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: MLM - PWS, WR **Small Business:** Yes Location(s) Where Violation(s) Occurred: Petty WSC, located one block east of Farm-to-Market Road 137, 0.05 mile from the intersection of County Road 26712 and Farm-to-Market Road 1509, Petty, Lamar 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: December 10, 2021 Comments Received: No **Penalty Information Total Penalty Assessed:** \$3,222

Total Paid to General Revenue: \$122 Total Due to General Revenue: \$122 Total Due to General Revenue: \$3,100 Payment Plan: 31 payments of \$100 each Compliance History Classifications: Person/CN - Satisfactory Site/RN - N/A Major Source: No Statutory Limit Adjustment: \$17 Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A Date(s) of Investigation: March 30, 2021 Date(s) of NOE(s): April 23, 2021

Violation Information

1. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director ("ED") upon request [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(vi), (f)(3)(B)(ii), (f)(3)(B)(iv), (f)(3)(B)(v), (f)(3)(D)(i), and (f)(3)(E)(iv)].

2. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].

3. Failed to create a nitrification action plan for all systems distributing chloraminated water [30 TEX. ADMIN. CODE § 290.46(z)].

4. Failed to flush all dead-end mains at monthly intervals [30 TEX. ADMIN. CODE § 290.46(l)].

5. Failed 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 [30 TEX. ADMIN. CODE § 290.46(i)].

6. Failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].

7. Failed to make a water purchase contract available to the ED in order that production, storage, service pump, or pressure maintenance capacity may be properly evaluated [30 TEX. ADMIN. CODE § 290.45(f)(1)].

8. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier [30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B) and TEX. WATER CODE § 11.1272(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

a. On May 20, 2021, the Respondent provided a water purchase contract to the ED.

b. On May 24, 2021, the Respondent:

i. Provided documentation to the ED showing they began flushing all dead-end mains at monthly intervals;

ii. Provided a chemical and microbiological monitoring plan to the ED; and

iii. Provided a drought contingency plan to the ED.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Compile and maintain properly completed water works operation and maintenance records, including the amount of water distributed each week, the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation, the maintenance records for water system equipment and facilities, copies of any public notice issued by the water system, the disinfectant residual monitoring results from the distribution system, the calibration records for laboratory equipment, flow meters, rate-of-flow controllers, on-line turbidimeters, and on-line disinfectant residual analyzers, the records of backflow prevention device programs, the results of microbiological analyses, and copies of the Customer Service Inspection reports;

ii. Create a nitrification action plan; and

iii. Make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.

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

c. Within 90 days, 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.

d. Within 105 days, submit written certification to demonstrate compliance with c.

Contact Information

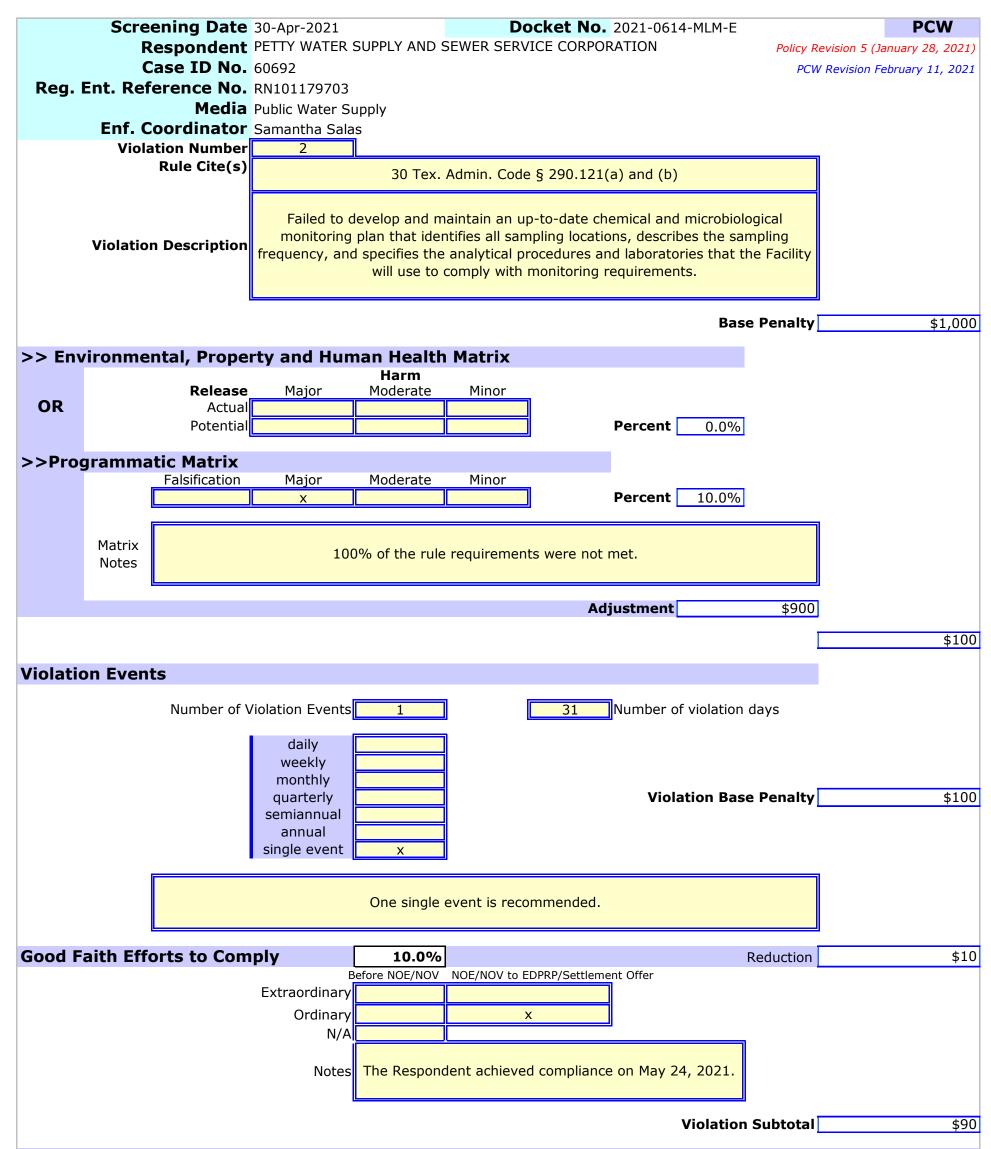
TCEQ Attorney: N/A **TCEQ Enforcement Coordinator:** Samantha Salas, Enforcement Division, Enforcement Team 8, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 **Respondent:** Wiley H. Hokett, President, PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION, P.O. Box 22, Petty, Texas 75470 **Respondent's Attorney:** N/A

South Southern Southe	Policy Revi	Pe sion 5 (January 28, 2	,	alculatio	n Worksh	neet (PC		vision February	11, 2021
DATES	Assigned PCW	19-Apr-2021 6-May-2021	Scrooning	30-Apr-2021	EPA Due				
DECDO				30-Apr-2021					
	Respondent	TY INFORMATION		EWER SERVICE	CORPORATION				
	g. Ent. Ref. No. ty/Site Region	RN101179703				linor Source	Minor		
		5 1 9101							
	NFORMATION f./Case ID No.	60692			No. c	of Violations	3		
Mor		2021-0614-MLM Public Water Sup			Government	Order Type			
Met	Multi-Media		ургу			Coordinator	Samantha Sala		
Adı	min. Penalty \$ I	Limit Minimum	\$50	Maximum	\$1,000	EC's Team	Enforcement T	eam 8	
			Penalt	y Calcula	tion Section	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation	, base penalt	ies)		Subtotal 1		\$225
ADJU	STMENTS (+	/-) TO SUBTO	OTAL 1						
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			for two NOVs		/similar violatio				<i></i>
	Notes			without a denia					
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	Notes	The Re	spondent doe	es not meet the	culpability crite	eria.			
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	Good Faith End	ort to Comply T	olai Aujustii	ients			Subtotal 5		-\$10
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	Estimated	Total EB Amounts Cost of Compliance	\$94 \$480	*Capped	d at the Total EB \$ A	Amount			
SUM (OF SUBTOTAI	LS 1-7				F	inal Subtotal		\$293
OTHE	R FACTORS A	S JUSTICE M	IAY REOUI	RE	0.0%		Adjustment		\$0
		Subtotal by the indic							+-
	Notes								
						Final Per	alty Amount		\$293
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Reduces t	he Final Assessed Pe	nalty by the indicated	d percentage.						
	Notes	No c	leferral is rec	ommended for	Findings Orders				
ΡΔΥΔ	BLE PENALT	(\$310
									7010

S	Creening [Date 30	D-Apr-2021	Docket No. 2021-0614-MLM-E			PCW
	-			LY AND SEWER SERVICE CORPORATION	Policy Rev	ision 5 (Januar	y 28, 2021
	Case ID				PCW R	evision Februa	ry 11, 202
Reg. Ent.	Reference						
En			ublic Water Supply amantha Salas				
E1							
	ee Wietem, Ci	to Enks	-	bliance History Worksheet			
Complian Compo		ber of	ancement (Subto	tal z)	Number	Adjust.	
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	Other	r written	NOVs		0	0%	
		-	inal enforcement <i>ng criteria</i>)	orders containing a denial of liability (<i>number of</i>	0	0%	
Orc	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					25%	
-	nents conse	ability of		judgments or consent decrees containing a denial e federal government (<i>number of judgments or</i> a)		0%	
	rees Any a final or the	adjudica court ju e federal	ted final court judg dgments or conser government	e 0	0%		
Convi	ctions count	ts)		is state or the federal government (<i>number of</i>	0	0%	
Emis				ents (<i>number of events</i>)	0	0%	
Au	Texas	s Enviro	nmental, Health,	director of an intended audit conducted under the and Safety Audit Privilege Act, 74th Legislature, ch notices were submitted)		0%	
	Disclo	ege Act,		the Texas Environmental, Health, and Safety Audit 1995 (<i>number of audits for which violations were</i>		0%	
	Envir	onmenta	al management sys	stems in place for one year or more	No	0%	
Ot	Volun	ntary on	<u> </u>	assessments conducted by the executive director		0%	
		ipation i	in a voluntary pollu	ition reduction program	No	0%	
		•	ance with, or offer environmental requ	r of a product that meets future state or federal iirements	No	0%	
				Adjustment Pe	rcentage (Sul	ototal 2)	35%
> Repeat Vi	olator (Subto	otal 3)		Adjustment De	rcentage (Sul	atotal 2)	0.0/
	N/A			Adjustment Pe	i centaye (Sul		0%
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	factory Perform			Adjustment Pe	rcentage (Sul	ototal 7) [0%
>> Complian	ce History Su	ummary					
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			_	iance History Adjustment Percentage (Subtotals 2,	3, & 7)	35%
>> Final Comp	liance Histor	ry Adjus	stment			- -	
				Final Adjustment Percent	tage *capped	at 100%	35%

	Screening Date	3 0-Apr-2021 Docket No. 2021-0614-MLM-E	PCW
	Respondent	PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION	olicy Revision 5 (January 28, 2021)
	Case ID No	60692	PCW Revision February 11, 2021
Reg.	Ent. Reference No	RN101179703	
	Media	Public Water Supply	
	Enf. Coordinato		
	Violation Number	· 1	
	Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(i	i),
		(f)(3)(B)(ii), (f)(3)(B)(iii), (f)(3)(B)(iv), (f)(3)(B)(v), (f)(3)(D)(i), and (f)(3)(E)	
		Failed to maintain water works operation and maintenance records and make th	em
		readily available for review by the Executive Director upon request. Specifically	
		records of the amount of water distributed each week, the date, location, and	
		nature of water quality, pressure or outage complaints received by the system a	
		the results of any subsequent complaint investigation, the maintenance records water system equipment and facilities, copies of any public notice issued by the	
	Violation Description	water system, the disinfectant residual monitoring results from the distributio	
		system, the calibration records for laboratory equipment, flow meters, rate-of-f	
		controllers, on-line turbidimeters, and on-line disinfectant residual analyzers, the	
		records of backflow prevention device programs, the results of microbiologica	
		analyses, and copies of the Customer Service Inspection reports were not maintained on-site for review.	
		Base Pen	alty\$1,000
>> Env	vironmental, Prope	rty and Human Health Matrix	
	Dalaas	Harm Majar Madarata Minar	
OR	Release Actua		
UN	Potentia		
>>Prog	grammatic Matrix		
	Falsification	Major Moderate Minor	
		x Percent 2.5%	
	Matrix Notes	Between 30% to 70% of the rule requirements were not met.	
	10105		
		Adjustment \$	975
		Adjustment \$	
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Violatio	on Events	Adjustment \$	
Violatio		Adjustment \$ Violation Events 31 Number of violation days	
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Good F	Number of	Violation Events 1 31 Number of violation days daily weekly monthly quarterly semiannual annual single event Violation Base Pent One single event is recommended. Description Reduct Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A Reduct Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtr this violation	stal \$25
Good F	Number of	Violation Events 1 31 Number of violation days daily	stal \$25

PA FAT RETERACE NA	RN101179703						
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	า						
Delayed Costs	5			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	\$120	28-Nov-2017	24-Feb-2022	0.00	<u>\$0</u> \$25	n/a n/a	<u>\$0</u> \$25
Record Keeping System Training/Sampling	\$120	28-100-2017	24-Feb-2022	0.00	<u>\$25</u> \$0	n/a	<u>\$25</u> \$0
Remediation/Disposal				0.00	\$0	n/a	<u> </u>
Permit Costs				0.00	\$0	n/a	<u> </u>
Other (as needed)				0.00	\$0	n/a	<u> </u>
Notes for DELAYED costs	records and	make them imm	ediately availab	le for i	nspection upon re documenting the	stem operation and quest by the Execut violation to the estir	ive Director,
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)		<u>]</u>]		0.00	\$0	\$0	\$0
Notes for AVOIDED costs							



Economic Benefit (EB) for this violation	n Statutory Limit Test			
Estimated EB Amount	\$31 Violation Final Penalty Total	\$125		
	This violation Final Assessed Penalty (adjusted for limits)			

eg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	5.0 Costs Saved	EB Amount
Item Description		Date Required	Final Date	115	Interest Saved	Costs Saveu	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					(h)		
Other (as needed)	\$180 The delay	· · · · · ·	24-May-2021 he estimated ar	0.00 3.49 nount t	\$0 \$31 to develop and beg	n/a n/a gin maintaining a ch	\$0 \$31 emical and
	The delay	ed cost includes t	he estimated ar an, calculated fi	3.49 nount t rom the	\$31 to develop and beg	n/a	\$31 emical and
Other (as needed) Notes for DELAYED costs	The delay microbiolog	ed cost includes t ical monitoring pl	he estimated ar an, calculated fi violation to	3.49 nount t rom the the da	\$31 to develop and beg a day of the invest te of compliance.	n/a gin maintaining a ch igation initially docu	\$31 emical and menting the
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Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delay microbiolog	ed cost includes t ical monitoring pl	he estimated ar an, calculated fi violation to	3.49 nount t rom the the da tering 0.00 0.00 0.00	\$31 to develop and beg day of the invest te of compliance. item (except for \$0 \$0 \$0 \$0	n/a gin maintaining a ch igation initially docu r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$31 emical and menting the d costs) \$0 \$0
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Case DD No. 00692 PCV Revision RebraceY 12, 2221 Reg. Fith. Reference No. NNIO1129703 Media Public Water Supply Enf. Coordinatory Samatha Salas 30 Tex. Admin. Code § 230.46(2) Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 230.46(2) Violation Description Failed to create a ntrification action plan for all systems distributing chloraminated water. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Marm OR Release Major Actual Marm Percent 0.0% >> Programmatic Matrix Marm Notes 100% of the nule requirements were not met. Adjustment \$900 \$100 \$100 Violation Events 1 3 Number of violation days Image: Single event 1 3 Number of violation days Image: Single event Image: Single event is recommended. \$100 Social Faith Efforts to Comply Marma Min. Property and Marma Min. Property Marma Min. Property Marma Min. Single event is recommended. \$100 Social Faith Efforts to Comply Marma Min. Property Min. Property Min. Property Min. Property Min. Propery Min. Property Min. Property Min. Property			ening Date espondent	30-Apr-2021 PETTY WATER	SUPPLY AND S			2021-0614-MLM RATION		PCW Pevision 5 (January 28, 2	
Hedia Public Water Supply Finf. Coordinator Samantha Salas Violation Number 3 Rule Cible(s) 30 Tex. Admin. Code § 200.46(z) Violation Description Pailed to create a nitrification action plan for all systems distributing chloraminated water. Sase Penalty \$1,000 >> Environmental, Property and Human Health Matrix Marm OR Release Major Moderate Marm OR Actual Potential Potential Potential Programmatic Matrix Matrix Tol% of the rule requirements were not met. Notes 100% of the rule requirements were not met. Violation Events Number of Violation Events Image: Single event Single event <td< th=""><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th>РСИ</th><th>V Revision February 11,</th><th>2021</th></td<>									РСИ	V Revision February 11,	2021
Enf. Coordinator Samatha Salas Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 290.46(z) Violation Description Failed to create a ntrification action plan for all systems distributing chloraminated water. Base Penalty S1,000 >> Environmental, Property and Human Health Matrix Marin OR Release Major Moderate Moderate Matrix Potential Potential Potential Matrix Tol%s of the rule requirements were not met. Adjustment \$900 S100 Violation Events Number of Violation Events Image: Single event Single event Single event is recommended. Good Faith Efforts to Comply One single event is recommended. Good Faith Efforts to Comply One single event is recommended. Ordinary Ordinary Ordinary Ordinary Entracriainary Ordinary<	Reg. I	Ent. Ref									
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30 TeX. Addition. Colled 9, 250,49(2) Violation Description Pailed to create a nitrification action plan for all systems distributing chloraminated water. Base Penalty S1,000 S2 Environmental, Property and Human Health Matrix Harm Minor Actual Matrix Percent 0.0% > Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% > Programmatic Matrix Falsification Major Moderate Minor Adjustment \$900 Violation Events Number of Violation Events Number of Violation Events Number of Violation Events One single event is recommended. Cood Faith Efforts to Comply 0.0% NEF/NV to EPEP/Jettlement Offer Ordinary Ordinary S100 Networdinary Notese The Respondent										_	
Violation Jescription water. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Harm OR Actual Potential Moderate Potential Percent Output Falsification Potential Percent Potential Number of Violation Violation Events 31 Number of Violation Events 33 Number of Violation Events 31 One single event x One single event x One single event \$100 Borne NOD/NOV to EDPRP/Settlement Offer Extraordinary The Respondent does not meet the good faith criteria for United to the relatin to the stolation. The Respondent does not meet th			Rule Cite(s)		30 ⁻	Tex. Admin. (Code § 290.	.46(z)			
>> Environmental, Property and Human Health Matrix Harm OR Actual Potential Percent 0.0% >Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Major Moderate Minor Falsification Major Moderate Minor Major Moderate Minor Major Moderate Minor Major Moderate Minor Major Percent 10.0% Major Moderate Minor Major Major Moderate Minor Major Minor Major Moderate Minor Major Moderate Minor Major Minor Major Minor Major Moderate Minor Major		Violatio	n Description	Failed to creat	e a nitrificatio			ems distributing c	hloraminated		
OR Actual Major Munor >>Programmatic Matrix Percent 0.0% >>Programmatic Matrix Percent 10.0% Matrix 100% of the rule requirements were not met. Adjustment \$900 Violation Events \$100 Violation Events 31 Number of Violation Events 31 Violation Base Penalty \$100 Good Faith Efforts to Comply 0.0% Detere NDE/NOV Notes Detere NDE/NOV Note/NOV to EDPRP/settlement Offer Extraordinary Ordinary Notes The Respondent does not meet the good faith criteria for this violation.								I	Base Penalty	\$1,	,000
OR Actual Major Munor >>Programmatic Matrix Percent 0.0% >>Programmatic Matrix Percent 10.0% Matrix 100% of the rule requirements were not met. Adjustment \$900 Violation Events \$100 Violation Events 31 Number of Violation Events 31 Violation Base Penalty \$100 Good Faith Efforts to Comply 0.0% Detere NDE/NOV Notes Detere NDE/NOV Note/NOV to EDPRP/settlement Offer Extraordinary Ordinary Notes The Respondent does not meet the good faith criteria for this violation.	>> Env	/ironme	ntal, Prope	rty and Hun	nan Health	Matrix					
OR Actual Percent 0.0% >>Programmatic Matrix Percent 10.0% Faisfication X Percent 10.0% Matrix 100% of the rule requirements were not met. 4djustment \$900 Violation Events 100% of the rule requirements were not met. \$100 Violation Events 1 31 Number of violation days Violation Events 1 31 Number of violation days Use of Violation Events 1 31 Number of violation days Violation Events 1 31 Number of violation days Use of Violation Events 1 31 Number of violation days One single event x \$100 \$100 One single event x \$100 \$100 Extraordinary 0 \$100 \$100 Petere NOE/NOV NOE/NOV to EDRR/Stattement Offer \$00 Extraordinary 0 \$00 \$00 Petere NOE/NOV NOE/NOV to EDRR/Stattement Offer \$00 Notes The Respondent does not meet the good faith criteria for this violation. \$100 </th <th></th> <th></th> <th></th> <th>_</th> <th>Harm</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>				_	Harm						
	OR				Moderale	MITOr					
Falsification Major Moderate Minor Percent 10.0% Matrix 100% of the rule requirements were not met. Adjustment \$900 Adjustment \$900 \$100 Violation Events 1 31 Number of violation days daily weekly worthly \$100 yweekly worthly \$100 Good Faith Efforts to Comply 0.0% Reduction \$20 Extraordinary Violation \$20 \$20 Notes The Respondent does not meet the good faith criteria for this violation. \$20			Potential					Percent 0.	0%		
Falsification Major Moderate Minor Percent 10.0% Matrix 100% of the rule requirements were not met. Adjustment \$900 Adjustment \$900 \$100 Violation Events 1 31 Number of violation days daily weekly worthly \$100 yweekly worthly \$100 Good Faith Efforts to Comply 0.0% Reduction \$20 Extraordinary Violation \$20 \$20 Notes The Respondent does not meet the good faith criteria for this violation. \$20	>>Proc	aramma	tic Matrix								
Matrix Notes 100% of the rule requirements were not met. Adjustment \$900 Yiolation Events \$100 Number of Violation Events 1 Jaily 31 Number of Violation Events 1 Violation Base Penalty \$100 Good Faith Efforts to Comply 0.0% Before NOE/NOV to EDPRP/Settlement Offer \$00 Extraordinary Notes Notes The Respondent does not meet the good faith criteria for this violation.		<u>.</u>		Major	Moderate	Minor					
Notes 100% of the fulle requirements were not met. Adjustment \$900 \$100 \$100 Violation Events 1 Mumber of Violation Events 1 Junce 31 Number of Violation Events 31 Violation Base Penalty \$100 Junce \$100 One single event \$100 Cone single event is recommended. \$00 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary \$100 Ordinary \$100 Notes The Respondent does not meet the good faith criteria for this violation.				X				Percent 10.	0%		
Silon \$100 Violation Events 1 31 Number of violation days daily 31 Number of violation days daily 1 31 Number of violation days daily 1 31 Number of violation days weekly weekly 1 1 your 1 1 1 semiannual 1 1 1 annual 1 1 1 single event x 1 1 One single event is recommended. 1 1 1 Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer 50 1 Extraordinary Violation 1 1 N/A X 1 1 1 Notes The Respondent does not meet the good faith criteria for this violation. 1 1				100	0% of the rule	requirement	s were not	met.			
Silon \$100 Violation Events 1 31 Number of violation days daily 31 Number of violation days daily 1 31 Number of violation days daily 1 31 Number of violation days weekly weekly 1 1 your 1 1 1 semiannual 1 1 1 annual 1 1 1 single event x 1 1 One single event is recommended. 1 1 1 Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer 50 1 Extraordinary Violation 1 1 N/A X 1 1 1 Notes The Respondent does not meet the good faith criteria for this violation. 1 1											
Violation Events Number of Violation Events 1 31 Weekly weekly wonthly quarterly semiannual single event x One single event is recommended. Good Faith Efforts to Comply 0.0% Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary N/A Notes The Respondent does not meet the good faith criteria for this violation.									+000	u 1	
Number of Violation Events 1 31 Number of violation days daily weekly weekly weekly your control of the series of the ser							Ad	justment	\$900		
daily weekly monthly violation Base Penalty semiannual annual annual x One single event is recommended. Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary NA x Notes The Respondent does not meet the good faith criteria for this violation.							Ad	justment	\$900		5100
weekly monthly quarterly semiannual annual single event Violation Base Penalty \$100 One single event is recommended. Image: Complete is recommended. Image: Complete is recommended. Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Image: Complete is recommended. \$0 Notes The Respondent does not meet the good faith criteria for this violation. Image: Complete is recommended.	Violatio	on Even	ts				Ad	justment	\$900		100
annual single event x One single event is recommended. Good Faith Efforts to Comply 0.0% 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.	Violatio	on Even			1]		<u>100</u>
Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary	Violatic	on Even		daily weekly monthly quarterly				Number of viola	tion days	\$	
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.	Violatio	on Even		daily weekly monthly quarterly semiannual annual				Number of viola	tion days	\$	
Extraordinary Ordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.	Violatio	on Even		daily weekly monthly quarterly semiannual annual		event is recor	31	Number of viola	tion days	\$	
Ordinary Ordinary N/A x N/A x Notes The Respondent does not meet the good faith criteria for this violation.			Number of \	daily weekly monthly quarterly semiannual annual single event	One single		31	Number of viola	tion days Base Penalty	\$	\$100
N/A x Notes The Respondent does not meet the good faith criteria for this violation.			Number of \	daily weekly monthly quarterly semiannual annual single event	One single 0.0% Before NOE/NOV		31	Number of violat	tion days Base Penalty	\$	\$100
Notes The Respondent does not meet the good faith criteria for this violation.			Number of \	daily weekly monthly quarterly semiannual annual single event	One single		31	Number of violat	tion days Base Penalty	\$	\$100
Violation Subtotal \$100			Number of \	daily weekly monthly quarterly semiannual annual single event	One single of the second secon		31	Number of violat	tion days Base Penalty	\$	\$100
			Number of \	daily weekly monthly quarterly semiannual annual single event	One single of the second secon	NOE/NOV to EE	31 mmended.	Number of violat Violation	tion days Base Penalty Reduction	\$	\$100

Economic Benefit (EB) for this violation	n Statutory Limit Test	
Estimated EB Amount	\$38 Violation Final Penalty Total	\$135
	This violation Final Assessed Penalty (adjusted for limits)	\$135

Case ID No.		SUPPLY AND SEV	VER SERVICE C	ORPOR	ATION		
leg. Ent. Reference No.	RN101179703						
Media Violation No.	Public Water S 3	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	-			0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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)	\$180			0.00	\$0	n/a	\$0
(28-Nov-2017		4.24	\$38	n/a	\$38
Notes for DELAYED costs	The delayed	cost includes the	estimated amo	unt to c	reate a nitrificatio	n/a n/a n/a n/a n action plan, calcul stimated date of co	ated from the
Notes for DELAYED costs	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	unt to c ting the	create a nitrificatio e violation to the e	n action plan, calcul	ated from the mpliance.
	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	unt to c ting the	create a nitrificatio e violation to the e	n action plan, calcul stimated date of con r one-time avoide	ated from the mpliance.
Notes for DELAYED costs Avoided Costs	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	unt to c ting the tering	reate a nitrificatio e violation to the e item (except for	n action plan, calcul stimated date of co r one-time avoide \$0 \$0	ated from the mpliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	ting the ting the 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0	n action plan, calcul stimated date of con r one-time avoide \$0 \$0 \$0	ated from the mpliance. d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	ting the ting the tering 0.00	reate a nitrificatio violation to the e item (except for \$0 \$0	n action plan, calcul stimated date of co r one-time avoide \$0 \$0	ated from the mpliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	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	n action plan, calcul stimated date of con- r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	ting the ting the 0.00 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	n action plan, calcul stimated date of con- r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	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	n action plan, calcul stimated date of con- r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed day of th	cost includes the ne investigation ir	estimated amou itially documen	ting the ting the 0.00 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	n action plan, calcul stimated date of con- r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

A COMMISSION	Policy Rev	Pe ision 5 (January 28, 2	nalty Calcu	ulatior	n Worksh	neet (PC	,	vision February 11, 2021
DATES	Assigned		•					
DAILS	PCW		Screening 30-A	pr-2021	EPA Due		[
				·				
RESPO		TY INFORMATIO	DN JPPLY AND SEWER					
Red	g. Ent. Ref. No.		JPPLI AND SEWER	SERVICE	CORPORATION			
	ty/Site Region				Major/M	inor Source	Minor	
	NFORMATION f./Case ID No.	60692			No	of Violations	4	
	-	2021-0614-MLM	-E			Order Type		
Med		Public Water Sup			Government	/Non-Profit	Yes	
	Multi-Media	Water Rights			Enf.		Samantha Sa	
Adr	nin. Penalty \$ I	Limit Minimum[\$50 Maxi	mum [\$5,000	EC's Team	Enforcement 1	eam 8
			Penalty C	alculat	ion Sectio	on		
ΤΟΤΑΙ	L BASE PENA	LTY (Sum of	violation base	e penalt	ies)		Subtotal 1	\$1,750
	STMENTS (1		NTAL 1					
ADJU:	Subtotals 2-7 are of	/-) TO SUBTO otained by multiplying	the Total Base Penalty	(Subtotal 1)	by the indicated p	ercentage.		
	Compliance Hi			35.0%	Adjustment		tals 2, 3, & 7	\$612
	.	Enhancement	for two NOVs with	the same/	similar violatio	ns and one		
	Notes		agreed order witho					
							I	
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does not	meet the	culpability crite	ria.		
			•		,			
	Cood Faith Eff	art to Commun T					Cubbabal E	¢75
	Good Faith End	ort to Comply 1	otal Adjustments				Subtotal 5	-\$75
	Economic Bene	efit Total EB Amounts	A115		Enhancement*	Imount	Subtotal 6	\$0
	Estimated	Cost of Compliance	\$115 \$1,960	"Cappeu	at the Total EB \$ A	Amount		
SUM C	OF SUBTOTA	LS 1-7				F	inal Subtotal	\$2,287
OTHE					0.0%		Adiustasset	\$0
		Subtotal by the indic	AT REQUIRE ated percentage.		0.0%		Adjustment	<u></u> ېر
	Notes							
						Eine (De		+2.207
						Final Pen	alty Amount	\$2,287
STATI	JTORY LIMIT		Т			Final Asse	ssed Penalty	\$2,287
			• •				ssear charty	+=/=07
DEFEF	RRAL			Γ	0.0%	Reduction	Adjustment	\$0
Reduces t	he Final Assessed Pe	nalty by the indicated	l percentage.				1	
	Notes	No	leferral is recomme	nded for	Jindings Ordors			
	NULES				mungs orders	•		
							I	
PAYA	BLE PENALT	1						\$2,287

	se ID No. 60692 ence No. RN101179703	PCW F	Revision February 11	
.	Media Public Water Supply			
Enf. Co	ordinator Samantha Salas			
	Compliance History Worksheet			
Compliance Hist Component	ory <i>Site</i> Enhancement (Subtotal 2) 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>)		10%	
	Other written NOVs	0	0%	
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%	
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		25%	
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%	
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	counts)			
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 (number of audits for which notices were submitted)		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%	
	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 (Su	btotal 2) 3	
Repeat Violator	(Subtotal 3)			
N//	A Adjustment Pe	rcentage (Su	btotal 3) 🛛 0	
Compliance Hist	ory Person Classification (Subtotal 7)			
Satisfactory	Performer Adjustment Pe	rcentage (Su	btotal 7) 0	
Compliance Hist	ory Summary			
Compliance History Notes	Enhancement for two NOVs with the same/similar violations and one agreed order of liability.	without a denial		
	Total Compliance History Adjustment Percentage (Subtotals 2,	3, & 7) 3	
Final Compliance	History Adjustment			
	Final Adjustment Percent	t age *capped	at 100% 3	

Docket No. 2021-0614-MLM-E

Respondent PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION

Screening Date 30-Apr-2021

PCW

Policy Revision 5 (January 28, 2021)

Reg.	Screening Date Respondent Case ID No. Ent. Reference No.	PETTY WATER SUPPLY AND 60692		2021-0614-MLM-E ORATION			PCW anuary 28, 2021) ebruary 11, 2021
	Media Enf. Coordinator	Public Water Supply					
	Violation Number						
	Rule Cite(s)	20	Tay Admin Code 6 20	0.46(1)			
		30	Tex. Admin. Code § 29	90.46(1)			
	Violation Description	Failed to flush	all dead-end mains at	monthly intervals.			
				Base	e Penalty		\$5,000
>> Fn\	vironmental Prone	rty and Human Health	Matrix				
		Harm					
OR	Release Actual	Major Moderate	Minor				
ÖK	Potential			Percent 5.0%			
>>Pro	grammatic Matrix Falsification	Major Moderate	Minor				
				Percent 0.0%			
	Failure to flue	h dood and motion at monthly	, intervale could over a	a name and by t		1	
		h dead-end mains at monthly ant amount of contaminants					
			Ad	djustment	\$4,750		
							\$250
							φ 2 50
Violatio	on Events						
	Number of \	iolation Events <u>1</u>	31	Number of violation	days		
		daily weekly monthly quarterly		Violation Base	e Penalty		\$250
		semiannual annual					
		single event	j				
	One quarterly	event is recommended, calc the April 30	culated from the March D, 2021 screening date.		w date to		
Good F	aith Efforts to Com	ply 10.0%			Reduction	-	\$25
Good I		Before NOE/NOV	NOE/NOV to EDPRP/Settler		Veduction		ΨΖϽ
		Extraordinary					
		Ordinary N/A	X				
			<u>, </u>				
		Notes The Respond	lent achieved complian	ice on May 24, 2021.			
				Violation	Subtotal		\$225
Econor	nic Benefit (EB) for	this violation		Statutory Limit	Test		
	Estimate	ed EB Amount	\$22	Violation Final Pena	alty Total		\$313
		This viol:	ation Final Assessed	Penalty (adjusted f	or limite)		\$313
						L	φJIJ

eg. Ent. Reference No. Media	Public Water S					Percent Interest	Years of
Violation No.	1					reitent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$5
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	<u>\$0</u> \$0	n/a n/a	\$0 \$0
Permit Costs				I U.UU	511	n/a	<u><u>S</u>II</u>
Other (as needed)	\$100	28-Nov-2017	24-May-2021	3.49	\$17	n/a	\$17
Other (as needed) Notes for DELAYED costs	The delayed	cost includes the	estimated amo	<u>3.49</u> unt to i	\$17 nitiate a monthly f		\$17 alculated from
	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	<u>3.49</u> unt to i ocumer	\$17 nitiate a monthly f nting the violation	n/a lushing program, ca	\$17 alculated from liance.
Notes for DELAYED costs	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	<u>3.49</u> unt to i ocumer	\$17 nitiate a monthly f nting the violation item (except for \$0	n/a lushing program, ca to the date of comp r one-time avoide \$0	\$17 alculated from liance. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer tering 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0	n/a lushing program, ca to the date of comp one-time avoide \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer tering 0.00 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0 \$0	n/a lushing program, ca to the date of comp one-time avoide \$0 \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer tering 0.00 0.00 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a lushing program, ca to the date of comp one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer 0.00 0.00 0.00 0.00 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lushing program, co to the date of comp one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lushing program, ca to the date of comp one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed the d	cost includes the ate of the investig	estimated amo gation initially d	3.49 unt to i ocumer 0.00 0.00 0.00 0.00 0.00 0.00	\$17 nitiate a monthly f iting the violation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lushing program, co to the date of comp one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$17 alculated from liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date					2021-0614-MLM-E			PCW
		lespondent Case ID No.	PETTY WATER S	SUPPLY AND S	SEWER SERV	ICE CORPOR	RATION			anuary 28, 2021)
Peg			60692 RN101179703					PCV	V Revision F	ebruary 11, 2021
Reg.			Public Water Su	vlaat						
	Enf. C		Samantha Sala							
	Viola	ation Number	2						_	
		Rule Cite(s)		30	Tex. Admin.	Code § 290.	46(i)			
	Violatio	n Description	with provisions	an adequate for proper en	plumbing or forcement to	dinance, reg	ulations, or service a neither cross-conne are permitted.	ections nor		±5.000
							Bas	e Penalty		\$5,000
>> Env	/ironme	ntal, Prope	rty and Hum	nan Health	Matrix					
		Release	Major	Harm	Minor					
OR		Actual		Moderate	Minor					
•		Potential					Percent 0.0%			
>>Prog	gramma	tic Matrix	N4	Madawata	Miner					
		Falsification	Major x	Moderate	Minor		Percent 10.0%			
	Matrix Notes		100	0% of the rule	requiremen	ts were not r	net.			
						Adj	justment	\$4,500]	
										\$500
\/:-I-+:-	=	• -								
VIOIATIO	on Even	ts								
		Number of \	/iolation Events	1		31	Number of violation	days		
			daily weekly monthly quarterly semiannual annual single event				Violation Bas	e Penalty		\$500
				One single	event is reco	ommended.				
Good F	aith Eff	orts to Com		0.0%				Reduction		\$0
			B Extraordinary Ordinary N/A	 X						
			Notes	The Respond		violation.	ood faith criteria for			

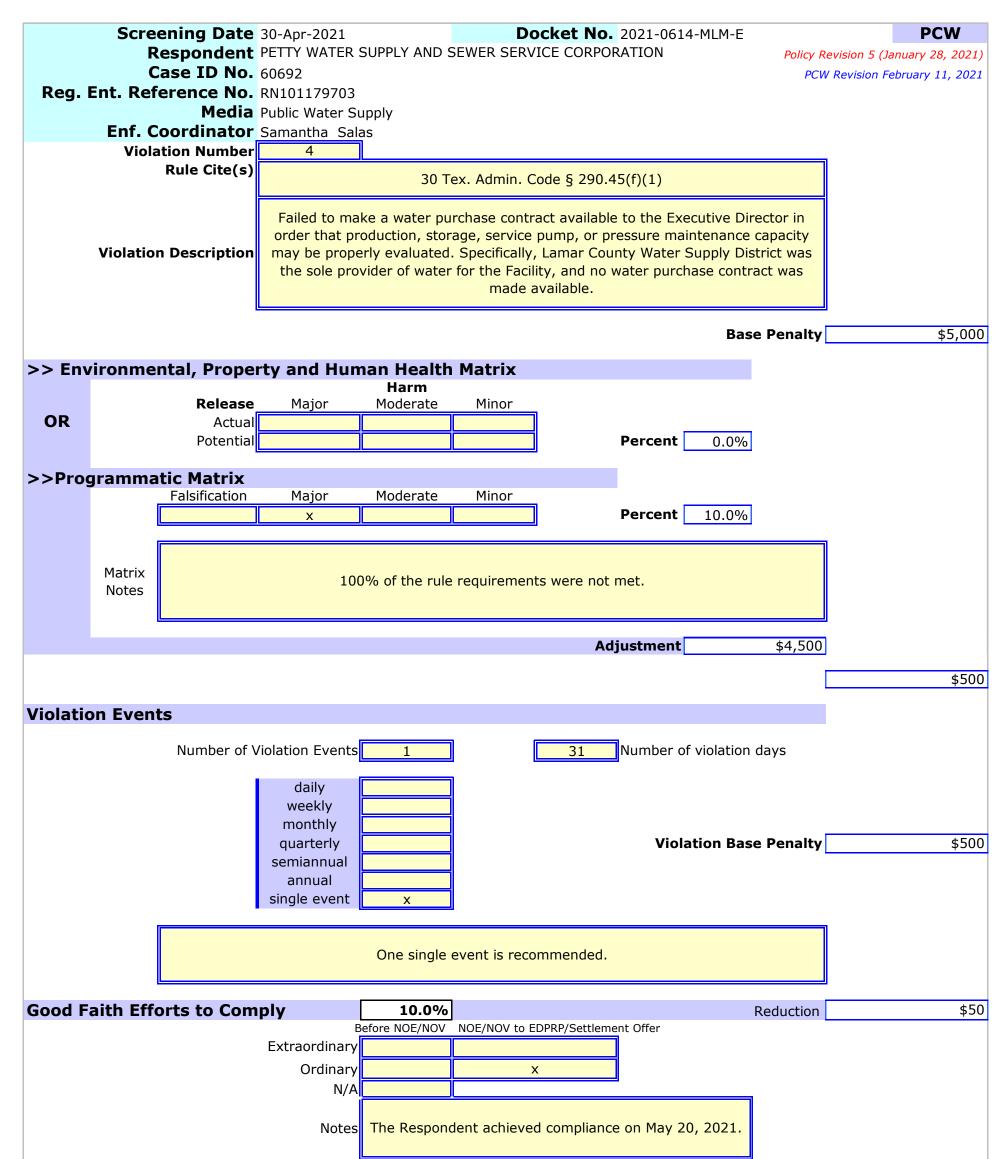
	Violation Subtotal \$500
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$20 Violation Final Penalty Total \$675
	This violation Final Assessed Penalty (adjusted for limits)\$675

	60692		VER SERVICE C				
eg. Ent. Reference No.	RN101179703						
Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation
	2					5.0	15
	Item Cost	Date Required	Final Date	Vrs	Interest Saved	Costs Saved	EB Amount
Item Description		Dute Required					LD Amount
item bescription							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$5
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)	\$180	5-Aug-2020	25-Apr-2022	1.72	\$15	n/a	\$15
Notes for DELAYED costs	agreemer	nt, calculated from	n the date of th estimate	e invest d date	tigation initially do of compliance.	e plumbing ordinan cumenting the viola	tion to the
Avoided Costs		LIZE avoided co	osts before en			one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling		<u> </u>		0.00	\$0 \$0	\$0 #0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
ONE-TIME avoided costs				0.00	<u>5</u> 0	5 0	ΨŪ
		<u> </u>		0			

Reg.	R	ase ID No. erence No.	PETTY WATER 5 60692 RN101179703				2021-0614-MLM-E RATION			PCW anuary 28, 2021) ebruary 11, 2021
			Public Water Su							
			Samantha Sala	as						
	VIOId	tion Number Rule Cite(s)							1	
		Rule ele(3)		30 Te	ex. Admin. C	Code § 290.4	6(n)(2)			
	Violatio	n Description					map of the distributi ed during emergencie	25.		
							Bas	e Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	nan Health	Matrix					
				Harm						
		Release	<u> </u>	Moderate	Minor	7				
OR		Actual					Democrat 0.000	1		
		Potential					Percent 0.0%			
>>Proc	gramma	tic Matrix								
		Falsification	Major	Moderate	Minor	-				
			x				Percent 10.0%			
									1	
	Matrix Notes		100	0% of the rule	requiremer	nts were not	met.			
						Ad	justment	\$4,500]	
										\$500
Violatio	on Even	ts								
		Number of N	Violation Events daily weekly	1]	31	Number of violation	days		
			monthly quarterly semiannual annual single event				Violation Bas	e Penalty		\$500
				One single	event is reco	ommended.				
Good F	aith Eff	orts to Com		0.0%				Reduction		\$0
				 X	ent does no		ood faith criteria for			
					uns					

	Violation Subtotal \$500
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$14 Violation Final Penalty Total \$675
	This violation Final Assessed Penalty (adjusted for limits) \$675

	E	conomic	Benefit	Wo	rksheet		
Pospondont		SUPPLY AND SEV					
•		SUFFLI AND SL			ATION		
Case ID No.							
leg. Ent. Reference No.							
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	3					reitent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
. . .		Date Required	Fillal Date	115	Interest Saveu	COSIS Saveu	EB Amount
Item Description	l						
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
Domodiation (Disposal						2/2	
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	+100		24 5 4 2022	0.00	\$0	n/a	\$0
· · ·	\$180	5-Aug-2020	24-Feb-2022				
Permit Costs		-		0.00	\$0 \$14	n/a n/a	\$0 \$14
Permit Costs Other (as needed)	The delayed o	ost includes the e	estimated amou	0.00 1.56	\$0 \$14 ake available an a	n/a n/a ccurate and up-to-c	\$0 \$14 late map of the
Permit Costs	The delayed of distribution	ost includes the e system so that va	estimated amou lves and mains	0.00 1.56 nt to m can be	\$0 \$14 ake available an a easily located dur	n/a n/a ccurate and up-to-c ing emergencies, ca	\$0 \$14 late map of the lculated from
Permit Costs Other (as needed)	The delayed of distribution	ost includes the e system so that va	estimated amou lves and mains	0.00 1.56 nt to m can be	\$0 \$14 ake available an a easily located dur	n/a n/a ccurate and up-to-c	\$0 \$14 late map of the lculated from
Permit Costs Other (as needed)	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t	\$0 \$14 ake available an a easily located dur he violation to the	n/a n/a ccurate and up-to-c ing emergencies, ca	\$0 \$14 late map of the alculated from compliance.
Permit Costs Other (as needed) Notes for DELAYED costs	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t	\$0 \$14 ake available an a easily located dur he violation to the	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of	\$0 \$14 late map of the alculated from compliance.
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t	\$0 \$14 ake available an a easily located dur the violation to the item (except fo	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide	\$0 \$14 late map of the alculated from compliance. d costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except fo \$0	n/a n/a ccurate and up-to-o ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting to tering 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an are easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the loculated from compliance. d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t 0.00 0.00 0.00 0.00	\$0 \$14 ake available an are easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting to tering 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an are easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the loculated from compliance. d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) 4 costs) 50 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-c ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) 4 costs) 50 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	The delayed of distribution the date of	cost includes the e system so that va f the investigation	estimated amou lves and mains n initially docum	0.00 1.56 nt to m can be enting t tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$14 ake available an a easily located dur the violation to the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ccurate and up-to-o ing emergencies, ca e estimated date of r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$14 late map of the alculated from compliance. d costs) 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



	Violation Subtotal \$450
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$59 Violation Final Penalty Total \$62
	This violation Final Assessed Penalty (adjusted for limits) \$62

eg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
 Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	5-Aug-2020	20-May-2021	0.79	\$59	n/a	\$59
Notes for DELAYED costs	The delayed of Facility to	cost includes the e provide adequate	estimated amou production, sto	int to pr rage, se	rovide a water pur ervice pump, and	<u>n/a</u> chase contract that pressure maintenan iolation to the date	will enable the ce capacity,
Notes for DELAYED costs	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	int to pr rage, se nitially c	rovide a water pur ervice pump, and documenting the v	chase contract that pressure maintenan iolation to the date	will enable the ce capacity, of compliance.
	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	int to pr rage, se nitially c	rovide a water pur ervice pump, and documenting the v	chase contract that pressure maintenan	will enable the ce capacity, of compliance. d costs)
Notes for DELAYED costs Avoided Costs	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	int to pr rage, se nitially o	rovide a water pur ervice pump, and documenting the v item (except for	chase contract that pressure maintenan iolation to the date r one-time avoide	will enable the ce capacity, of compliance.
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	nt to pr rage, se nitially c tering 0.00	rovide a water pur ervice pump, and documenting the v item (except for \$0	chase contract that pressure maintenan iolation to the date r one-time avoide \$0	will enable the ce capacity, of compliance. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	nt to pr rage, se nitially c tering 0.00 0.00	rovide a water pur ervice pump, and documenting the v item (except for \$0 \$0	chase contract that pressure maintenan iolation to the date r one-time avoide \$0 \$0 \$0 \$0 \$0	will enable the ce capacity, of compliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	nt to pr rage, se nitially c tering 0.00 0.00	ovide a water pur ervice pump, and documenting the v item (except for \$0 \$0 \$0	chase contract that pressure maintenan iolation to the date r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	will enable the ce capacity, of compliance. d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	nt to pr rage, se nitially c tering 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	chase contract that pressure maintenan iolation to the date r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	will enable the ce capacity, of compliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed o Facility to p calculated fro	cost includes the e provide adequate im the date of the	estimated amou production, sto investigation i	nt to pr rage, se nitially c tering 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	chase contract that pressure maintenan iolation to the date r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	will enable the ce capacity, of compliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

REAL OWNER TAL	Policy Rev	Pe sion 5 (January 28, 2	,	lculatio	n Workst	neet (PC	,	vision February 1	11, 2021
DATES	Assigned						I		
	PCW	6-May-2021	Screening 3	80-Apr-2021	EPA Due				
RESPO	-	TY INFORMATI							
Po	Respondent g. Ent. Ref. No.	PETTY WATER S	UPPLY AND SEV	VER SERVICE	CORPORATION				
	ty/Site Region				Major/M	linor Source	Minor		
CACET	NEODMATION								
	NFORMATION f./Case ID No.	60692			No. d	of Violations	1		
	Docket No.	2021-0614-MLM	-E			Order Type	Findings		
Med	lia Program(s)	Water Rights Public Water Sup	anly		Government	•	Yes Samantha Sal	26	
	Multi-Meula	Fublic Water Su	эріу				Enforcement 1		
Adı	min. Penalty \$	imit Minimum.	\$0 M	laximum	\$5,000				
			Popalty		tion Section				
TOTA		LTY (Sum of				JII	Subtotal 1		\$500
IUIA	L DASE PENA			ase penai	ues <i>j</i>		Sublolar I		\$ 500
ADJU	STMENTS (+	/-) TO SUBT(tained by multiplying)	OTAL 1	aalty (Subtotal 1) by the indicated p	orcontago			
	Compliance Hi		g the total base Per	35.0%			tals 2, 3, & 7		\$175
		Enhancement	for two NOVs w	vith the same	e/similar violatio	ns and one			
	Notes		agreed order w	ithout a deni	al of liability.				
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	cupability			0.070	Linancement		Subtotal 4		φU
	Notes	The Re	spondent does	not meet the	e culpability crite	eria.			
					· · ·				
	Good Faith Eff	ort to Comply T	otal Adjustme	ents	· · ·		Subtotal 5	[-\$50
	Good Faith Eff	ort to Comply T	otal Adjustme	ents			Subtotal 5		-\$50
	Good Faith Eff	efit		0.0%	Enhancement*		Subtotal 5 Subtotal 6		-\$50 \$0
	Economic Ben		\$24	0.0%	Enhancement* d at the Total EB \$ /				
SUM (Economic Ben Estimated	efit Total EB Amounts Cost of Compliance	\$24	0.0%		Amount	Subtotal 6		\$0
SUM (Economic Ben	efit Total EB Amounts Cost of Compliance	\$24	0.0%		Amount			\$0
OTHE	Economic Bene Estimated DF SUBTOTA R FACTORS A	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe		Amount	Subtotal 6		\$0
OTHE	Economic Bene Estimated DF SUBTOTA R FACTORS A	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount	Subtotal 6 inal Subtotal		\$0 \$625
OTHE	Economic Bene Estimated DF SUBTOTA R FACTORS A	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount	Subtotal 6 inal Subtotal		\$0 \$625
OTHE	Economic Bene Estimated OF SUBTOTA R FACTORS A or enhances the Final	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount F i	Subtotal 6 inal Subtotal Adjustment		\$0 \$625 \$0
OTHE	Economic Bene Estimated OF SUBTOTA R FACTORS A or enhances the Final	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount F i	Subtotal 6 inal Subtotal		\$0 \$625 \$0
OTHE Reduces of	Economic Bene Estimated OF SUBTOTA R FACTORS A or enhances the Final Notes	Total EB Amounts Cost of Compliance	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount Fi Final Pen	Subtotal 6 inal Subtotal Adjustment		\$625 \$625 \$625
OTHE Reduces of	Economic Bene Estimated OF SUBTOTAL R FACTORS A or enhances the Final Notes	efit Total EB Amounts Cost of Compliance LS 1-7 AS JUSTICE M Subtotal by the indic	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount Final Pen Final Asse:	Subtotal 6 inal Subtotal Adjustment alty Amount ssed Penalty		\$625 \$625 \$625 \$625
OTHE Reduces of STATU DEFEI	Economic Bene Estimated OF SUBTOTAL R FACTORS A or enhances the Final Notes	efit Total EB Amounts Cost of Compliance LS 1-7 Subtotal by the indice Subtotal by the indice	\$24 \$360	0.0% *Cappe	d at the Total EB \$ /	Amount Fi Final Pen	Subtotal 6 inal Subtotal Adjustment		\$625 \$625 \$625
OTHE Reduces of STATU DEFEI	Economic Bend Estimated OF SUBTOTAL R FACTORS / For enhances the Final Notes UTORY LIMIT RRAL the Final Assessed Pe	efit Total EB Amounts Cost of Compliance LS 1-7 Subtotal by the indice ADJUSTMEN	\$24 \$360 AY REQUIR Cated percentage.	0.0% *Cappe	d at the Total EB \$,	Amount Final Pen Final Asse: Reduction	Subtotal 6 inal Subtotal Adjustment alty Amount ssed Penalty		\$625 \$625 \$625 \$625
OTHE Reduces of STATU DEFEI	Economic Bene Estimated OF SUBTOTAL R FACTORS A or enhances the Final Notes	efit Total EB Amounts Cost of Compliance LS 1-7 Subtotal by the indice ADJUSTMEN	\$24 \$360 AY REQUIR Cated percentage.	0.0% *Cappe	d at the Total EB \$ /	Amount Final Pen Final Asse: Reduction	Subtotal 6 inal Subtotal Adjustment alty Amount ssed Penalty		\$625 \$625 \$625 \$625
OTHE Reduces of STATU DEFEI	Economic Bend Estimated OF SUBTOTAL R FACTORS / For enhances the Final Notes UTORY LIMIT RRAL the Final Assessed Pe	efit Total EB Amounts Cost of Compliance LS 1-7 Subtotal by the indice ADJUSTMEN	\$24 \$360 AY REQUIR Cated percentage.	0.0% *Cappe	d at the Total EB \$,	Amount Final Pen Final Asse: Reduction	Subtotal 6 inal Subtotal Adjustment alty Amount ssed Penalty		\$625 \$625 \$625 \$625
OTHE Reduces of STATU DEFEI Reduces t	Economic Bend Estimated OF SUBTOTAL R FACTORS / For enhances the Final Notes UTORY LIMIT RRAL the Final Assessed Pe	efit Total EB Amounts Cost of Compliance LS 1-7 AS JUSTICE M Subtotal by the indice ADJUSTMEN nalty by the indicated No c	\$24 \$360 AY REQUIR Cated percentage.	0.0% *Cappe	d at the Total EB \$,	Amount Final Pen Final Asse: Reduction	Subtotal 6 inal Subtotal Adjustment alty Amount ssed Penalty		\$625 \$625 \$625 \$625

Component	ory <i>Site</i> Enhancement (Subtotal 2) 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>)	2	10%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
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	1	25%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
and Consent 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%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Pere	centage (Sul	btotal 2) [
Repeat Violator		centage (Sul	btotal 3)
	ory Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Per	centage (Sul	btotal 7)
Compliance Hist	ory Summary		
Compliance History Notes	Enhancement for two NOVs with the same/similar violations and one agreed order w of liability.	vithout a denial	
	Total Compliance History Adjustment Percentage (S	Subtotals 2,	_
inal Compliance	History Adjustment		

Screening Date 30-Apr-2021 Docket No. 2021-0614-MLM-E Respondent PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION 60692 Control of the service of t

Reg. Ent. Reference No. RN101179703 Media Water Rights

Enf. Coordinator Samantha Salas

Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021



		ening Date				ket No. 2021			PCW
		espondent ase ID No.	PETTY WATER S	UPPLY AND S	SEWER SERVI	CE CORPORATI	ION		Revision 5 (January 28, 202
Reg.	-		RN101179703					PCI	<i>N Revision February 11, 20.</i>
		Media	Water Rights						
			Samantha Salas	5					
	VIOIA	tion Number							
		Rule Cite(s)	30 Tex. Admi	in. Code §§ 2	288.20(a) and 11.12		and Tex. Water (loge 8	
	Violatio	n Description	Failed to ad			<pre> plan which inc public water s </pre>	ludes all elemen supplier.	ts for	
						. passe states e	, app		
							Base	Penalty	\$5,00
>> Env	vironme	ntal, Prope	rty and Huma	an Health	Matrix				
			_	Harm					
OR		Release Actual	Major	Moderate	Minor				
on		Potential				Perc	c ent 0.0%		
		tic Motrix							
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor				
			x			Perc	cent 10.0%		
	Matrix Notes		100%	% of the rule	requirements	were not met.			
	Notes								
						Adjustn	nent	\$4,500	
									¢E(
								l	\$50
Violatio	on Event	ts							
		Number of V	iolation Events	1		31 Num	ber of violation o	lays	
					- 1				
			daily weekly						
			monthly						
			quarterly semiannual				Violation Base	Penalty	\$50
			annual						
			single event	Х					
				One single e	event is recon	nmended.			
Good F	aith Effo	orts to Com		10.0%				eduction	\$!
			Extraordinary	efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Of	fer		
			Ordinary		x				
			N/A						
			Notes	The Respond	ent achieved	compliance on	May 24 2021		
			Notes				110, 21, 2021		
			-				Violation	Subtotal	\$45
									ېب ب
Econon	nic Bene	efit (EB) for	this violatio	n		Sta	tutory Limit	Test	
		Estimato	ed EB Amount		\$19	Viola	tion Final Pena	lty Total	\$62
				This viola	ation Final A	ssessed Penal	lty (adjusted fo	r limits)	\$62

	E	conomic	Benefit	Wo	rksheet		
Respondent	PETTY WATER	SUPPLY AND SEV	VER SERVICE C	ORPOR	ATION		
Case ID No.				•••••			
eg. Ent. Reference No.							
-							Verveef
	Water Rights					Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$5
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)	\$360	5-Aug-2020	24-May-2021	0.80	\$14	n/a	\$14
Notes for DELAYED costs					aft and adopt a dr nenting the violatio	ought contingency p on to the date of cou	plan, calculated
							-
Avoided Costs	ANNUA	LIZE avoided co	osts before en			one-time avoide	d costs)
Disposal	ANNUA	LIZE avoided co	osts before en	0.00	\$0	one-time avoide \$0	d costs) \$0
Disposal Personnel	ANNU/	LIZE avoided co	osts before en	0.00	\$0 \$0	r one-time avoide \$0 \$0	d costs) \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling	ANNU/	LIZE avoided co	osts before en	0.00 0.00 0.00	\$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNU/	LIZE avoided co	osts before en	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance		LIZE avoided co	osts before en	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU/	LIZE avoided co	osts before en	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU#	LIZE avoided co	osts before en	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU/	LIZE avoided co	osts before en	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



Compliance History Report

Compliance History Report for CN600790554, RN101179703, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Res Owner/Operat		600790554, PETTY WATER SUPPLY AND WER SERVICE CORPORATION	Classification: S	ATISFACTORY	Rating: 0.89	
Regulated Enti	i ty: RN	101179703, PETTY WSC	Classification: N	OT APPLICABLE	Rating: N/A	
Complexity Po	ints: N/	A	Repeat Violator:	N/A		
CH Group:	14	- Other				
Location:	LO	CATED 1 BLOCK EAST OF FARM-TO-MARKE	T ROAD 137, 0.05 MIL	ES FROM THE INTERS	ECTION OF COUNTRY	1
TCEQ Region:	RC	AD 26712 AND FARM-TO-MARKET ROAD 1 GION 05 - TYLER				
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1390012						
Compliance His	story Period:	September 01, 2015 to August 31, 2020	Rating Year:	2020 Rating	g Date: 09/01/202	20
Date Complian	ce History Rep	oort Prepared: August 27, 2021				
Agency Decisio	on Requiring C	ompliance History: Enforcemen	t			
Component Pe	riod Selected:	August 27, 2016 to August 27, 2021				
TCEQ Staff Me	mber to Conta	ct for Additional Information Reg	arding This Compli	ance History.		
Name: Sa	mantha Salas		Phone: (512) 239-1543		
2) Has there been	a (known) change	d/or operation for the full five-year compli e in ownership/operator of the site during) for the Site Are Listed in Sec	the compliance period?	YES NO		
	r s, court judgn ive Date: 08/05/	nents, and consent decrees: /2019 ADMINORDER 2018	-0826-PWS-E (Finding	s Order-Agreed Orde	r Without Denial)	
Clas	ssification: Mode				,	
Cita	ation: 30 TAC C	hapter 290, SubChapter F 290.117(c)(2)(C)			
	30 TAC C	hapter 290, SubChapter F 290.117(h)				
5		hapter 290, SubChapter F 290.117(i)(1)				
the		MR 3Y2017 - The system failed to monito monitoring period from 01/01/2015 to 12, rate	<i>i</i>		levels to the TCEQ for	
Cita	ation: 30 TAC C	hapter 290, SubChapter F 290.117(i)(6)				
_		hapter 290, SubChapter F 290.117(j)				_
the	•	N - The system failed to provide a consum were tested during the reduced monitoring rate	•	5	s to persons served at	:
Cita	ation: 30 TAC C	hapter 290, SubChapter F 290.122(c)(2)(A)			
		hapter 290, SubChapter F 290.122(f)				
Exe pub	cutive Director ce	MR PN 1Q2017 Posting and Reporting Vio rtifying that public notice was issued pursu uired for a disinfectant monitoring and rep rate	ant to 30 Tex. Admin.	Code §290.122 during	g the time period that	
Cita	ation: 30 TAC C	hapter 290, SubChapter F 290.122(c)(2)(4)			
		hapter 290, SubChapter F 290.122(f)				
Exe	cutive Director ce	MR PN 4Q2016 Posting and Reporting Vio rtifying that public notice was issued pursu uired for a disinfectant monitoring and rep	ant to 30 Tex. Admin.	Code §290.122 during		

2016.

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 3Q2016 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 2016. Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: AUG/2015 TCR Repeat MR 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 repeat coliform monitoring for the month of 08/2015.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

Date:

N/A

1

2

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

Item 1 February 19, 2020 (1630122)

08/28/2020

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

(1666320)

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.

Date: 0	8/28/2020 (1000320)		
Self Report?	NO	Classification:	Minor
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter D 290.46(I) Failure to flush all dead-end mains monthly. NO	Classification:	Minor
Citation: Description:	30 TAC Chapter 290, SubChapter D 290.46(f) Failure to record water works operation and ma system.	aintenance activitie	s performed on the
Self Report?	NO	Classification:	Minor
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter F 290.121 Failure to have a written Monitoring Plan. NO	Classification:	Moderate
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter D 290.46(z) Failure to have a Nitrification Action Plan. NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.42(l) 30 TAC Chapter 290, SubChapter D 290.46(f) 30 TAC Chapter 290, SubChapter D 290.46(i) 30 TAC Chapter 290, SubChapter D 290.46(l) 30 TAC Chapter 290, SubChapter D 290.46(m) 30 TAC Chapter 290, SubChapter D 290.46(n)		
Description:	Complete failure to submit required data, docu	ments, notification	s, plans or reports.
Date: 0	1/06/2021 (1697097)		
Self Report?	NO	Classification:	Minor
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter D 290.46(I) Failure to flush all dead-end mains monthly. NO	Classification:	Minor
Citation: Description:	30 TAC Chapter 290, SubChapter D 290.46(f) Failure to record water works operation and ma system.	aintenance activitie	s performed on the
Self Report?	NO	Classification:	Minor
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter F 290.121 Failure to have a written Monitoring Plan. NO	Classification:	Moderate
Citation: Description: Self Report?	30 TAC Chapter 290, SubChapter D 290.46(z) Failure to have a Nitrification Action Plan. NO	Classification:	Moderate

Compliance History Report for CN600790554, RN101179703, Rating Year 2020 which includes Compliance History (CH) components from August 27, 2016, through August 27, 2021.

Citation:	30 TAC Chapter 290, SubChapter D 290.42(I)
	30 TAC Chapter 290, SubChapter D 290.46(f)
	30 TAC Chapter 290, SubChapter D 290.46(i)
	30 TAC Chapter 290, SubChapter D 290.46(I)
	30 TAC Chapter 290, SubChapter D 290.46(m)
	30 TAC Chapter 290, SubChapter D 290.46(n)
Description:	Complete failure to submit required data, documents, notifications, plans or reports.

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



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION RN101179703 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-0614-MLM-E

On ______, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEXAS WATER CODE ch. 11. 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 one block east of Farm-to-Market Road 137, 0.05 mile from the intersection of County Road 26712 and Farm-to-Market Road 1509 in Petty, Lamar County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 60 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). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 11.021 and 30 TEX. ADMIN. CODE § 297.1(52).
- 2. During a record review conducted on March 30, 2021, an investigator documented that:
 - a. Records of the amount of water distributed each week, the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation, the maintenance records

for water system equipment and facilities, copies of any public notice issued by the water system, the disinfectant residual monitoring results from the distribution system, the calibration records for laboratory equipment, flow meters, rate-of-flow controllers, on-line turbidimeters, and on-line disinfectant residual analyzers, the records of backflow prevention device programs, the results of microbiological analyses, and copies of the Customer Service Inspection reports were not maintained on-site for review.

- b. The Respondent did not develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements.
- c. The Respondent did not create a nitrification action plan for all systems distributing chloraminated water.
- d. The Respondent did not flush all dead-end mains at monthly intervals.
- e. The Respondent did not 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.
- f. The Respondent did not make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.
- g. Lamar County Water Supply District was the sole provider of water for the Facility, and no water purchase contract was made available.
- h. The Respondent did not adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier.
- 3. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. On May 20, 2021, the Respondent provided a water purchase contract to the Executive Director.
 - b. On May 24, 2021, the Respondent:
 - i. Provided documentation to the Executive Director showing they began flushing all dead-end mains at monthly intervals;
 - ii. Provided a chemical and microbiological monitoring plan to the Executive Director; and
 - iii. Provided a drought contingency plan to the Executive Director.

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, TEXAS WATER CODE ch. 11 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(vi), (f)(3)(B)(ii), (f)(3)(B)(iii), (f)(3)(B)(iv), (f)(3)(B)(v), (f)(3)(D)(i), and (f)(3)(E)(iv).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to create a nitrification action plan for all systems distributing chloraminated water, in violation of 30 TEX. ADMIN. CODE § 290.46(z).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to flush all dead-end mains at monthly intervals, in violation of 30 TEX. ADMIN. CODE § 290.46(l).
- 6. As evidenced by Finding of Fact No. 2.e, the Respondent failed 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, in violation of 30 TEX. ADMIN. CODE § 290.46(i).
- 7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2).
- 8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to make a water purchase contract available to the Executive Director in order that production, storage, service pump, or pressure maintenance capacity may be properly evaluated, in violation of 30 TEX. ADMIN. CODE § 290.45(f)(1).
- 9. As evidenced by Findings of Fact No. 2.h, the Respondent failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier, in violation of 30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B) and TEX. WATER CODE § 11.1272(c).
- 10. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a) and TEX. WATER CODE § 11.0842(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.

An administrative penalty in the amount of \$3,222 is justified by the facts recited in this 11. Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b) and TEX. WATER CODE § 11.0842(c). The Respondent paid the \$122 of the penalty. The remaining amount of \$3,100 shall be paid in 31 monthly payments of \$100 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. 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. 11 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: PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION, Docket No. 2021-0614-MLM-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. Compile and maintain properly completed water works operation and maintenance records, including the amount of water distributed each week, the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent

complaint investigation, the maintenance records for water system equipment and facilities, copies of any public notice issued by the water system, the disinfectant residual monitoring results from the distribution system, the calibration records for laboratory equipment, flow meters, rate-of-flow controllers, on-line turbidimeters, and on-line disinfectant residual analyzers, the records of backflow prevention device programs, the results of microbiological analyses, and copies of the Customer Service Inspection reports, in accordance with 30 TEX. ADMIN. CODE § 290.46;

- ii. Create a nitrification action plan, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
- iii. Make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i, 2.a.ii, and 2.a.iii.
- c. Within 90 days after the effective date of this Order 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, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- d. Within 105 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.c. 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 Tyler Regional Office Texas Commission on Environmental Quality 2916 Teague Drive Tyler, Texas 75701-3734

- 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

For the Executive Director

<u>6/8/2022</u> 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.

Date gnature

Name (Printed or typed) Title Authorized Representative of PETTY WATER SUPPLY AND SEWER SERVICE CORPORATION

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