

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 59998
CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION
RN101256063
Docket No. 2020-1394-PWS-E

Order Type:
Default Order

Media:
PWS

Small Business:
Yes

Location(s) Where Violation(s) Occurred:
corner of Circle R Road North and Circle R Road South, Fort Worth, Tarrant County

Type of Operation:
public water system

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Case No. 61330
Past-Due Penalties: \$438.75
Past-Due Fees: None
Other: None
Interested Third-Parties: None

Texas Register Publication Date: July 29, 2022

Comments Received: None

Penalty Information

Total Penalty Assessed: \$3,719

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$3,719

Compliance History Classifications:

Person/CN - Unclassified
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: September 28, 2020 through October 16, 2020

Date(s) of NOV(s): April 16, 2020; July 9, 2020; August 19, 2020

Date(s) of NOE(s): October 16, 2020

Violation Information

1. Failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period [30 TEX. ADMIN. CODE § 290.108(e)].
2. Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017, and October 25, 2017, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
3. Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to provide the results of radionuclides contaminants sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period and failed to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on April 25, 2019, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
4. Failed to provide the results of minerals and synthetic organic chemical ("SOC") (Methods 504, 515, and 531) contaminants sampling to the Executive Director for the January 1, 2017, through December 31, 2019, monitoring period [30 TEX. ADMIN. CODE §§ 290.106(e) and 290.107(e)].
5. Failed to provide the results of nitrate, synthetic organic chemical Group 5 ("SOC5"), and volatile organic compound ("VOC") contaminants sampling to the Executive Director for the January 1, 2019, through December 31, 2019, monitoring period [30 TEX. ADMIN. CODE §§ 290.106(e) and 290.107(e)].
6. Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 12298 for calendar years 2016 through 2019 [TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 291.76].
7. Failed to pay Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92200148 for Fiscal Years 2017 through 2020 [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:

Within 30 days after the effective date of this Order:

1. Ensure that all delinquent drinking water chemical analysis results, including for nitrate, SOC contaminants (Methods 504, 515, and 531 and Group 5), VOC contaminants, minerals, and radionuclides, are reported to the Executive Director, or demonstrate that a compliance schedule has been established for reporting these results to the Executive Director.
2. Implement improvements to the Facility's process procedures, guidance, training, and oversight to ensure that all future drinking water chemical samples are collected and the results, including for nitrate, SOC contaminants (Methods 504, 515, and 531 and Group 5), VOC contaminants, minerals, and radionuclides, 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 Facility, or the first ten days following the end of the monitoring period, whichever occurs first.
3. Provide public notifications and submit copies of the public notifications, accompanied with signed Certificates of Delivery, to the Executive Director regarding the failure to provide the results of radionuclides contaminants sampling to the Executive Director for the January 1, 2016

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 59998
CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION
RN101256063
Docket No. 2020-1394-PWS-E

through December 31, 2018 monitoring period and regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017, October 25, 2017, and April 25, 2019, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected.

4. Implement procedures to ensure all necessary public notifications are provided in a timely manner to persons served by the Facility and that a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director.
5. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 12298 for calendar years 2016 through 2019.
6. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 92200148.
7. 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 Technical Requirements Nos. 1 through 6.

Litigation Information

Date Petition(s) Filed: February 9, 2022; March 3, 2022; March 21, 2022; May 25, 2022
Date Green Card(s) Signed: Unclaimed; Unclaimed; Unclaimed; hand-delivered by Region
Date Answer(s) Filed: N/A

Contact Information

TCEQ Attorneys: Casey Kurnath, Litigation Division, (512) 239-3400
Sheldon Wayne, Public Interest Counsel, (512) 239-6363
TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575
TCEQ Enforcement Coordinator: Amanda Conner, Enforcement Division, (512) 676-7487
TCEQ Regional Contact: Brent Candler, Dallas/Fort Worth Regional Office, (817) 588-5800
Respondent Contact: Jason Brandon, Director, CIRCLE "R" RANCHETTES RECREATION AND
COMMUNITY CORPORATION, 6018 Circle R Road North, Fort Worth, Texas
76140
Respondent's Attorney: N/A

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Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	19-Oct-2020	Screening	28-Oct-2020	EPA Due	30-Jun-2020
	PCW	8-Mar-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1)
Reg. Ent. Ref. No.	RN101256063
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	59998	No. of Violations	2
Docket No.	2020-1394-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Amanda Conner
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$150
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	55.0% Adjustment	Subtotals 2, 3, & 7	\$82
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Notes: Enhancement for three NOVs with the same/similar violations and two orders containing a denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$51
 Estimated Cost of Compliance: \$529
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$232
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$232
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$232
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$232
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Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1)			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59998			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			

Compliance History Worksheet

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

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 55%

>> **Repeat Violator (Subtotal 3)**

N/A	Adjustment Percentage (Subtotal 3)	0%
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>> **Compliance History Person Classification (Subtotal 7)**

Unclassified	Adjustment Percentage (Subtotal 7)	0%
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>> **Compliance History Summary**

Compliance History Notes	Enhancement for three NOVs with the same/similar violations and two orders containing a denial of liability.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 55%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 55%

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent Case ID No.	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1) 59998			<i>Policy Revision 4 (April 2014) PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm				Percent <input type="text" value="0.0%"/>
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent <input type="text" value="5.0%"/>
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

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

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	28-Sep-2020	31-Jul-2021	0.84	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$279	10-Jan-2019	31-Jul-2021	2.56	\$56	n/a	\$56
Notes for DELAYED costs	<p>The Training/Sampling delayed cost includes the estimated amount to implement process procedures, training, and/or oversight to ensure that future drinking water sample results are collected, analyzed, and released by the Facility's laboratories and reported to the Executive Director, calculated from the record review date to the estimated date of compliance.</p> <p>The Other (as needed) delayed cost includes the estimated amount to pay any outstanding lab fees (\$279.35 for radionuclides x one sample) so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the estimated date of compliance.</p>						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$379			TOTAL		\$40	

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW	
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1)				
Case ID No.	59998			<i>Policy Revision 4 (April 2014)</i>	
Reg. Ent. Reference No.	RN101256063			<i>PCW Revision March 26, 2014</i>	
Media	Public Water Supply				
Enf. Coordinator	Amanda Conner				
Violation Number	2				
Rule Cite(s)	30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)				
Violation Description	Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017 and October 25, 2017, at least one raw groundwater source Escherichia coli (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected.				
		Base Penalty	\$1,000		
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major	Moderate	Minor	
	Actual				Percent
	Potential				0.0%
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
		x			Percent
					5.0%
Matrix Notes	100% of the rule requirements were not met.				
		Adjustment	\$950		
				\$50	
Violation Events					
	Number of Violation Events	2	743	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event		x		
		Violation Base Penalty	\$100		
	Two single events are recommended, one for each notification.				
Good Faith Efforts to Comply					
		0.0%	Reduction	\$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary				
	Ordinary				
	N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.				
		Violation Subtotal	\$100		
Economic Benefit (EB) for this violation					
	Estimated EB Amount	\$11	Violation Final Penalty Total	\$155	
			This violation Final Assessed Penalty (adjusted for limits)	\$155	

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 1)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	28-Sep-2020	31-Jul-2021	0.84	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	10-Oct-2018	31-Jul-2021	2.81	\$7	n/a	\$7
Notes for DELAYED costs	<p>The Training/Sampling delayed cost includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from the record review date to the estimated date of compliance.</p> <p>The Other (as needed) delayed cost includes the estimated amount to ensure that the delinquent public notifications (\$25 per notification x two notifications) are provided to persons served by the Facility and a copy of each public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.</p>						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				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	<p> </p>						
Approx. Cost of Compliance	\$150			TOTAL			\$11



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision September 1, 2019

DATES	Assigned	19-Oct-2020	Screening	28-Oct-2020	EPA Due	30-Jun-2020
	PCW	8-Mar-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Reg. Ent. Ref. No.	RN101256063
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	59998	No. of Violations	5
Docket No.	2020-1394-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Amanda Conner
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	55.0% Adjustment	Subtotals 2, 3, & 7	\$1,237
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Notes: Enhancement for three NOVs with the same/similar violations and two orders containing a denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$68
 Estimated Cost of Compliance: \$867
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,487
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$3,487
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,487
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$3,487
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Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59998			<i>PCW Revision September 1, 2019</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 55%

>> Repeat Violator (Subtotal 3)

N/A	Adjustment Percentage (Subtotal 3)	0%
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>> Compliance History Person Classification (Subtotal 7)

Unclassified	Adjustment Percentage (Subtotal 7)	0%
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>> Compliance History Summary

Compliance History Notes	Enhancement for three NOVs with the same/similar violations and two orders containing a denial of liability.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 55%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 55%

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW	
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)				
Case ID No.	59998	<i>Policy Revision 4 (April 2014)</i>			
Reg. Ent. Reference No.	RN101256063	<i>PCW Revision September 1, 2019</i>			
Media	Public Water Supply				
Enf. Coordinator	Amanda Conner				
Violation Number	1				
Rule Cite(s)	30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)				
Violation Description	Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to provide the results of radionuclides contaminants sampling to the Executive Director for the January 1, 2016 through December 31, 2018 monitoring period and regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on April 25, 2019, at least one raw groundwater source Escherichia coli (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected.				
Base Penalty				\$5,000	
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Release	Major	Moderate	Minor	
	Actual				
Potential				Percent 0.0%	
>> Programmatic Matrix					
		Falsification			
		Major	Moderate	Minor	
			x		
					Percent 5.0%
Matrix Notes	100% of the rule requirements were not met.				
Adjustment				\$4,750	
				\$250	
Violation Events					
Number of Violation Events		2	286 Number of violation days		
		daily			
		weekly			
		monthly			
		quarterly			
		semiannual			
		annual			
		single event	x		
				Violation Base Penalty \$500	
Two single events are recommended, one for each notification.					
Good Faith Efforts to Comply					
		0.0%	Reduction \$0		
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
		Extraordinary			
		Ordinary			
		N/A	x		
Notes		The Respondent does not meet the good faith criteria for this violation.			
				Violation Subtotal \$500	
Economic Benefit (EB) for this violation					
Statutory Limit Test					
Estimated EB Amount		€1	Violation Final Penalty Total €775		
This violation Final Assessed Penalty (adjusted for limits)				\$775	

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	\$50	21-Jan-2020	31-Jul-2021	1.53	\$4	n/a	\$4
Notes for DELAYED costs	<p>The Training/Sampling delayed cost to implement procedures to ensure that all necessary public notifications are provided in a timely manner is assessed in the Economic Benefit Worksheet for Violation No. 2 on PCW 1.</p> <p>The Other (as needed) delayed cost includes the estimated amount to ensure that the delinquent public notifications (\$25 per notification x two notifications) are provided to persons served by the Facility and a copy of each public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.</p>						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$50			TOTAL		\$4	

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59998			<i>PCW Revision September 1, 2019</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 290.106(e) and 290.107(e)			
Violation Description	Failed to provide the results of minerals and synthetic organic chemical ("SOC") (Methods 504, 515, and 531) contaminants sampling to the Executive Director for the January 1, 2017 through December 31, 2019 monitoring period.			
		Base Penalty	\$5,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		X			Percent 5.0%
Matrix Notes	100% of the rule requirements were not met.				

Adjustment \$4,750

\$250

Violation Events

Number of Violation Events Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

Four single events are recommended (one for each sample result).

Good Faith Efforts to Comply Reduction

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

Extraordinary	
Ordinary	
N/A	X

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$12 **Violation Final Penalty Total** \$1,550

This violation Final Assessed Penalty (adjusted for limits) \$1,550

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	\$548	10-Jan-2020	31-Jul-2021	1.5b	\$43	n/a	\$43
Notes for DELAYED costs	<p>The Training/Sampling delayed cost to implement improvements to the Facility's process procedures, guidance, and/or oversight to ensure that future drinking water sample results are collected, analyzed, and released by the Facility's laboratories and reported to the Executive Director is assessed in the Economic Benefit Worksheet for Violation No. 1 on PCW 1.</p> <p>The Other (as needed) avoided cost includes the estimated amount to pay any outstanding lab fees (\$102.25 for minerals, \$75.67 for SOC contaminants Method 504, \$313.25 for SOC contaminants Method 515, and \$57.01 for SOC contaminants Method 531) so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the estimated date of compliance.</p>						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$548			TOTAL		\$43	

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59998			<i>PCW Revision September 1, 2019</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 290.106(e) and 290.107(e)			
Violation Description	Failed to provide the results of nitrate, synthetic organic chemical Group 5 ("SOC5"), and volatile organic chemical ("VOC") contaminants sampling to the Executive Director for the January 1, 2019 through December 31, 2019 monitoring period.			
		Base Penalty	\$5,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			Percent 5.0%
Matrix Notes	100% of the rule requirements were not met.				
					Adjustment \$4,750

\$250

Violation Events

Number of Violation Events	3	Number of violation days	287
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
			Violation Base Penalty \$750

Three single events are recommended, one for each sample result.

Good Faith Efforts to Comply **0.0%** Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary		
	N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.		
			Violation Subtotal \$750

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount	\$0	Violation Final Penalty Total	\$1,163
This violation Final Assessed Penalty (adjusted for limits)		\$1,163	

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	\$269	10-Jan-2020	31-Jul-2021	1.5b	\$21	n/a	\$21
Notes for DELAYED costs	<p>The Training/Sampling delayed cost to implement improvements to the Facility's process procedures, guidance, and/or oversight to ensure that future drinking water sample results are collected, analyzed and released by the Facility's laboratories and reported to the Executive Director is assessed in the Economic Benefit Worksheet for Violation No. 1 on PCW 1.</p> <p>The Other (as needed) avoided cost includes the estimated amount to pay any outstanding lab fees (\$8.49 for nitrate, \$205.41 for SOC5 contaminants, and \$55.12 for VOC contaminants) so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the estimated date of compliance.</p>						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$269			TOTAL		\$21	

Screening Date	28-Oct-2020	Docket No.	2020-1394-PWS-E	PCW
Respondent	CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	(PCW 2) 59998			<i>PCW Revision September 1, 2019</i>
Reg. Ent. Reference No.	RN101256063			
Media	Public Water Supply			
Enf. Coordinator	Amanda Conner			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm				Percent <input type="text" value="0.0%"/>
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent <input type="text" value="0.0%"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

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

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 4

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/A							
Avoided Costs								
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)								
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				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	N/A							
Approx. Cost of Compliance	\$0			TOTAL				\$0

Screening Date 28-Oct-2020 **Docket No.** 2020-1394-PWS-E **PCW**
Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION
Case ID No. (PCW 2) 59998 *Policy Revision 4 (April 2014)*
Reg. Ent. Reference No. RN101256063 *PCW Revision September 1, 2019*
Media Public Water Supply
Enf. Coordinator Amanda Conner

Violation Number 5

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

Violation Description Failed to pay Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92200148 for Fiscal Years 2017 through 2020.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

Adjustment \$5,000

\$0

Violation Events

Number of Violation Events Number of violation days

- daily
- weekly
- monthly
- quarterly
- semiannual
- annual
- single event

Violation Base Penalty \$0

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

Good Faith Efforts to Comply **0.0%** Reduction \$0

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

Extraordinary		
Ordinary		
N/A		

Notes

Violation Subtotal \$0

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$0

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

Economic Benefit Worksheet

Respondent CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION (PCW 2)
Case ID No. 59998
Reg. Ent. Reference No. RN101256063
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	N/A						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				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	N/A						
Approx. Cost of Compliance	\$0				TOTAL	\$0	

The TCEQ is committed to accessibility.

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



Compliance History Report

Compliance History Report for CN603973819, RN101256063, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN603973819, CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION **Classification:** UNCLASSIFIED **Rating:** -----

Regulated Entity: RN101256063, CIRCLE R RANCHETTES **Classification:** NOT APPLICABLE **Rating:** N/A

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

CH Group: 14 - Other

Location: corner of Circle R Road North and Circle R Road South near Fort Worth, Tarrant County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
2200148

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

Date Compliance History Report Prepared: October 22, 2020

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 22, 2015 to October 22, 2020

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Amanda Conner **Phone:** (512) 676-7487

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

- 1 Effective Date: 06/20/2017 ADMINORDER 2016-0366-MLM-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
30 TAC Chapter 290, SubChapter F 290.121(b)
Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.
Classification: Moderate
Citation: 2B TWC Chapter 11, SubChapter A 11.1272(c)
30 TAC Chapter 288, SubChapter B 288.20(a)
30 TAC Chapter 288, SubChapter C 288.30(5)(B)
Description: Failure to adopt a Drought Contingency Plan which includes all elements for municipal use by a retail public water supplier.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
Description: Failure to calibrate the Facility's two well meters at least once every three years.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the barbed wire fence at the water plant was overgrown with vegetation.
Classification: Moderate

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

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

Description: Failure to properly maintain water works operation and maintenance records and make them available for review to the Executive Director during the investigation. Specifically, records for the amount of chemicals used each week and the amount of water treated each week were not available.

Classification: Moderate

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

Description: Failure to inspect the Facility's ground storage tank annually.

Classification: Moderate

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

Description: Failure to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.

Classification: Moderate

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

Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failure to develop and maintain a thorough and up-to-date plant operations manual for operator review and reference.

Classification: Minor

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

Description: Failure to post a legible sign at the Facility's production, treatment and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted. Specifically, there was no sign posted at the Facility's water plant.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)

Description: Failure to equip the Facility's ground storage tank roof vent with a 16-mesh or finer corrosion-resistant screen to prevent entry of animals, birds, insects and heavy air contaminants. Specifically, the ground storage tank roof vent did not have a screen.

Classification: Moderate

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

Description: Failure to inspect the Facility's pressure tank annually.

2 Effective Date: 04/10/2018 ADMINORDER 2016-2126-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.107(c)(1)
30 TAC Chapter 290, SubChapter F 290.107(e)

Description: SOC5 MR 2Q2015 - The system failed to monitor and/or report synthetic organic contaminants (Group SOC5) levels to the TCEQ for the quarterly monitoring period from 04/01/2015 to 06/30/2015 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 2Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2015 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 3Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the third quarter of 2015 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 4Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2015 within the required timeline.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(e)(5)

30 TAC Chapter 290, SubChapter F 290.110(f)(2)

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

Description: DLQOR MR 1Q2016 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2016 within the required timeline.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

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 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

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 2014 - The system failed to provide the Consumer Confidence Report (CCR) for 2014 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 3Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the third quarter of 2015.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 4Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the fourth quarter of 2015.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: SOC MR PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a synthetic organic contaminants monitoring and reporting violation for the quarterly monitoring period from 04/01/2015 to 06/30/2015.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(i)(6)

30 TAC Chapter 290, SubChapter F 290.117(j)

Description: LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the reduced monitoring period from 01/01/2013 to 12/31/2013.

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: 04/16/2020 (1679747)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.107(c)(1)
30 TAC Chapter 290, SubChapter F 290.107(e)
- Description: SOC 504, 515, 531 MR 3Y2019 - The system failed to monitor and/or report synthetic organic contaminants (method 504, 515, and 531) levels to the TCEQ for the triennial monitoring period from 01/01/2017 to 12/31/2019 within the required timeline.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.107(c)(1)
30 TAC Chapter 290, SubChapter F 290.107(e)
- Description: SOC5 MR YR2019 - The system failed to monitor and/or report synthetic organic contaminants (Group SOC5) levels to the TCEQ for the annual monitoring period from 01/01/2019 to 12/01/2019 within the required timeline.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.106(c)(4)
30 TAC Chapter 290, SubChapter F 290.106(c)(9)
30 TAC Chapter 290, SubChapter F 290.106(e)
- Description: MIN MR 3Y2019 - The system failed to monitor and/or report mineral levels to the TCEQ for the triennial monitoring period from 01/01/2017 to 12/31/2019 within the required timeline.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.106(c)(6)
30 TAC Chapter 290, SubChapter F 290.106(c)(9)
30 TAC Chapter 290, SubChapter F 290.106(e)
- Description: NO3 MR YR2019 - The system failed to monitor and/or report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2019 to 12/31/2019 within the required timeline.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
30 TAC Chapter 290, SubChapter F 290.107(c)(2)
30 TAC Chapter 290, SubChapter F 290.107(e)
- Description: VOC MR YR2019 - The system failed to monitor and/or report volatile organic contaminants levels to the TCEQ for the annual monitoring period from 01/01/2019 to 12/31/2019 within the required timeline.

- 2 Date: 07/09/2020 (1679747)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
- Description: RAD MR PN 3Y2018 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a radionuclide monitoring and reporting violation for the triennial monitoring period from 01/01/2016 to 12/31/2018.

- 3 Date: 08/19/2020 (1679747)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
- Description: APR/2019 GWR Triggered Source Monitoring PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct triggered source monitoring for the month of 04/2019.

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
ENFORCEMENT ACTION
CONCERNING
CIRCLE "R" RANCHETTES
RECREATION AND COMMUNITY
CORPORATION;
RN101256063

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§
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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

DEFAULT ORDER

DOCKET NO. 2020-1394-PWS-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 5, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION ("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 corner of Circle R Road North and Circle R Road South near Fort Worth, Tarrant County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 45 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 September 28, 2020 through October 16, 2020, an investigator documented that Respondent:
 - a. Failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period;
 - b. Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017, and October 25, 2017, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected;
 - c. Failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to provide the results of radionuclide contaminants sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period and failed to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on April 25, 2019, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected;

- d. Failed to provide the results of minerals and synthetic organic chemical ("SOC") (Methods 504, 515, and 531) contaminants sampling to the Executive Director for the January 1, 2017, through December 31, 2019, monitoring period;
 - e. Failed to provide the results of nitrate, synthetic organic chemical Group 5 ("SOC5"), and volatile organic chemical ("VOC") contaminants sampling to the Executive Director for the January 1, 2019, through December 31, 2019, monitoring period;
 - f. Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 12298 for calendar years 2016 through 2019; and
 - g. Failed to pay Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92200148 for Fiscal Years 2017 through 2020.
3. 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 CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION" (the "EDPRP") in the TCEQ Chief Clerk's office on May 25, 2022.
 4. A copy of the EDPRP was hand delivered to Respondent at their address on May 26, 2022.
 5. 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. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 5, and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a., Respondent failed to provide the results of radionuclides sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.108(e).
3. As evidenced by Finding of Fact No. 2.b., Respondent failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017, and October 25, 2017, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
4. As evidenced by Finding of Fact No. 2.c., Respondent failed to provide public notification and submit a copy of the public notification to the Executive Director, accompanied with a signed Certificate of Delivery, regarding the failure to provide the results of radionuclides contaminants sampling to the Executive Director for the January 1, 2016, through December 31, 2018, monitoring period and failed to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on April 25, 2019, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
5. As evidenced by Finding of Fact No. 2.d., Respondent failed to provide the results of minerals and SOC (Methods 504, 515, and 531) contaminants sampling to the Executive

- Director for the January 1, 2017, through December 31, 2019, monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(e) and 290.107(e).
6. As evidenced by Finding of Fact No. 2.e., Respondent failed to provide the results of nitrate, SOC5, and VOC contaminants sampling to the Executive Director for the January 1, 2019, through December 31, 2019, monitoring period, 30 TEX. ADMIN. CODE §§ 290.106(e) and 290.107(e).
 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 12298 for calendar years 2016 through 2019, in violation of TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 291.76.
 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to pay Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92200148 for Fiscal Years 2017 through 2020, in violation of TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(6).
 9. As evidenced by Findings of Fact Nos. 3 and 4, 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)(2).
 10. As evidenced by Finding of Fact No. 5, 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.
 11. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, 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.
 12. An administrative penalty in the amount of three thousand seven hundred nineteen dollars (\$3,719.00) 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).
 13. 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 three thousand seven hundred nineteen dollars (\$3,719.00) 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: CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION; Docket No. 2020-1394-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. Ensure that all delinquent drinking water chemical analysis results, including for nitrate, SOC contaminants (Methods 504, 515, and 531 and Group 5), VOC contaminants, minerals, and radionuclides, are reported to the Executive Director, or demonstrate that a compliance schedule has been established for reporting these results to the Executive Director, in accordance with 30 TEX. ADMIN. CODE §§ 290.106, 290.107, and 290.108; (Conclusions of Law Nos. 2, 5, and 6)
 - ii. Implement improvements to the Facility's process procedures, guidance, training, and oversight to ensure that all future drinking water chemical samples are collected and the results, including for nitrate, SOC contaminants (Methods 504, 515, and 531 and Group 5), VOC contaminants, minerals, and radionuclides, 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 Facility, or the first ten days following the end of the monitoring period, whichever occurs first, in accordance with 30 TEX. ADMIN. CODE §§ 290.106, 290.107, and 290.108; (Conclusions of Law Nos. 2, 5, and 6)
 - iii. Provide public notifications and submit copies of the public notifications, accompanied with signed Certificates of Delivery, to the Executive Director regarding the failure to provide the results of radionuclides contaminants sampling to the Executive Director for the January 1, 2016 through December 31, 2018 monitoring period and regarding the failure to collect, within 24 hours of notification of the routine distribution total coliform-positive samples on September 21, 2017, October 25, 2017, and April 25, 2019, at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from each active groundwater source in use at the time the distribution coliform-positive samples were collected, in accordance with 30 TEX. ADMIN. CODE § 290.122; (Conclusions of Law Nos. 3 and 4)
 - iv. Implement procedures to ensure all necessary public notifications are provided in a timely manner to persons served by the Facility and that a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122; (Conclusions of Law Nos. 3 and 4)
 - v. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 12298 for calendar years 2016 through 2019. The payment, along with the associated Revenue and Regulatory Assessment Reports, shall be sent to: (Conclusions of Law No. 7)

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

- vi. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 92200148. The payment shall be sent with the notation "CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION, Financial Administration Account No. 92200148" to the address listed in Ordering Provision No. 3.a.v. (Conclusions of Law No. 8)
- b. Within 45 days after the effective date of this Order, submit written certification to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.vi. The certification shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF CASEY KURNATH

"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 CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on May 25, 2022.

The EDPRP was hand delivered to Respondent at their address on May 26, 2022.

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."

"My name is Casey Kurnath 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 Travis County,
State of Texas,
on the 24th day of June, 2022

Casey Kurnath

Declarant

**UNSWORN DECLARATION OF ERIC WALLACE
LEIGH**

"On May 26, 2022, on behalf of the Executive Director of the Texas Commission on Environmental Quality ("TCEQ"), I hand delivered 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 CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION" ("EDPRP") to Jason Brandon, Director of Circle R Ranchettes Recreation and Community Corporation.

On May 26, 2022, at approximately 10:00 a.m., on behalf of the Executive Director of the TCEQ, I arrived at the 6103 Circle R Road North, Fort Worth, Texas, where I met Jason Brandon, to personally deliver the EDPRP. The EDPRP was hand delivered to Mr. Brandon."

"My name is Eric Wallace Leigh 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 Tarrant County, State
of Texas,
on the 17th day of August, 2022



Declarant