Order Type: Findings Agreed Order Findings Order Justification: Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s). Media: PWS **Small Business:** No Location(s) Where Violation(s) Occurred: City of Paint Rock PWS, 174 East San Saba Street, Paint Rock, Concho County **Type of Operation:** Public water supply **Other Significant Matters: Additional Pending Enforcement Actions: No** Past-Due Penalties: No Other: N/A **Interested Third-Parties: None Texas Register Publication Date:** June 11, 2021 **Comments Received:** No

Penalty Information

Total Penalty Assessed: \$5,865 Total Paid to General Revenue: \$2,933 Total Due to General Revenue: \$2,932 Payment Plan: 1 payment of \$2,932 Compliance History Classifications: Person/CN - Satisfactory Site/RN - Satisfactory Major Source: No Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A **Complaint Information**: N/A **Date(s) of Investigation:** September 18, 2020 and October 19, 2020 through October 30, 2020 **Date(s) of NOE(s):** October 23, 2020 and October 30, 2020

Violation Information

1. Failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") standards with an overflow that terminates downward with a gravity-hinged and weighted cover fitted with no gap over 1/16 inch [30 TEX. ADMIN. CODE § 290.43(c)(3)].

2. Failed to include all samples collected at sites designated in the monitoring plan as microbiological and residual monitoring sites in the compliance determination calculations [30 TEX. ADMIN. CODE § 290.110(e) and (f)(1)(A)].

3. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].

4. Failed to inspect the Facility's clearwell annually [30 Tex. Admin. Code § 290.46(m)(1)(A).]

5. Failed to submit a Disinfection Level Quarterly Operating Report ("DLQOR") to the Executive Director ("ED") by the tenth day of the month following the end of each quarter [30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3)].

6. Failed to conduct an operational evaluation and submit a written operation evaluation report to the ED within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 [30 TEX. ADMIN. CODE § 290.115(e)(2)].

7. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter for TTHM based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Update the Facility's operational guidance and conduct employee training to ensure that all disinfection residual results are used in the completion of compliance determinations;

ii. Conduct an inspection of the Facility's clearwell;

iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs; and

iv. Conduct an operational evaluation and submit an operation evaluation report to the ED.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 60 days:

i. Provide the elevated storage tank with an overflow that terminates downward with a gravity-hinged and weighted cover fitted with no gap over 1/16 inch in strict accordance with AWWA standards; and

ii. Maintain an up-to-date and thorough plant operations manual for operator review and reference, including but not limited to protocols to be utilized in the event of a natural or man-made catastrophe and telephone numbers of local, state, and federal agencies to be contacted in the event of an emergency.

d. Within 75 days, submit written certification to demonstrate compliance with c.

e. Within 90 days, begin submitting DLQORs to the ED by the tenth day of the month following the end of each quarter. This provision will be satisfied upon one quarter of compliant reporting.

f. Within 195 days, submit written certification to demonstrate compliance with e.

g. Within 365 days, return to compliance with the MCL for TTHM based on the locational running annual average.

h. Within 380 days, submit written certification to demonstrate compliance with g.

Contact Information

TCEQ Attorney: N/A **TCEQ Enforcement Coordinator:** Ryan Byer, Enforcement Division, Enforcement Team 8, MC 219, (512) 239-2571; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 **Respondent:** The Honorable Frances Maupin, Mayor, City of Paint Rock, P.O. Box 157, Paint Rock, Texas 76866

Respondent's Attorney: N/A

REAL PROPERTY OF COMMISSION	Policy R	Pe Revision 4 (April 2014)	nalty Calo	culatio	n Worksh	neet (PC	-	ision September 1, 2019
DATES	Assigned PCW	26-Oct-2020 27-Oct-2020	Screening 27	-Oct-2020	EPA Due			
DECDO				-000-2020				
	Respondent	TY INFORMATIC City of Paint Roc						
-	g. Ent. Ref. No. ty/Site Region				Maior/M	linor Source	Minor	
	NFORMATION							
	f./Case ID No.				No. d	of Violations		
Med		2020-1398-PWS Public Water Sup			Government	Order Type Non-Profit		
	Multi-Media		F . /			Coordinator	Ryan Byer	
Adr	nin. Penalty \$ I	Limit Minimum	\$50 Ma	ximum	\$5,000	EC S Team	Enforcement 1	eam 8
			Donalty		tion Soctio	20		
τοται		LTY (Sum of	•		tion Sectio		Subtotal 1	\$600
		•		se penan			Subtotal	<u> </u>
ADJUS	Subtotals 2-7 are of	/-) TO SUBTO ptained by multiplying	TAL 1 the Total Base Pena) by the indicated pe			
	Compliance Hi			70.0%	Adjustment		tals 2, 3, & 7	\$420
	Notes		for six NOVs wit reed orders cont			ns and two		
				anning a ac				
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does n	ot meet the	culpability crite	eria.		
							J	
	Good Faith Eff	ort to Comply T	otal Adjustmen	ts			Subtotal 5	\$0
	Economic Ben	əfit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts Cost of Compliance	\$118 \$672		d at the Total EB \$ A	Amount	Subtotal	40
			\$072					
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	\$1,020
		AS JUSTICE M Subtotal by the indic			0.0%		Adjustment	\$0
Reduces c		Subtotal by the mult	ated percentage.					
	Notes							
						Final Per	alty Amount	\$1,020
STATU	JTORY LIMI	FADJUSTMEN	іт			Final Asse	ssed Penalty	\$1,020
DEFE					0.00/			
DEFEF Reduces t		nalty by the indicated	l percentage.		0.0%	Reduction	Adjustment	\$0
	Notes	No.c	leferral is recomr	mended for	Findings Orders			
					<u> </u>]	
PAYA	BLE PENALT	Y						\$1,020

	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 final prohibitory emergency orders issued by the commission		0%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%	
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
	Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	other	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 Pe	rcentage (Sub	total 2) 📑	70%
>>	Repeat Violator	(Subtotal 3)			
	No	Adjustment Pe	rcentage (Sub	total 3)	0%
>>	Compliance Hist	ory Person Classification (Subtotal 7)			
	Satisfactory I	Performer Adjustment Pe	rcentage (Sub	total 7)	0%
>>	Compliance Hist	ory Summary			
	Compliance History Notes	Enhancement for six NOVs with the same/similar violations and two agreed orde denial of liability.	rs containing a		
		Total Compliance History Adjustment Percentage (Subtotals 2,	3, & 7) 🗇	70%
>> F	inal Compliance	History Adjustment Final Adjustment Percent	age *capped a	at 100%	70%
L					-

Respondent City of Paint Rock (PCW No. 1) Case ID No. 60003 Reg. Ent. Reference No. RN101451730 Media Public Water Supply

Enf. Coordinator Ryan Byer

>>

Component

NOVs

Compliance History Worksheet Compliance History Site Enhancement (Subtotal 2)

Policy Revision 4 (April 2014)

Number

6

0

2

PCW Revision September 1, 2019

Adjust.

30%

0%

40%

Docket No. 2020-1398-PWS-E

Written notices of violation ("NOVs") with same or similar violations as those in

Any agreed final enforcement orders containing a denial of liability (number of

the current enforcement action (number of NOVs meeting criteria)

Number of...

Other written NOVs

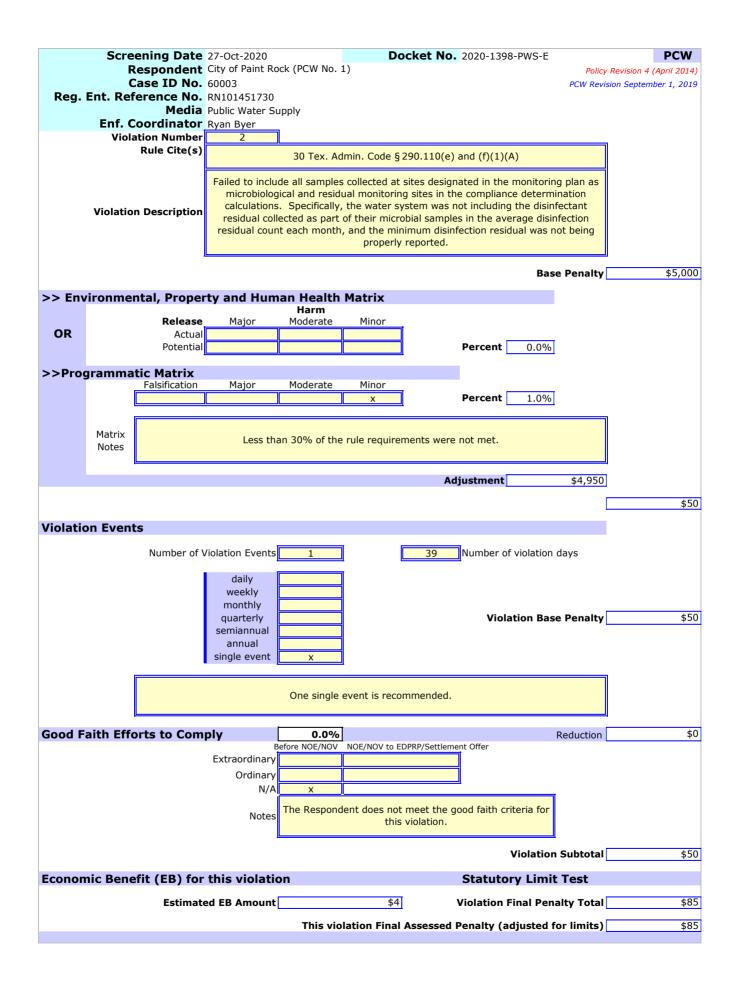
orders meeting criteria)

Screening Date 27-Oct-2020

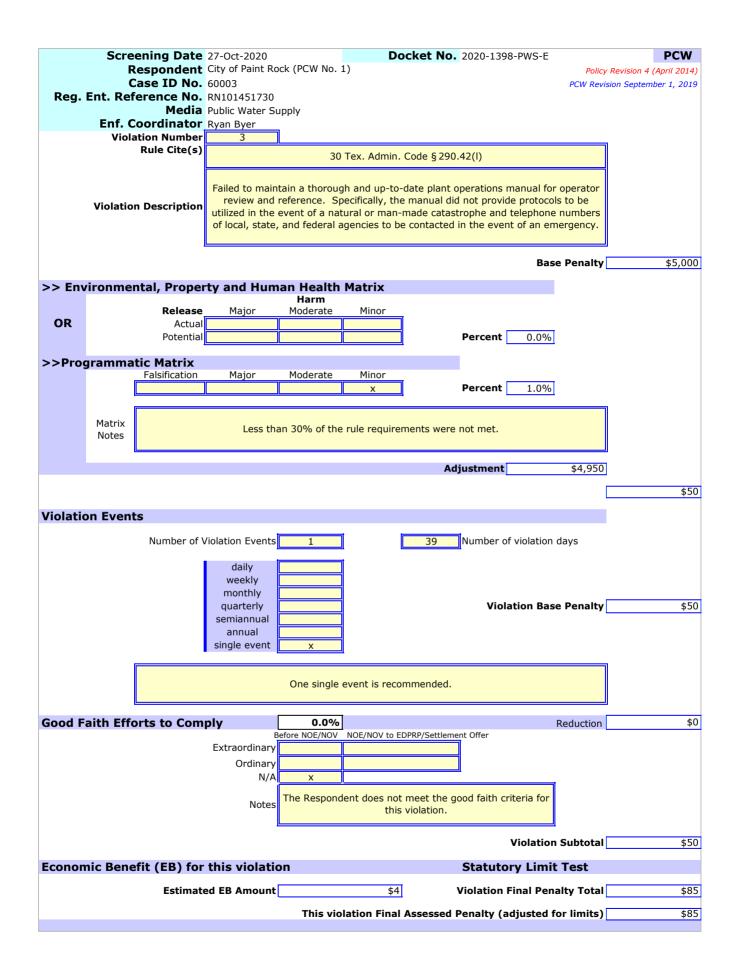
PCW

		ening Date			cket No. 2020-1398-PWS-E	PCW
			City of Paint Rock (PCW No. 1)		licy Revision 4 (April 2014)
Rea.		Case ID No.	60003 RN101451730		PCW R	evision September 1, 2019
			Public Water Supply			
		oordinator				
	VIOIa	ation Number	1			
		Rule Cite(s)	30 Te	ex. Admin. Co	ode §290.43(c)(3)	
			Failed to use into in the Fact	19. J		-
					tanks in strict accordance with current WWA") standards with an overflow that	
	Violatio	n Description			ed and weighted cover fitted with no ga	
					more than a 1/16-inch gap between the the elevated storage tank ("EST").	
					Base Penal	ty \$5,000
>> Env	vironme	ntal, Proper	ty and Human Health	Matrix		
		Release	Harm Major Moderate	Minor		
OR		Actual				
		Potential	X		Percent 5.0%	
>>Pro	gramma	tic Matrix				
		Falsification	Major Moderate	Minor	Percent 0.0%	
	Matrix				ghtly fitting cover could allow a significa	
	Notes	amount of c		iman health.	ch would not exceed levels protective of	
						<u></u>
					Adjustment \$4,7	50
						\$250
Violati	on Event	ts				
		Number of \	/iolation Events 1	· · · · ·	39 Number of violation days	_
		Number of V		. L		
			daily			
			weekly monthly			
			quarterly x		Violation Base Penal	ty \$250
			semiannual annual			
			single event			
						_
		One quarterl	y event is recommended, calc 18, 2020, to the date		the date of the investigation, September October 27, 2020	
					,	
Good F	aith Effo	orts to Com			Reductio	on \$0
			Before NOE/NOV Extraordinary	NOE/NOV to El	DPRP/Settlement Offer	
			Ordinary			
			N/A x			
			Notes The Responde	ent does not	meet the good faith criteria for	
			Notes	this	violation.	
					Violation Subtot	al \$250
Fconor	mic Bong	fit (FR) for	this violation		Statutory Limit Test	
LCOHOI	inc bene					•
		Estimate	ed EB Amount	\$63	Violation Final Penalty Tot	al \$425
			This viola	ation Final A	Assessed Penalty (adjusted for limit	s) \$425

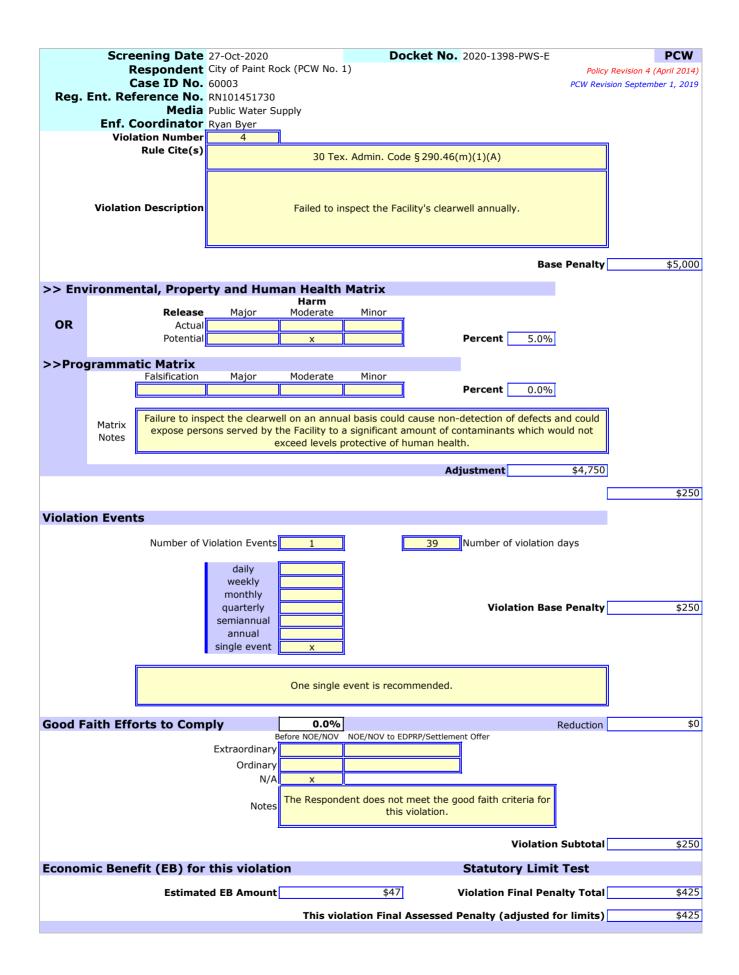
	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Paint R	ock (PCW No. 1)					
Case ID No.		· · · ·					
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		Jappiy				Percent Interest	Depreciation
	1					5.0	
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	I						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	19-Sep-2019	8-Jul-2021	1.80	\$3	\$60	\$63
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)						- 1-	+0
				0.00	\$0	n/a	\$0
	The delayed	l cost includes the	estimated amo			n/a w pipe on the EST th	
Notes for DELAYED costs	· · ·			ount to p	provide an overflow	• • • • • • • • • • • • • • • • • • • •	nat fits tightly
. ,	with no	gap over 1/16 inc	h in accordance	ount to p with A	provide an overflow WWA standards, ca	w pipe on the EST th	nat fits tightly ate of the
Notes for DELAYED costs	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	ount to p with A the viola	provide an overflow WWA standards, ca ation to the estima	w pipe on the EST the alculated from the date of compliant	nat fits tightly ate of the nce.
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Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	ount to p with A the viola 0.00 0.00 0.00 0.00 0.00 0.00	provide an overfloo WWA standards, ca ation to the estima item (except for \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoide \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	with A tering 0.00 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
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Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	unt to p with A the viola 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	provide an overflow WWA standards, ca ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	unt to p with A the viola 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	provide an overflow WWA standards, ca ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	unt to p with A the viola 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	provide an overflow WWA standards, ca ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	with no inv	gap over 1/16 inc vestigation initially	h in accordance / documenting f	unt to p with A the viola 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	provide an overflow WWA standards, ca ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	w pipe on the EST the alculated from the d ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	hat fits tightly ate of the nce. 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
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	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Paint R	ock (PCW No. 1)					
Case ID No.		,					
leg. Ent. Reference No.							
-							Years of
	Public Water S	supply				Percent Interest	Depreciation
Violation No.	. 2						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
p							
Delayed Costs							
Equipment	•	1		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	\$45	19-Sep-2019	8-Jun-2021	1.72	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	cost includes the e	estimated amou	nt to up	odate the Facility's	operational guidance	ce and conduct
Notes for DELAYED costs	employee tra	ining to ensure th	hat all disinfecta culated from the	nt resid e date o	lual results are use	operational guidance ed in the completion initially documentin	of compliance
	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid e date o nated da	lual results are use of the investigation ate of compliance.	ed in the completion initially documentin	of compliance og the violation
Notes for DELAYED costs Avoided Costs Disposal	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid e date o nated da	lual results are use of the investigation ate of compliance.	ed in the completion	of compliance og the violation
Avoided Costs	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid e date o nated da ntering	lual results are use of the investigation ate of compliance. item (except for	ed in the completion initially documentin	of compliance og the violation d costs)
Avoided Costs Disposal Personnel	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid e date o nated da tering 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0	d in the completion initially documentin r one-time avoide \$0 \$0 \$0	of compliance by the violation d costs) \$0 \$0 \$0
Avoided Costs Disposal	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid e date o nated da 0.00 0.00 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0 \$0 \$0	d in the completion initially documentin r one-time avoider \$0 \$0 \$0 \$0	of compliance by the violation a costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid date on nated date 0.00 0.00 0.00 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance ag the violation \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid date on nated date 0.00 0.00 0.00 0.00 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d in the completion initially documentin one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance by the violation \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid date on nated date 0.00 0.00 0.00 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance ag the violation \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employee tra determination	ining to ensure th n calculations, cale	hat all disinfecta culated from the to the estin	nt resid date on nated date 0.00 0.00 0.00 0.00 0.00 0.00 0.00	lual results are use of the investigation ate of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d in the completion initially documentin one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance ag the violation \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



	E	conomic	Benefit	Wo	rksheet		
Respondent		ock (PCW No. 1)					
Case ID No.							
	Public Water S	upply				Percent Interest	Years of
Violation No.	3						Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs		. <u></u> 1		1	10		
Equipment				0.00	\$0	\$0	\$0
Buildings		I		0.00	\$0 ¢0	\$0 ¢0	\$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Engineering/Construction Land				0.00	\$0 \$0		\$0 \$0
Record Keeping System				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$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)	\$45	19-Sep-2019	8-Jul-2021	1.80	\$4	n/a	\$0 \$4
		cost includes the	estimated anto	unt to n	haintain a thoroug	h and up-to-date pla	ant operations
Notes for DELAYED costs	manual whi state, and fee	ch includes proce leral agencies to	dures to be util be contacted in	ized dur the eve	ring catastrophes, ent of an emergend	h and up-to-date pla and telephone numl cy, calculated from t ted date of compliar	bers of local, he date of the
Notes for DELAYED costs Avoided Costs	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola	ing catastrophes, ent of an emergend ation to the estima	and telephone numl	bers of local, the date of the nce.
	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola	ring catastrophes, ent of an emergend ation to the estima item (except for \$0	and telephone numl cy, calculated from t ted date of compliar r one-time avoide \$0	bers of local, the date of the nce. d costs) \$0
Avoided Costs	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00	ing catastrophes, ent of an emergend ation to the estima item (except for \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoide \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0
Avoided Costs Disposal	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering	ing catastrophes, ent of an emergener ation to the estima item (except for \$0 \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoide \$0 \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00 0.00 0.00 0.00	ing catastrophes, ent of an emergence ation to the estima item (except for \$0 \$0 \$0 \$0 \$0	and telephone numl cy, calculated from t ted date of complian r one-time avoider \$0 \$0 \$0 \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00 0.00 0.00 0.00	ing catastrophes, ent of an emergene ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	bers of local, the date of the nce. 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00 0.00 0.00 0.00 0.00 0.00	ing catastrophes, ent of an emergene ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00 0.00 0.00 0.00	ing catastrophes, ent of an emergene ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	manual whi state, and fec inv	ch includes proce leral agencies to restigation initially	dures to be util be contacted in 7 documenting 1	ized dur the eve the viola tering 0.00 0.00 0.00 0.00 0.00 0.00	ing catastrophes, ent of an emergene ation to the estima item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and telephone num cy, calculated from t ted date of compliar r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bers of local, the date of the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



Case ID No. Reg. Ent. Reference No.	60003 RN10145173 Public Water						
Reg. Ent. Reference No. Media	RN10145173 Public Water						
Media	Public Water						
Media	Public Water						
violation No.		Supply				Percent Interest	Years of Depreciation
	т						
						5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
-							
Delayed Costs							
Equipment			1	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	<u>\$0</u> \$0
Other (as needed)				0.00	\$0	\$0	<u>\$0</u> \$0
Engineering/Construction				0.00	\$0	\$0	<u>\$0</u>
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
				0.00	\$0	n/a	\$0
Training/Sampling							
Training/Sampling Remediation/Disposal							
Training/Sampling Remediation/Disposal Permit Costs				0.00	\$0	n/a	\$0
Remediation/Disposal	\$41	19-Sep-2019	8-Jun-2021	0.00 0.00 1.72	\$0 \$0 \$4	n/a n/a n/a	\$0 \$0 \$4
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 nt to co enting f	\$0 \$0 \$4 nduct an annual cl the violation to the	n/a n/a n/a earwell inspection, e estimated date of o	\$0 \$0 \$4 calculated from compliance.
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 nt to co enting t	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for	n/a n/a n/a earwell inspection, estimated date of o	\$0 \$0 \$4 calculated from compliance.
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 nt to co enting t tering 0.00	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0	n/a n/a n/a earwell inspection, e estimated date of one-time avoide \$0	\$0 \$0 \$4 calculated from compliance. d costs) \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 tto co enting tering 0.00 0.00	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0 \$0	n/a n/a n/a earwell inspection, o estimated date of o one-time avoide \$0 \$0	\$0 \$0 \$4 calculated from compliance. d costs) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 nt to co enting to tering 0.00 0.00 0.00	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a n/a earwell inspection, o e estimated date of o some-time avoided \$0 \$0 \$0	\$0 \$0 \$4 calculated from compliance. d costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 1.72 1.72 1.72 1.72 1.72 1.72 1.72	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a earwell inspection, e estimated date of o so one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$4 calculated fron compliance. d costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed the date ANNL	cost includes the e of the investigatio IALIZE avoided e	estimated amou n initially docum costs before er	0.00 0.00 1.72 t to co enting t tering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a earwell inspection, estimated date of of one-time avoideo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$4 calculated from compliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed the date	cost includes the o of the investigatio	estimated amou n initially docum	0.00 0.00 1.72 1.72 1.72 1.72 1.72 1.72 1.72 1.72	\$0 \$0 \$4 nduct an annual cl the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a earwell inspection, e estimated date of o so one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$4 calculated from compliance. d costs) \$0 \$0 \$0 \$0 \$0

REAL OF	Policy F	Pe Revision 4 (April 2014	-	Calculatio	n Worksh	ieet (PC	-	ision September	1, 2019
DATES	Assigned	2-Nov-2020							
	PCW	5-Nov-2020	Screening	4-Nov-2020	EPA Due	30-Jun-2020			
RESPO		TY INFORMATI							
_		City of Paint Roc	k (PCW No.	2)					
	g. Ent. Ref. No. ty/Site Region				Major/M	inor Source	Minor		
Tacin	ty/Site Region	0-Jan Angelo			Major/M	mor source	MINU		
	NFORMATION								
En	f./Case ID No.	60003 2020-1398-PWS				f Violations Order Type			
Med		Public Water Sup	— —		Government				
Fieu	Multi-Media		pry			Coordinator			
		F					Enforcement	Feam 8	
Adr	nin. Penalty \$ I	imit Minimum.	\$50	Maximum	\$5,000				
			Pena	Ity Calculat	tion Sectio	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation	base penalt	ies)		Subtotal 1	4	\$2,750
	STMENTS (+	/-) TO SUBTO	TAI 1						
ADJU.		tained by multiplying		Penalty (Subtotal 1)) by the indicated pe	ercentage.			
	Compliance Hi	story		70.0%	Adjustment	Subto	tals 2, 3, & 7	4	\$1,925
	Notes			s with the same/ containing a der		is and two			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent do	es not meet the	culpability crite	ria.			
	Good Faith Eff	ort to Comply T	otal Adjust	ments			Subtotal 5		\$0
				ments			Subtotal S		40
	Economic Ben	- f it		0.00/	F		Subtatal 6	r	¢0
	Economic Ben	Total EB Amounts	\$915		Enhancement* d at the Total EB \$ A	mount	Subtotal 6		\$0
	Estimated	Cost of Compliance	\$5,295]					
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	9	64,675
						-		ļ7	
		AS JUSTICE M			0.0%		Adjustment		\$0
Reduces of	or enhances the Fina	Subtotal by the indic	cated percentag	e.			1		
	Notes								
						Final Per	alty Amount	\$	64,675
STAT	JTORY LIMI	ADJUSTMEN	NT			Final Asse	ssed Penalty	4	64,675
DEFE	RAL				0.0%	Reduction	Adjustment		\$0
		nalty by the indicated	d percentage.		0.0 /3		Jugustinent		- - -
	Notes	No c	leferral is re	commended for	Findings Orders				
ΡΔΥΛ	BLE PENALT	/						4	64,675
IAIA								L 4	-1,073

	Orders	Any adjudicated final enforcement orders, agreed final enforcement order without a denial of liability, or default orders of this state or the federa government, or any final prohibitory emergency orders issued by the commission	I 0	0%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denia of liability of this state or the federal government (<i>number of judgments o</i> <i>consent decrees meeting criteria</i>)		0%	
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicate final court judgments or consent decrees without a denial of liability, of this stat or the federal government		0%	
	Convictions	Any criminal convictions of this state or the federal government (<i>number o counts</i>)	f 0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under th Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature 1995 (number of audits for which notices were submitted)		0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Aud Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)		0%	
				1	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	r No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federa government environmental requirements	No	0%	
		Adjustment Pe	ercentage (Sub	ototal 2)	70%
>> F	Repeat Violator	(Subtotal 3)			
	No	Adjustment Pe	ercentage (Sub	ototal 3)	0%
>> (Compliance Hist	ory Person Classification (Subtotal 7)			
	Satisfactory	Performer Adjustment Pe	ercentage (Sub	ototal 7)	0%
>> (Compliance Hist	ory Summary			
	Compliance History Notes	Enhancement for six NOVs with the same/similar violations and two agreed ord denial of liability.	ers containing a		
		Total Compliance History Adjustment Percentage	Subtotals 2,	3, & 7)	70%
>> Fi	nal Compliance	History Adjustment Final Adjustment Percen	tage *conned	at 100%	70%
		rinai Aujustinent Percen	laye "capped	at 100%	70%

Case ID No. 60003 Reg. Ent. Reference No. RN101451730 Media Public Water Supply

Respondent City of Paint Rock (PCW No. 2)

Enf. Coordinator Ryan Byer

Number of...

Other written NOVs

orders meeting criteria)

Component

NOVs

Screening Date 4-Nov-2020

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

Written notices of violation ("NOVs") with same or similar violations as those in

Any agreed final enforcement orders containing a denial of liability (number of

the current enforcement action (number of NOVs meeting criteria)

PCW Revision September 1, 2019

Adjust.

30%

0%

40%

Number

6

0

2

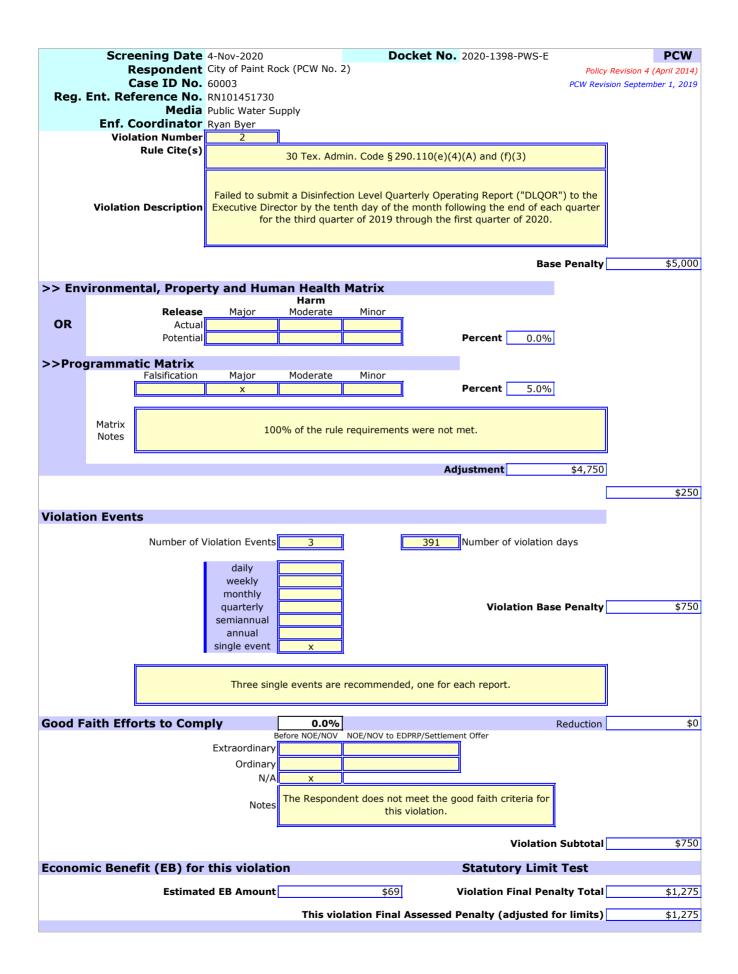
Docket No. 2020-1398-PWS-E

Policy Revision 4 (April 2014)

PCW

		ening Date			cket No. 2020-1398-PWS-E		PCW
		Respondent Case ID No.	City of Paint Rock (PCW I	No. 2)			Revision 4 (April 2014)
Reg.		ference No.				PCW Revisi	ion September 1, 2019
		Media	Public Water Supply				
		Coordinator ation Number					
	VIOI	Rule Cite(s)	//				
			30) Tex. Admin. Co	de§290.115(e)(2)		
	Violatio	n Description	evaluation report to the analytical results that ca total trihalomethanes (Executive Direct used an exceeda "TTHM") for Stac	uation and submit a written ope tor within 90 days after being n nce of the operational evaluatio le 2 Disinfection Byproducts ("D L9 through the second quarter o	otified of n level for BP2") at	
					Bas	e Penalty	\$5,000
>> Env	vironme	ntal, Propei	ty and Human Hea	lth Matrix			
			Harm	I			
OR		Release Actual	Major Modera	te Minor			
_		Potential			Percent 0.0%		
>>Pro	aramma	tic Matrix					
22110	granna	Falsification	Major Modera	te Minor			
			X		Percent 5.0%		
	Matrix Notes		100% of the	rule requirement	s were not met.		
					Adjustment	\$4,750	
						Г	\$250
		-					+=
Violati	on Even	ts					
		Number of V	/iolation Events 5		354 Number of violation	days	
			daily weekly monthly quarterly semiannual annual single event x		Violation Bas	e Penalty	\$1,250
			Five single events a	e recommended	one for each quarter.		
Good F	aith Eff	orts to Com		0%		Reduction	\$0
			Before NOE/I Extraordinary	NOV NOE/NOV to E	DPRP/Settlement Offer		
			Ordinary				
			N/A x			l	
			Notes The Resp		meet the good faith criteria for violation.		
					Violation	Subtotal	\$1,250
Econor	nic Bene	efit (EB) for	this violation		Statutory Limit	t Test	
		Estimate	ed EB Amount	\$189	Violation Final Pen	alty Total	\$2,125
			This	violation Final A	Assessed Penalty (adjusted f	or limits)	\$2,125
					, (,	,	, ,

		conomic	Benefit	Wo	rksheet		
Respondent	City of Paint R	ock (PCW No. 2)					
Case ID No.	60003						
eg. Ent. Reference No.	RN101451730)					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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	2-Sep-2020	15-Jun-2021	0.78	\$2	n/a	\$2
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs							
i chine costs				0.00	\$0	n/a	\$0
Other (as needed)	,			0.00 nount to	\$0 conduct an opera	n/a tional evaluation an	\$0 d submit an
Other (as needed) Notes for DELAYED costs	operational ev	valuation report to second	the Executive quarter of 2020	0.00 nount to Director to the	\$0 conduct an opera r, calculated from t estimated date of (n/a tional evaluation an the date the report compliance.	\$0 d submit an was due for th
Other (as needed) Notes for DELAYED costs Avoided Costs	operational ev	valuation report to second	the Executive quarter of 2020	0.00 nount to Director to the tering	\$0 conduct an opera c, calculated from t estimated date of item (except for	n/a tional evaluation an the date the report compliance.	\$0 d submit an was due for th d costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	operational ev	valuation report to second	the Executive quarter of 2020	0.00 Director to the b	\$0 conduct an opera calculated from t estimated date of item (except for \$0	n/a tional evaluation an the date the report compliance. r one-time avoide \$0	\$0 d submit an was due for th d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	operational ev	valuation report to second	the Executive quarter of 2020	0.00 Director to the tering 0.00 0.00	\$0 conduct an opera calculated from t estimated date of item (except for \$0 \$0	n/a tional evaluation an the date the report y compliance. • one-time avoide \$0 \$0	\$0 d submit an was due for th d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Ispection/Reporting/Sampling	operational ev	valuation report to second	the Executive quarter of 2020	0.00 Director to the 0.00 0.00 0.00	\$0 conduct an opera -, calculated from t estimated date of o item (except for \$0 \$0 \$0	n/a tional evaluation an he date the report v compliance. • one-time avoide \$0 \$0 \$0	\$0 d submit an was due for th d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	operational ev	valuation report to second	the Executive quarter of 2020	0.00 Director to the 0 0.00 0.00 0.00 0.00	\$0 conduct an opera calculated from t estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a tional evaluation an he date the report v compliance. • one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 d submit an was due for th d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	operational ex	Aluation report to second of ALIZE avoided c	o the Executive quarter of 2020 osts before er	0.00 Director to the 0.00 0.00 0.00 0.00 0.00	\$0 conduct an opera c, calculated from t estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a tional evaluation an he date the report v compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 d submit an was due for the was due for the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	operational ev	valuation report to second	the Executive quarter of 2020	0.00 Director to the 0 0.00 0.00 0.00 0.00	\$0 conduct an opera calculated from t estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a tional evaluation an he date the report v compliance. • one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 d submit an was due for th d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU,	ALIZE avoided c second o ALIZE avoided c 2 2 2 2 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 2 8 4 5 8 5 8 7 8 7 8 7 8 7 8 7 8 7 8 7 8 7 8	o the Executive I quarter of 2020 osts before er 4-Nov-2020 he estimated amort to the Execu	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.44 0.00 0.44 0.00 0.44 0.00 0.44 0.00	\$0 conduct an opera , calculated from t estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 conduct an opera ector (\$45 per rep	n/a tional evaluation an the date the report of compliance. • one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 d submit an was due for th d costs) \$0 \$0 \$0 \$0 \$187 \$0 d submit an ports + \$3



	E	conomic	Benefit	Wo	rksheet		
-		ock (PCW No. 2)					
Case ID No.							
teg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
violation No.	2					5.0	15
	Thom: Coat	Data Daminad	Final Data	Yrs	Interest Saved	Costs Saved	EB Amount
		Date Required	Final Date	Trs	Interest Saved	Costs Saved	EB Amount
Item Description	l						
Delayed Costs				7	-		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
other (as needed)				0.00	30	11/a	4 0
	The delayed	l cost to update t	he Facility's ope	rational	quidance and con-	duct employee train	ing to ensure
Notes for DELAYED costs	that all D	LQORs are submit	tted to the TCEC Worksheet for) in a tii Violatior	mely manner is can No. 1 of PCW No		mic Benefit
Avoided Costs	that all D	LQORs are submit	tted to the TCEC Worksheet for) in a tir Violation	mely manner is ca n No. 1 of PCW No item (except for	ptured in the Econor . 3. one-time avoide	mic Benefit d costs)
Avoided Costs Disposal	that all D	LQORs are submit	tted to the TCEC Worksheet for) in a tir Violation Itering 0.00	mely manner is can n No. 1 of PCW No item (except for \$0	ptured in the Econor 3. • one-time avoide \$0	mic Benefit d costs) \$0
Avoided Costs Disposal Personnel	that all D	LQORs are submit	tted to the TCEC Worksheet for	2 in a tin Violation Itering 0.00 0.00	mely manner is can n No. 1 of PCW No item (except for \$0 \$0	otured in the Econor 3. • one-time avoided \$0 \$0	d costs) \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	that all D	LQORs are submit	tted to the TCEC Worksheet for	2 in a tin Violation tering 0.00 0.00 0.00	mely manner is can n No. 1 of PCW No item (except for \$0 \$0 \$0	ptured in the Econo . 3. r one-time avoider \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	that all D	LQORs are submit	tted to the TCEC Worksheet for	2 in a tip Violation 0.00 0.00 0.00 0.00	mely manner is ca n No. 1 of PCW No item (except for \$0 \$0 \$0 \$0	ptured in the Econo . 3. • one-time avoide \$0 \$0 \$0 \$0 \$0	Benefit \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU	ALIZE avoided o	tted to the TCEC Worksheet for V costs before er	2 in a tin Violation 0.00 0.00 0.00 0.00 0.00 0.00	mely manner is can be a solution of PCW No item (except for solution) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	store d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	that all D	LQORs are submit	tted to the TCEC Worksheet for) in a til Violation 0.00 0.00 0.00 0.00 0.00 0.00 0.57	mely manner is can No. 1 of PCW No item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ptured in the Econol 3. • one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU	ALIZE avoided o	tted to the TCEC Worksheet for V costs before er	2 in a tin Violation 0.00 0.00 0.00 0.00 0.00 0.00	mely manner is can be a solution of PCW No item (except for solution) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	that all D ANNU \$67 The avoided three missed	ALIZE avoided c	ted to the TCEC Worksheet for V oosts before en 4-Nov-2020 e estimated among that began ac	2 in a tin Violation itering 0.00 0.00 0.00 0.00 0.57 0.00 0.00 0.57 0.00 0.00	mely manner is can No. 1 of PCW No item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 prepare and subm rom the date the p	one-time avoided so so so so so so so so so so	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	that all D ANNU \$67 The avoided three missed	ALIZE avoided c	ted to the TCEC Worksheet for V oosts before en 4-Nov-2020 e estimated among that began ac	2 in a tin Violation itering 0.00 0.00 0.00 0.00 0.57 0.00 0.00 0.57 0.00 0.00	mely manner is can No. 1 of PCW No item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 prepare and subm rom the date the p	one-time avoider solution one-time avoider solution	mic Benefit \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	that all D ANNU \$67 The avoided three missed	ALIZE avoided c	ted to the TCEC Worksheet for V oosts before en 4-Nov-2020 e estimated among that began ac	2 in a tin Violation itering 0.00 0.00 0.00 0.00 0.57 0.00 0.00 0.57 0.00 0.00	mely manner is can No. 1 of PCW No item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 prepare and subm rom the date the p	one-time avoided so so so so so so so so so so	mic Benefit \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date			et No. 2020-1398-PWS-E		PCW
			City of Paint Rock (PCW No.	2)			Revision 4 (April 2014)
Rea		Case ID No.	60003 RN101451730			PCW Revis	sion September 1, 2019
			Public Water Supply				
		Coordinator					
	Viola	ation Number Rule Cite(s)					
		Kule cite(3)	30 Tex. Admin. Code § 290	.115(f)(1) and Te	x. Health & Safety Code § 34	1.0315(c)	
			To the data are used to write the state of				
	Violatio	n Description	per liter ("mg/L") for TT Specifically, the locational r	THM based on the running annual av . for the second q	hinant level ("MCL") of 0.080 n locational running annual average concentrations of TTHM uarter of 2020 and 0.128 mg,	erage. 1 for DBP2	
				third quarter			+5.000
					Bas	e Penalty	\$5,000
>> En	vironme	ntal, Prope	rty and Human Health	n Matrix			
		Release	Harm Major Moderate	Minor			
OR		Actual			_		
		Potential			Percent 15.0%		
>>Pro	gramma	tic Matrix					
		Falsification	Major Moderate	Minor	Percent 0.0%		
	Matrix Notes				e Facility to be exposed to a s els protective of human health		
					Adjustment	\$4,250	
					Aujuotinent	<i>ų .,</i> 200	+750
						l	\$750
Violati	ion Event	ts					
		Number of V	Violation Events 1		182 Number of violation	days	
			dailyweeklymonthlyquarterlysemiannualannualxsingle event		Violation Bas	e Penalty	\$750
			One annua	Il event is recomn	nended.		
Good F	Faith Effe	orts to Com	ply 0.0%	0		Reduction	\$0
			Before NOE/NOV Extraordinary	NOE/NOV to EDPR	P/Settlement Offer		
			Ordinary				
			N/A x				
			Notes The Respon	dent does not me this vio	eet the good faith criteria for lation.		
					Violation	Subtotal	\$750
Econor	mic Bene	efit (EB) for	this violation		Statutory Limit	t Test	
			ed EB Amount	\$657	Violation Final Pen		\$1,275
		LSUMAU					
			This vi	olation Final As	sessed Penalty (adjusted f	or limits)	\$1,275

	E	conomic	Benefit	Wo	r ksheet		
Respondent	City of Paint R	ock (PCW No. 2)					
Case ID No.	60003						
Reg. Ent. Reference No.	RN101451730						
	Public Water S					Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		-					
Delayed Costs							
Delayed Costs		1	1	0.00	\$0	\$0	\$0
Equipment Buildings				0.00	<u>\$0</u> \$0	\$0 \$0	<u>\$0</u> \$0
Other (as needed)	\$5,000	30-Jun-2020	16-May-2022	1.88	\$0	\$0	\$657
Engineering/Construction	\$3,000	30-Juii-2020	10-11/1ay-2022	0.00	\$0	\$0	\$037
Land		1		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 \$0
Other (as needed)						'	
	The delayed	d cost includes the	e estimated amo	0.00 ount to	\$0 investigate, identii	n/a fy, and implement t	\$0 he necessary
Notes for DELAYED costs		tions to return to	compliance with	ount to h the M	investigate, identil	fy, and implement t lated from the last o	he necessary
	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to n the Mo e to the	investigate, identil CL for TTHM, calcu estimated date of	fy, and implement t lated from the last o	he necessary day of the first
Notes for DELAYED costs	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo e to the tering 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0	fy, and implement t lated from the last of compliance. r one-time avoide \$0	he necessary day of the first d costs) \$0
Notes for DELAYED costs	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo to the Mo to the to the tering 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0	fy, and implement t lated from the last compliance. r one-time avoide \$0 \$0	he necessary day of the first day of the first d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	corrective ac	tions to return to quarter o	compliance with of noncompliance	punt to the Mo to the to the tering 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0	fy, and implement t lated from the last compliance. r one-time avoide \$0 \$0 \$0	he necessary day of the first day of the first d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo to the to the 0.00 0.00 0.00 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0 \$0 \$0	fy, and implement ti lated from the last of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0	he necessary day of the first \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo to the to the 0.00 0.00 0.00 0.00 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	fy, and implement to lated from the last of compliance. r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	he necessary day of the first \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo to the to the 0.00 0.00 0.00 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0 \$0 \$0	fy, and implement t lated from the last of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he necessary day of the first \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo to the to the 0.00 0.00 0.00 0.00 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	fy, and implement to lated from the last of compliance. r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	he necessary day of the first \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	corrective ac	tions to return to quarter o	compliance with of noncompliance	ount to the Mo e to the itering 0.00 0.00 0.00 0.00 0.00 0.00	investigate, identii CL for TTHM, calcu estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	fy, and implement t lated from the last of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he necessary day of the first \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

COMMENTAL OF	Policy F	Pe Revision 4 (April 2014)	nalty Cal	culatio	n Workst	neet (PC	-	Revision March 2	26, 2014
DATES	Assigned						1		
	PCW	5-Nov-2020	Screening 4-	Nov-2020	EPA Due	<u>30-Jun-2020</u>			
RESPO		City of Paint Rock							
Reg	g. Ent. Ref. No.		(PCW NO. 3)						
Facili	ty/Site Region	8-San Angelo			Major/M	linor Source	Minor		
CASE I	NFORMATION								
En	f./Case ID No.	60003 2020-1398-PWS-	F		No. d	of Violations			
Med		Public Water Sup			Government	Order Type Non-Profit/			
	Multi-Media		. ,			Coordinator	Ryan Byer		
Adr	nin. Penalty \$ I	Limit Minimum	\$50 Ma	ximum	\$1,000	EC's Team	Enforcement 1	eam 8	
			Penalty	Calcula	tion Section	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation ba	se penal	ties)		Subtotal 1		\$100
ADJU	STMENTS (+	/-) TO SUBTO	DTAL 1						
	Subtotals 2-7 are of Compliance Hi	otained by multiplying	the Total Base Pena				tals 2, 3, & 7		\$70
	compliance m	· · ·	for six NOVs wit	70.0%	Adjustment				\$70
	Notes		reed orders cont						
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent does n	ot meet the	culpability crite	eria.			
							1		
	Good Faith Eff	ort to Comply To	otal Adjustmen	its			Subtotal 5		\$0
	_	<i></i>							+0
	Economic Ben	Total EB Amounts	\$51		Enhancement* d at the Total EB \$ /	Amount	Subtotal 6		\$0
	Estimated	I Cost of Compliance	\$189						
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal		\$170
OTHE	R FACTORS A	AS JUSTICE M	AY REQUIRE		0.0%		Adjustment		\$0
		Subtotal by the indic					1		
	Notes								
						Final Per	alty Amount		\$170
STATI	JTORY LIMI	FADJUSTMEN	IT			Final Asse	ssed Penalty		\$170
DEFE					0.0%	Reduction	Adjustment		\$0
		nalty by the indicated	percentage.		0.078	Reduction		<u> </u>	ΨU
	Notes	No d	eferral is recom	mended for	Findings Orders				
ΡΑΥΑ	BLE PENALT	Y					-		\$170

	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 final prohibitory emergency orders issued by the commission	0	0%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%	
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
	Convictions	Any criminal convictions of this state or the federal government (number of $counts$)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
		Environmental management systems in place for one year or more	Ne	00/	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment Per	centage (Sub	total 2)	70%
>> Re	peat Violator	(Subtotal 3)			
	No	Adjustment Per	centage (Sub	total 3)	0%
>> Co	mpliance Hist	ory Person Classification (Subtotal 7)			
	Satisfactory I	Performer Adjustment Per	centage (Sub	total 7)	0%
>> Co	mpliance Hist	ory Summary			
	Compliance History Notes	Enhancement for six NOVs with the same/similar violations and two agreed order denial of liability.	rs containing a		
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7)	70%
>> Fina	I Compliance	History Adjustment Final Adjustment Percenta	ane *canned ·	at 100%	70%
			age capped a	10 100 70	7070

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

Written notices of violation ("NOVs") with same or similar violations as those in

Any agreed final enforcement orders containing a denial of liability (number of

the current enforcement action (number of NOVs meeting criteria)

Docket No. 2020-1398-PWS-E

Screening Date 4-Nov-2020 **Respondent** City of Paint Rock (PCW No. 3)

Case ID No. 60003

Reg. Ent. Reference No. RN101451730

Media Public Water Supply

Enf. Coordinator Ryan Byer

Number of...

Other written NOVs

orders meeting criteria)

Component

NOVs

Adjust.

30%

0%

40%

Number

6

0

2



		ening Date		Docket No. 2020-1398-PWS-E	PCW
Respondent Case ID No.			City of Paint Rock (PCW No. 3		Policy Revision 4 (April 2014)
Reg.			RN101451730	٢	CW Revision March 26, 2014
		Media	Public Water Supply		
		Coordinator ation Number	Ryan Byer		
	VIOI	Rule Cite(s)			
		Rule Cite(S)	30 Tex. Adm	in. Code § 290.110(e)(4)(A) and (f)(3)	
Violation Descriptior			Failed to submit a Disinfection	on Level Quarterly Operating Report ("DLQOR") to t	he
			Executive Director by the ter	ter	
				irst and second quarters of 2019.	
				Base Pena	lty \$1,000
>> Env	/ironme	ntal, Propei	ty and Human Health	Matrix	
		Release	Harm Major Moderate	Minor	
OR		Actual			
		Potential		Percent 0.0%	
>>Pro	gramma	tic Matrix			
		Falsification	Major Moderate	Minor Percent 5.0%	
	Matrix				
	Notes		100% of the rule	requirements were not met.	
				Adjustment \$	950
					\$50
Violati	on Even	ts			
		Number of \	/iolation Events 2	574 Number of violation days	
		Humber of t			
			daily weekly		
			monthly		
			quarterly	Violation Base Pena	l ty \$100
			semiannual		
			single event x		
					_
			Two single events are re	ecommended, one for each report.	
Good F	aith Effe	orts to Com	ply 0.0%	Reduct	ion \$0
			Before NOE/NOV Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
			Ordinary		
			N/A x		
			The Responde	ent does not meet the good faith criteria for	
			Notes	this violation.	
			<u> </u>	 Violation Subto	stal \$100
Econor	nic Bene	ent (EB) for	this violation	Statutory Limit Test	
		Estimate	ed EB Amount	\$51 Violation Final Penalty To	tal \$170

Respondent Case ID No. g. Ent. Reference No.		conomic	Benefit	Wo	r ksheet		
Case ID No. g. Ent. Reference No.	City of Paint R	ock (PCW No. 3)					
g. Ent. Reference No.							
		1					
	Public Water S						Years of
		зирріу				Percent Interest	Depreciation
Violation No.	. 1						
						5.0	1
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
Delayed Costs	;	-					
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	19-Oct-2020	15-Jun-2021	0.65	\$1	n/a	\$1
Training/Sampling	\$100	19-Oct-2020	15-Jun-2021	0.65	\$3	n/a	\$3
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
					e estimated date o	•	
Avoided Costs	ANNU	ALIZE avoided o	osts before er			one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00			\$0
Financial Assurance							\$0
	\$44	10-Jul-2019	4-Nov-2020				\$47
ONE-TIME avoided costs Other (as needed)				0.00	\$0	\$0	\$0
spection/Reporting/Sampling Supplies/Equipment	\$44	10-Jul-2019	4-Nov-2020	0.00			



Compliance History Report

Compliance History Report for CN600628531, RN101451730, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer Owner/O		or CN600628531, City o	f Paint Rock	Classification	: SATISFACTOR	Rating	: 4.00
Regulated	l Entity:	RN101451730, CITY (OF PAINT ROCK	Classification	: SATISFACTOR	Y Rating	: 4.00
Complexit	ty Points:	0		Repeat Violator	r: NO		
CH Group	:	14 - Other		_			
Location:		174 EAST SAN SABA	STREET IN PAINT RC	CK, CONCHO COUNTY,	TEXAS		
TCEQ Reg	ion:	REGION 08 - SAN AN	GELO				
ID Numbe PUBLIC W	.,	PPLY REGISTRATION 0	480012				
Compliand	ce History Peric	d: September 01, 2	015 to August 31, 20	D20 Rating Ye	ar: 2020	Rating Date:	09/01/2020
Date Com	pliance History	Report Prepared:	March 16, 2021				
Agency D	ecision Requirir	ng Compliance Hist	ory: Enforcem	nent			
Compone	nt Period Select	ted: March 16, 20	16 to March 16, 2021				
TCEQ Staf	ff Member to Co	ontact for Additiona	al Information Re	egarding This Com	pliance Histo	ory.	
Nam	e: Ryan Byer			Phone:	(512) 239-257	71	
Compone	ents (Multime Orders, court ju Effective Date: 02 Classification: 1 Citation: 30 T		Are Listed in Se sent decrees: ADMINORDER 20 napter D 290.46(n)(2	2 ctions A - J 18-0836-PWS-E (16	60 Order-Agreed	NO	-
	located during el Classification: 1 Citation: 30 T 30 T Description: Fa Commission pere were not availab Classification: 1 Citation: 30 T 5A T Description: Fa	mergencies. Minor AC Chapter 290, SubCh AC Chapter 290, SubCh ilure to maintain water sonnel during the invest le for review.	apter D 290.46(f)(2) apter D 290.46(f)(3) works operation and igation. Specifically apter D 290.46(e)(3) Chapter A 341.033(a)	(D) (i) maintenance records a , numerous records of)(A) supervision of a water	and make them r microbiological a works operator v	readily available for analyses for the las who holds a Class ⁴	r review by t five years
2		Moderate AC Chapter 290, SubCh ilure to issue boil water			60 Order-Agreed	d Order With Denia	I)

Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(6)

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

Description: Failure to provide required information to the executive director prior to rescinding a Boil Water Notice (BWN).

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 December 21, 2017 (1453342)

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: 04/13/2020 (1684794)
	Self Report? NO Classification: Moderate
	Citation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2) 30 TAC Chapter 290, SubChapter F 290.115(f)(5) Description: DBP2 TTHM OEL Reporting 4Q2019 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at Frank Simons HWY 380, Paint Rock (DBP2-01) within the required timeline.
2	Date: 06/10/2020 (1684794)
	Self Report? NO Classification: Moderate
	Citation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2)
	30 TAC Chapter 290, SubChapter F 290.115(f)(5) Description: DBP2 TTHM OEL Reporting 1Q2020 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at Frank Simons HWY 380, Paint Rock (DBP2-01) within the required timeline.
3	Date: 06/18/2020 (1684794)
	Self Report? NO Classification: Moderate
	Citation:30 TAC Chapter 290, SubChapter F 290.115(f)(1)Description:TTHM LRAA MCL 202020During the 2nd quarter of 2020 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.142 mg/L at Frank Simons HWY 380, Paint Rock (DBP2-01).
4	Date: 07/02/2020 (1684794)
	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)(2) 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.
5	Date: 09/02/2020 (1684794)
	Self Report? NO Classification: Moderate
	Citation:30 TAC Chapter 290, SubChapter F 290.115(f)(1)Description:TTHM LRAA MCL 3Q2020 During the 3rd quarter of 2020 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.128 mg/L at Frank Simons HWY 380, Paint Rock (DBP2-01).
6	Date: 10/07/2020 (1684794)
	Self Report? NO Classification: Moderate
	Citation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2)
	30 TAC Chapter 290, SubChapter F 290.115(f)(5) Description: DBP2 TTHM OEL Reporting 2Q2020 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at Frank Simons HWY 380, Paint Rock (DBP2-01) within the required timeline.

Compliance History Report for CN600628531, RN101451730, Rating Year 2020 which includes Compliance History (CH) components from March 16, 2016, through March 16, 2021.

- F. Environmental audits: N/A
- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- H. Voluntary on-site compliance assessment dates: $$\rm N/A$$
- I. Participation in a voluntary pollution reduction program: $$\rm N/A$$
- J. Early compliance: N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CITY OF PAINT ROCK RN101451730

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2020-1398-PWS-E

On ______, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Paint Rock (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

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

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

I. FINDINGS OF FACT

- 1. The Respondent owns and operates a public water supply located at 174 East San Saba Street in Paint Rock, Concho County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 128 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
- 2. During an investigation conducted on September 18, 2020, an investigator documented that:
 - a. There was more than a 1/16-inch gap between the end of the overflow and its cover on the elevated storage tank ("EST").
 - b. The water system was not including the disinfectant residual collected as part of their microbial samples in the average disinfection residual count each month, and the minimum disinfection residual was not being properly reported.

- c. The manual did not provide protocols to be utilized in the event of a natural or man-made catastrophe, and telephone numbers of local, state, and federal agencies to be contacted in the event of an emergency.
- d. The Respondent did not inspect the Facility's clearwell annually.
- 3. During a record review conducted on October 19, 2020 through October 30, 2020, an investigator documented that:
 - a. The Respondent did not 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 first quarter of 2019 through the first quarter of 2020.
 - b. The Respondent did not conduct an operational evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 during the second through fourth quarters of 2019 and the first and second quarters of 2020.
 - c. The locational running annual average concentrations of TTHM for DBP2 at Site 1 were 0.142 milligram per liter ("mg/L") for the second quarter of 2020 and 0.128 mg/L for the third quarter of 2020.

II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") standards with an overflow that terminates downward with a gravity-hinged and weighted cover fitted with no gap over 1/16 inch, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to include all samples collected at sites designated in the monitoring plan as microbiological and residual monitoring sites in the compliance determination calculations, in violation of 30 TEX. ADMIN. CODE § 290.110(e) and (f)(1)(A).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to inspect the Facility's clearwell annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A).

- 6. As evidenced by Finding of Fact No. 3.a, the Respondent failed to submit a DLQOR to the Executive Director by the tenth day of the month following the end of each quarter, in violation of 30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
- 7. As evidenced by Finding of Fact No. 3.b, the Respondent failed to conduct an operational evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for TTHM for DBP2 at Site 1, in violation of 30 TEX. ADMIN. CODE § 290.115(e)(2).
- 8. As evidenced by Finding of Fact No. 3.c, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
- 9. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 10. An administrative penalty in the amount of \$5,865 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). The Respondent paid \$2,933 of the penalty. The remaining amount of \$2,932 shall be paid in one monthly payment of \$2,932. The payment shall be paid within 30 days after the effective date of this Order. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 10 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the 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 that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Paint Rock, Docket No. 2020-1398-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Update the Facility's operational guidance and conduct employee training to ensure that all disinfection residual results are used in the completion of compliance determinations, in accordance with 30 TEX. ADMIN. CODE § 290.110;
 - ii. Conduct an inspection of the Facility's clearwell, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110; and
 - iv. Conduct an operational evaluation and submit an operation evaluation report to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.115. The operation evaluation report shall be submitted to:

Drinking Water Standards Section Water Supply Division, MC 155 (Attn: DBP) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.h below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.iv.
- c. Within 60 days after the effective date of this Order:
 - i. Provide the EST with an overflow that terminates downward with a gravity-hinged and weighted cover fitted with no gap over 1/16 inch in strict accordance with AWWA standards, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
 - ii. Maintain an up-to-date and thorough plant operations manual for operator review and reference, including but not limited to protocols to be

utilized in the event of a natural or man-made catastrophe and telephone numbers of local, state, and federal agencies to be contacted in the event of an emergency, in accordance with 30 TEX. ADMIN. CODE § 290.42.

- d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.h below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.i and 2.c.ii.
- e. Within 90 days after the effective date of this Order, begin submitting DLQORs to the Executive Director by the tenth day of the month following the end of each quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon one quarter of compliant reporting. DLQORs shall be submitted to:

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

- f. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.h below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e.
- g. Within 365 days after the effective date of this Order, return to compliance with the MCL for TTHM based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115.
- h. Within 380 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 No. 2.g. The certification shall be signed by the 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."

The certification shall be submitted to:

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

with a copy to:

Water Section Manager San Angelo Regional Office Texas Commission on Environmental Quality 622 South Oakes, Suite K San Angelo, Texas 76903-7035

and a copy to:

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

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
- 7. 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.

- 8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date	
Curtit	12/13/2021	
For the Executive Director	Date	

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

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

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

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

Signature

10/29/21 Date

Title

Name (Printed or typed) Authorized Representative of City of Paint Rock

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

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