary	
		N/A x	
		Notes The Respondent does not meet the good faith criteria for this violation.	
		Violation Subt	total \$50
Econor	mic Benefit (EB) for	this violation Statutory Limit Tes	t
		d EB Amount \$32 Violation Final Penalty T	
	ESuillati		
		This violation Final Assessed Penalty (adjusted for lin	nits) \$60

	F	conomic	Ranafit	Wo	rkshoot		
Dogwandont		pply Inc (PCW No			KSHEEL		
•		ppiy Inc (PCVV NO	. 1)				
Case ID No.							
Reg. Ent. Reference No. Media	RN101174894 Public Water S					D	Years of
Violation No.	2	,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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)	\$279	10-Jan-2019	4-May-2021	2.32	\$32	n/a	\$32
Notes for DELAYED costs	The Other (\$279.35 for	(as needed) dela radionuclides x o	yed cost include one sample) so t	es the e	stimated amount t lab will release all	it Worksheet for Vic to pay any outstand drinking water che e estimated date of	ing lab fees mical analysis
Avoided Costs	ANNU	ALIZE avoided c	osts before er		itam (avcant for		
Disposal				itering	itelli (except ioi	one-time avoide	d costs)
2.500341				0.00	\$0	sone-time avoided	d costs)
Personnel					<u> </u>		•
Personnel				0.00	\$0 \$0 \$0	\$0	\$0
Personnel				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0	\$0 \$0 \$0 \$0
Personnel nspection/Reporting/Sampling				0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Personnel nspection/Reporting/Sampling Supplies/Equipment				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
Personnel nspection/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
Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				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

\$1,268



PAYABLE PENALTY

Penalty Calculation Worksheet (PCW)

THE TOWNS THE OWN	Policy R	Revision 4 (April 2014	•	arcaración	1 WOIRSII	000 (10	•	ion September 1, 2019
DATES	Assigned	7-Aug-2020						
	PCW		Screening	17-Aug-2020	EPA Due	30-Sep-2020		
RESPO	NDENT/FACILI	TY INFORMATI	ON					
_	Respondent	SRC Water Supp	oly Inc (PCW N	lo. 2)				
	. Ent. Ref. No.						ls.a.	
Facilit	ty/Site Region	4-Dallas/Fort W	orth		Major/I	linor Source	Minor	
CASE II	NFORMATION							
	f./Case ID No.	50680			No	of Violations	3	
LIII		2020-1072-PWS	:-F			Order Type	_	
Med		Public Water Su			Governmen	t/Non-Profit		
	Multi-Media	. 45.10 114101 54	PP-)			Coordinator		
					4		Enforcement Te	eam 8
Adn	nin. Penalty \$ I	imit Minimum	\$50	Maximum	\$5,000			
			Penal	ty Calculat	ion Section	n		
TOTAL	L BASE PENA	LTY (Sum of	violation	base penalti	es)		Subtotal 1	\$1,000
ADJUS	STMENTS (+	/-) TO SUBT	OTAL 1					
				Penalty (Subtotal 1) b	y the indicated per	centage.		
	Compliance Hi	story		10.0%	Adjustment	Subto	tals 2, 3, & 7	\$100
		Enhanceme	nt for four NO	Vs with the same	e/similar violatio	ons and a	_	
	Notes	Linanconio		High Performer	•	no ana a		
			reduction for	Thigh remoniter t	ola Santa Cataloni			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
		-						
	Notes	The F	Respondent do	es not meet the	culpability crite	ria.		
								+ •
	Good Faith Eff	ort to Comply T	otal Adjustn	nents			Subtotal 5	\$0
	Economic Bene	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts	\$69		at the Total EB \$ A	mount	_	
	Estimated	Cost of Compliance	\$221	•				
CLINA C	AF CUDTOTAL					_		±1.100
SUM C	OF SUBTOTA	LS 1-/				F	inal Subtotal	\$1,100
OTLIFE	D FACTORS A	C THETTEE A	AAV DEOUI	DE	45.00/			+150
		AS JUSTICE N Subtotal by the indi			15.3%		Adjustment	\$168
Reduces 0	ii eiiiiaiices tile i iiiai			nt to capture the	avoided cost of	compliance		
	Notes	associated	with Violation	No. 2 and an enl	nancement to of	fset High		
	Notes	associated		ormer classificat		isee riigii		
			1 (11	office classificat	10111	Final Pen	alty Amount	\$1,268
								¥=,=00
STATI	JTORY LIMIT	T ADJUSTMEI	NT			Final Asse	ssed Penalty	\$1,268
								, ,
DEFER	RRAL				0.0%	Reduction	Adjustment	\$0
		nalty by the indicate	d percentage.		5.5 70			70
	Notes	No	deferral is re	commended for I	Findings Orders			
I .							1	

Screening Date 17-Aug-2020

Docket No. 2020-1072-PWS-E

PCW

10%

Policy Revision 4 (April 2014)

PCW Revision September 1, 2019

Respondent SRC Water Supply Inc (PCW No. 2)

Case ID No. 59689

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Enf. Coordinator Ryan Byer

Compliance History Worksheet Compliance History Site Enhancement (Subtotal 2) Number Adjust. Component Number of... Written notices of violation ("NOVs") with same or similar violations as those in the 20% current enforcement action (number of NOVs meeting criteria) NOVs Other written NOVs 0 0% Any agreed final enforcement orders containing a denial of liability (number of orders n 0% meeting criteria) Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any 0 0% final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent 0 0% **Judgments** decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state or 0 0% the federal government Convictions Any criminal convictions of this state or the federal government (number of counts) 0 0% Chronic excessive emissions events (number of events) 0% **Emissions** 0 Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 0 0% (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0 0% disclosed) Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under No 0% a special assistance program Other Participation in a voluntary pollution reduction program 0% No Early compliance with, or offer of a product that meets future state or federal No government environmental requirements Adjustment Percentage (Subtotal 2) >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) High Performer Adjustment Percentage (Subtotal 7) -10% >> Compliance History Summary Compliance Enhancement for four NOVs with the same/similar violations and a reduction for High Performer **History** classification. **Notes** Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

	Screening Date	17-Aug-2020		ket No. 2020-1072-PV	VS-E	PCW
	Respondent	SRC Water Supply Inc ((PCW No. 2)		Policy	Revision 4 (April 2014)
	Case ID No.				PCW Revis	ion September 1, 2019
Reg.	Ent. Reference No.					
		Public Water Supply				
	Enf. Coordinator					
	Violation Number	1				
	Rule Cite(s)		30 Tex. Admin. C	Code § 290.106(e)		
				,		
		Eailad to provide the	o roculto of nitrito o	ampling to the Executive	Director for the	
	Violation Description			nber 31, 2019 monitoring		
		, ,		,		
					Base Penalty	\$5,000
		_				43/333
>> Env	ironmental, Proper					
	Release	Har Major Moder				
OR	Actual		111101			
	Potential			Percent	0.0%	
>>Pro	grammatic Matrix Falsification	Major Moder	rato Minor			
	Faisincation	Major Moder	rate Minor	Percent	5.0%	
	L	Α		r crociic	3.0 70	
	Matrix	100% of t	he rule requirement	s were not met.		
	Notes					
				Adjustment	\$4,750	
						\$250
Violatio	on Events					
	Number of \	/iolation Events 1		230 Number of vio	lation days	
		daily				
		weekly				
		monthly		Violat	tion Base Penalty	\$250
		quarterly semiannual		Violat	ion base Penalty	\$230
		annual				
		single event x				
		Ono	single event is reco	mmondod		
		Office	single event is reco	mmenaea.		
0		-1				+0
Good F	aith Efforts to Com	Before NOE	0.0% E/NOV NOE/NOV to ED	PRP/Settlement Offer	Reduction	\$0
		Extraordinary	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Tra y Section on the		
		Ordinary				
		N/A x				
			osnondont doos not	meet the good faith crite	oria for	
		Notes	•	violation.	eria ioi	
			CITIO			
				V	iolation Subtotal	\$250
E	nie Denefit (FD) f	this vislation				·
conor	nic Benefit (EB) for			Statutory I	Limit Test	
	Estimate	ed EB Amount	\$1	Violation Fi	nal Penalty Total	\$317
		т	his violation Fina	Assessed Penalty (ad	justed for limits)	\$317
				- \		·

	_	_					
	E	conomic	Benefit	Wo	rksheet		
Respondent	SRC Water Su	pply Inc (PCW No.	. 2)				
Case ID No.		PP-/ (,				
Reg. Ent. Reference No.							
	Public Water S	Supply				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		0.00	\$0	\$0	¢Ω
Equipment Buildings		-		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$0 \$0
Land				0.00	\$0	n/a	\$0
					\$0 \$0		\$0 \$0
Record Keeping System				0.00	\$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a	\$0 \$0
Permit Costs				0.00	\$0	n/a	\$0 \$0
	\$9	10-Jan-2020	4-May-2021	1.32	\$0 \$1	n/a	\$0 \$1
Other (as needed)						it Worksheet of Viol	7-
Notes for DELAYED costs	for nitrite x o	ne sample) so tha	it the lab will re	ease al	nated amount to pa I drinking water ch	ay any outstanding Jemical analysis resu Ed date of compliance	ults, calculated
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/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							
<u>.</u>		\$9					

	Scre	ening Date	17-Aug-2020	Docket No. 2020-1072-PWS-E	PCW
	R	espondent	SRC Water Supp	y Inc (PCW No. 2)	cy Revision 4 (April 2014)
		ase ID No.		PCW Ret	vision September 1, 2019
Reg.	Ent. Ref		RN101174894		
			Public Water Sup	ply	
		oordinator	Ryan Byer		
	Viola	tion Number	2		1
		Rule Cite(s)		30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3)	
					1
	Violation	1 Description	Executive Direct	a Disinfection Level Quarterly Operating Report ("DLQOR") to the or by the tenth day of the month following the end of each quarter at third quarter of 2019 through the first quarter of 2020.	
				Base Penalty	\$5,000
>> Env	vironmer	ntal, Proper	ty and Huma	n Health Matrix	
		_	_	Harm	
OR		Release Actual	Major	Moderate Minor	
OK		Potential		Percent 0.0%	
		rocertial		0.070	
>>Pro	gramma	tic Matrix			
	,	Falsification	Major	Moderate Minor	
			Х	Percent 5.0%	
	Ī				╗
	Matrix		1000	Cafetha mila manifestamenta mana mat mast	
	Notes		100%	of the rule requirements were not met.	
	Į.				_
				Adjustment \$4,750	
					#2F0
					\$250
Violatio	on Event	s			
		Number of \	/iolation Events	3 Number of violation days	
			daily		
			weekly		
			monthly		
			quarterly	Violation Base Penalty	\$750
			semiannual		
			annual		
			single event	X	
					7
			Т	nree single events are recommended.	
Good F	aith Effo	rts to Com	nly	0.0% Reduction	\$0
300u F	aidi Eii0	. to to com		ore NOE/NOV NOE/NOV to EDPRP/Settlement Offer	Ψ0
			Extraordinary		
			Ordinary		
			N/A	X	
			-	he Respondent does not meet the good faith criteria for	
			Notes	this violation.	
			L		
				Violation Subtota	I \$750
Fconor	nic Bono	fit (FR) for	this violation	Statutory Limit Test	
LCUIIUI	c bene				
		Estimate	ed EB Amount	\$68 Violation Final Penalty Tota	\$951
				This violation Final Assessed Penalty (adjusted for limits)	\$951
				(, (,	, , , , , , , , , , , , , , , , , , , ,

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	SRC Water Su 59689	pply Inc (PCW No					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	27-Jul-2020	25-Aug-2020	0.08	\$0	n/a	\$0
Training/Sampling	\$100	27-Jul-2020	25-Aug-2020	0.08	\$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	,	aining to ensure	that all DLQORs	are sub	•	operational guidand Q in a timely manno npliance.	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/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	\$67	10-Apr-2020	17-Aug-2020	0.35	\$1	\$67	\$68
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	reports +	- \$1 of interest th	at began accrui	ng from	the due date of the	a DLQOR (\$22 per he earliest monitoring f 2020 to the screen	ng period),
Approx. Cost of Compliance		\$212	-		TOTAL		\$68

	Screening Date		PCW
	Case ID No.		Policy Revision 4 (April 2014) ' Revision September 1, 2019
Reg.	Ent. Reference No.		
		Public Water Supply	
	Enf. Coordinator Violation Number	Ryan Byer	
	Rule Cite(s)	30 Tex. Admin. Code § 290.51(a)(6) and Tex. Water Code § 5.702	
		30 Tex. Admin. Code § 290.31(a)(b) and Tex. Water Code § 3.702	
	Violation Description	Failed to pay annual Public Health Service fees and/or any associated late fees to TCEQ Financial Administration Account No. 90610016 for Fiscal Years 2017 through 2019.	
		Base Pena	\$5,000
>> En	vironmental, Prope	ty and Human Health Matrix	
		Harm	
OR	Release Actual	Major Moderate Minor	
OIC	Potential	Percent 0.0%	
>>Pro	grammatic Matrix Falsification	Major Moderate Minor	
	1 disilication	Percent 0.0%	
	Matrix Notes		
		Adjustment \$5,	000
			\$0
			7.
Violati	on Events		
	Number of \	iolation Events Number of violation days	
		daily	
		weekly monthly	
		quarterly Violation Base Pena	alty \$0
		semiannual	
		annual single event	
		Single event	
	All penalties a	nd fees will be determined by the Financial Administration Division at the next bill	ina
	, , , , , , , , , , , , , , , , , , , ,	cycle.	
	<u> </u>		
Good I	aith Efforts to Com		tion \$0
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary	
		Ordinary	
		N/A x	
		Notes The Respondent does not meet the good faith criteria for this violation.	
		Violation Subtr	otal \$0
Econo	mic Benefit (EB) for	this violation Statutory Limit Tool	
ECONO	inic benefit (EB) for	this violation Statutory Limit Test	
	Estimate	d EB Amount \$0 Violation Final Penalty To	otal \$0
		This violation Final Assessed Penalty (adjusted for lim	its) \$0
		· · ·	

Economic Benefit Worksheet									
Case ID No.	59689	pply Inc (PCW No.	. 2)						
Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation		
						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description									
•									
Delayed Costs									
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0	\$0	\$0		
Engineering/Construction				0.00	\$0	\$0	\$0		
Land				0.00	\$0	n/a	\$0		
Record Keeping System				0.00	\$0	n/a	\$0		
Training/Sampling				0.00	\$0	n/a	\$0		
Remediation/Disposal				0.00	\$0	n/a	\$0		
Permit Costs				0.00	\$0	n/a	\$0		
Other (as needed)				0.00	\$0	n/a	\$0		
Notes for DELAYED costs				N/					
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoide			
Disposal				0.00	\$0	\$0	\$0		
Personnel				0.00	\$0	\$0	\$0		
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0		
Supplies/Equipment				0.00	\$0	\$0	\$0		
Financial Assurance				0.00	\$0	\$0	\$0		
ONE-TIME avoided costs				0.00	\$0	\$0	\$0		
Other (as needed)		<u> </u>		0.00	\$0	\$0	\$0		
Notes for AVOIDED costs				N/	A				
Approx. Cost of Compliance		\$0			TOTAL		\$0		

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



Compliance History Report

Compliance History Report for CN604841528, RN101174894, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or CN604841528, SRC Water Supply Inc Classification: HIGH Rating: 0.00

Owner/Operator:

Regulated Entity: RN101174894, DENTON ESTATES MOBILE Classification: NOT APPLICABLE Rating: N/A

HOME PARK

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

CH Group: 14 - Other

Location: 22 CHRISTI LANE IN KRUM, DENTON COUNTY, TEXAS

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0610016

Compliance History Period: September 01, 2015 to August 31, 2020 Rating Year: 2020 Rating Date: 09/01/2020

Date Compliance History Report Prepared: July 12, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 21, 2015 to October 21, 2020

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

Name: Ryan Byer **Phone:** (512) 239-2571

Site and Owner/Operator History:

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

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

3) Who is the current owner/operator?

SRC WATER SUPPLY INC OWNER since 7/8/2020

4) Who was/were the prior owner(s)/operator(s)?

Lass Utility Service Company Inc, OWNER, 9/2/2011 to 7/7/2020 LASS WATER COMPANY INC, OWNER, 5/20/2014 to 7/7/2020 BARBEY, SANDRA R, OWNER, 1/1/2015 to 7/7/2020

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

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

1 Date: 01/15/2020 (1665680)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 3Q2019 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the 3rd quarter of 2019 within the required

timeline.

2 Date: 02/24/2020 (1665680)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 4Q2019 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the 4th quarter of 2019 within the required

timeline.

3 Date: 04/16/2020 (1665680)

Self Report? NO Classification: Moderate

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

Description: NO2 MR YR2019 - The system failed to monitor and/or report nitrite levels to the TCEQ

for the annual monitoring period from 01/01/2019 to 12/31/2019 within the required

timeline.

4 Date: 07/02/2020 (1665680)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 1Q2020 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the 1st quarter of 2020 within the required

timeline

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SRC WATER SUPPLY INC;	§	
RN101174894	Š	ENVIRONMENTAL QUALITY

DEFAULT ORDER DOCKET NO. 2020-1072-PWS-E

On	, the Texas Commission on Environmental Quality ("Commission" or
"TCEQ") considered the	e Executive Director's Preliminary Report and Petition, filed pursuant to Tex.
WATER CODE ch. 5, TEX. 1	HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ, which requests
appropriate relief, inclu	ading the imposition of an administrative penalty and corrective action of the
respondent. The respo	ndent made the subject of this Order is SRC Water Supply Inc. ("Respondent").

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

FINDINGS OF FACT

- 1. Respondent owns and operates a public water supply ("PWS") located at 22 Christi Lane in Krum, Denton County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 52 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 a record review conducted on July 27, 2020 through August 7, 2020, an investigator documented that Respondent:
 - a. Failed to provide the results of cyanide sampling to the Executive Director for the January 1, 2018 through December 31, 2018 monitoring period;
 - b. Failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2013 through December 31, 2018 monitoring period;
 - c. Failed to provide the results of nitrite sampling to the Executive Director for the January 1, 2019 through December 31, 2019 monitoring period; and
 - d. Failed to submit a Disinfection Level Quarterly Operating Report ("DLQOR") to the Executive Director by the tenth day of the month following the end of each quarter for the third quarter of 2019 through the first quarter of 2020.
- 3. During a record review conducted on August 17, 2020, TCEQ staff documented that Respondent did not pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 90610016 for Fiscal Years 2017 through 2019.
- 4. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of SRC Water Supply Inc" (the "EDPRP") in the TCEQ Chief Clerk's office on September 12, 2023.
- 5. By letter dated September 12, 2023, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to the return receipt "green card," Respondent

- received notice of the EDPRP on September 14, 2023, as evidenced by the signature on the card.
- 6. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Water Code ch. 5 and 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 provide the results of cyanide sampling to the Executive Director for the January 1, 2018 through December 31, 2018 monitoring period, in violation of 30 Tex. Admin. Code § 290.106(e).
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2013 through December 31, 2018 monitoring period, in violation of 30 Tex. Admin. Code § 290.108(e).
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to provide the results of nitrite sampling to the Executive Director for the January 1, 2019 through December 31, 2019 monitoring period, in violation of 30 Tex. Admin. Code § 290.106(e).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent failed to submit a DLQOR to the Executive Director by the tenth day of the month following the end of each quarter for the third quarter of 2019 through the first quarter of 2020, in violation of 30 Tex. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
- 6. As evidenced by Finding of Fact No. 3, Respondent did not pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 90610016 for Fiscal Years 2017 through 2019, in violation of Tex. Water Code § 5.702 and 30 Tex. Admin. Code § 290.51(a)(6).
- 7. As evidenced by Findings of Fact Nos. 4 and 5, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.104(b)(1).
- 8. As evidenced by Finding of Fact No. 6, Respondent failed to file a timely answer as required by Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.105. Pursuant to Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
- 9. Pursuant to Tex. Health & Safety Code § 341.049(a), the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 10. An administrative penalty in the amount of one thousand three hundred eighty-eight dollars (\$1,388.00) 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).
- 11. Tex. Water Code §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

- 1. Respondent is assessed an administrative penalty in the amount of one thousand three hundred eighty-eight dollars (\$1,388.00) for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
- 2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: SRC Water Supply Inc; Docket No. 2020-1072-PWS-E" to:

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

- 3. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are released by the Facility's laboratories and reported to the Executive Director within the first ten days following the month in which the results are received by the public water system or the first ten days following the end of the monitoring period, whichever occurs first, in accordance 30 Tex. Admin. Code §§ 290.106 and 290.108;
 - ii. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established, in accordance with 30 Tex. ADMIN. CODE §§ 290.106 and 290.108; and
 - iii. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 90610016. The payment shall be sent with the notation "SRC Water Supply Inc, Financial Administration Account No. 90610016" to:

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

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records, to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.iii. The certification shall be signed by Respondent and shall include the following certification language:

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

Respondent shall submit the written certification and copies of documentation necessary to demonstrate compliance with these Ordering Provisions to:

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

and:

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

- 4. All relief not expressly granted in this Order is denied.
- 5. The provisions of 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 Enforcement Division at the address listed above.
- 7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that 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.
- 10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 Tex. Admin. Code § 70.106(d) and Tex. Gov't Code § 2001.144.

SIGNATURE PAGE

<i>51</i> 4 10	ATOKE THEE	
TEXAS COMMISSION ON ENVIRONMENTAL	L QUALITY	
For the Commission	Date	

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF CYNTHIA K. SIROIS

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of SRC Water Supply Inc' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on September 12, 2023.

The EDPRP was mailed to Respondent's last known address on September 12, 2023, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDPRP on September 14, 2023, as evidenced by the signature on the card.

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

yethra & Sirois

"My name is Cynthia K. Sirois, and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in <u>Travis</u> County,
State of Texas,
on the <u>9th</u> day of <u>October</u> , 2023

Declarant