Executive Summary - Enforcement Matter - Case No. 61368 City of Rule RN101400836 Docket No. 2021-1266-MLM-E

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:**

No

Location(s) Where Violation(s) Occurred:

City of Rule Water System, 401 Gladstone Avenue, Rule, Haskell 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: May 27, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$2,610

Total Paid to General Revenue: \$2,610 Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - High Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: \$218

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: August 30, 2021

Date(s) of NOE(s): August 31, 2021

Violation Information

1. Failed to calibrate the Facility's conductivity (or total dissolved solids) monitors and pressure instruments used for reverse osmosis at least once every 12 months [30 Tex. Admin. Code § 290.46(s)(2)(G)].

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- 2. Failed to calibrate the Facility's rate-of-flow controllers every 12 months and well meter at least once every three years [30 Tex. ADMIN. CODE § 290.46(s)(1)].
- 3. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 Tex. ADMIN. CODE § 290.121(a) and (b)].
- 4. Failed to create a nitrification action plan for all systems distributing chloraminated water [30 Tex. Admin. Code § 290.46(z)].
- 5. Failed to meet the maximum secondary constituent levels ("MSCLs") for iron of 0.3 milligrams per liter ("mg/L"), manganese of 0.05 mg/L, and pH of not less than 7.0 [30 Tex. Admin. Code § 290.118(a) and (b)].
- 6. Failed to provide two or more wells having a total capacity of 0.6 gallons per minute ("gpm") per connection [30 Tex. Admin. Code § 290.45(b)(1)(D)(i) and Tex. Health & Safety Code § 341.0315(c)].
- 7. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day [30 Tex. ADMIN. CODE § 290.110(c)(4)(B)].
- 8. Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled [30 Tex. ADMIN. CODE § 290.110(c)(5)].
- 9. Failed to verify the accuracy of the analyzer used to determine the effectiveness of chloramination at least once every 90 days [30 Tex. ADMIN. CODE § 290.46(s)(2)(D)].
- 10. Failed to provide containment facilities for all liquid chemical storage tanks [30 Tex. Admin. Code § 290.42(f)(1)(E)(ii)].
- 11. Failed to identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint [30 Tex. Admin. Code § 290.42(d)(13)].
- 12. Failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director upon request [30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(B)(x)].
- 13. Failed to review and update, as appropriate, the drought contingency plan at least every five years [30 Tex. ADMIN. CODE § 288.20(c)].

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Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented a corrective measure by reviewing and updating, as appropriate, the drought contingency plan by January 21, 2022.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
- i. Calibrate the Facility's ten conductivity (or total dissolved solids) monitors and pressure instruments used for reverse osmosis;
- ii. Calibrate the Facility's rate-of-flow controllers and the well meter;
- iii. Create a nitrification action plan;
- iv. Begin monitoring the disinfectant residual throughout the distribution system at sites designated in the public water system's monitoring plan at least once every day. This provision will be satisfied upon three months of compliant monitoring;
- v. Begin collecting all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled. This provision will be satisfied upon six consecutive months of compliant monitoring;
- vi. Verify the accuracy of the analyzer used to determine the effectiveness of chloramination;
- vii. Identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint, including but not limited to identifying the feed lines and blend lines on the reverse osmosis unit;
- viii. Compile and maintain properly completed water works operations and maintenance records, including but not limited to records of treatment effectiveness monitoring for the reverse osmosis unit; and
- ix. Update the Facility's operational guidance and conduct employee training to ensure that Monochlor F reagent packets and monochloramine and free ammonia standards are currently purchased for the Hach DR300 colorimeter.
- b. Within 45 days, submit written certification to demonstrate compliance with a.i. through a.ii. and a.vi. through a.ix.

Executive Summary – Enforcement Matter – Case No. 61368 City of Rule RN101400836 Docket No. 2021-1266-MLM-E

- c. Within 60 days, 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 the monitoring requirements.
- d. Within 75 days, submit written certification to demonstrate compliance with c.
- e. Within 90 days, provide adequate containment facilities for the three, 55-gallon, antiscalant stock tanks.
- f. Within 105 days, submit written certification to demonstrate compliance with e.
- g. Within 135 days, submit written certification to demonstrate compliance with a.iv.
- h. Within 180 days, provide two or more wells having a total capacity of at least 0.6 gpm per connection.
- i. Within 195 days, submit written certification to demonstrate compliance with h.
- j. Within 225 days, submit written certification to demonstrate compliance with a.v.
- k. Within 1,095 days, provide water that meets the MSCLs for iron, manganese, and pH and/or receive written approval from the Executive Director to use the water source for public drinking water.
- l. Within 1,110 days, submit written certification to demonstrate compliance with k.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Ryan Byer, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-2571; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: The Honorable Delle Watkins, Mayor, City of Rule, P.O. Box 607, Rule,

Texas 79547

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW) Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021 **Assigned** 7-Sep-2021 **DATES** Screening 20-Sep-2021 PCW 20-Sep-2021 **EPA Due RESPONDENT/FACILITY INFORMATION** Respondent City of Rule Reg. Ent. Ref. No. RN101400836 Facility/Site Region 3-Abilene Major/Minor Source Minor **CASE INFORMATION Enf./Case ID No. 61368** No. of Violations **Docket No.** 2021-1266-MLM-E Order Type Findings Media Program(s) Public Water Supply **Government/Non-Profit Yes** Multi-Media Water Rights **Enf. Coordinator** Ryan Byer EC's Team Enforcement Team 8 \$5,000 Admin. Penalty \$ Limit Minimum Maximum Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1

\$1,250 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** -\$62 Subtotals 2, 3, & 7 **-5.0%** Adjustment Enhancement for one NOV with the same/similar violations. Reduction Notes for High Performer classification. Culpability Subtotal 4 **\$0** No **0.0%** Enhancement The Respondent does not meet the culpability criteria. Notes **Good Faith Effort to Comply Total Adjustments** Subtotal 5 \$0 Subtotal 6 **\$0 Economic Benefit** 0.0% Enhancement* Total EB Amounts \$1,600 Capped at the Total EB \$ Amount Estimated Cost of Compliance **SUM OF SUBTOTALS 1-7** Final Subtotal \$1,188 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment \$0 Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$1,188 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$1,190 **DEFERRAL** 0.0% \$0 Reduction Adjustment Reduces the Final Assessed Penalty by the indicated percentage Notes No deferral is recommended for Findings Orders. **PAYABLE PENALTY** \$1,190

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Screening Date 20-Sep-2021 **Respondent** City of Rule

Case ID No. 61368

Reg. Ent. Reference No. RN101400836

Media Public Water Supply

Enf. Coordinator Ryan Byer

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)	
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Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	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		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	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%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 5%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance **History** Notes

Enhancement for one NOV with the same/similar violations. Reduction for High Performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)

-5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

-5%

	Scre	ening Date	20-Sep-2021		Docl	cet No. 2021-1266-MLM	-E	PCW
		espondent					Policy I	Revision 5 (January 28, 2021)
Dan		ase ID No.					PC	W Revision February 11, 2021
Reg.	ent. Ker		RN101400836 Public Water Su	ınnly				
	Enf. C	oordinator		yphiy				
		tion Number						
		Rule Cite(s)	30 Tex. Ad	min. Code § 2	90.45(b)(1)(D) 341.031)(i) and Tex. Health & Safe L5(c)	ety Code §	
	Violation	n Description	minute ("gp requiring a to	m") per conne tal capacity of	ction. Specific 159 gpm per o	ng a total capacity of 0.6 grally, the Facility had 265 crannection. However, only ndicating a 27% deficiency	connections 116 gpm of	
						1	Base Penalty	\$5,000
>> Env	rironmen	ital, Proper	ty and Huma		Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual		rioderate	1 111101		<u></u>	
		Potential		Х		Percent 5.0	0%	
>>Proc	arammat	ic Matrix						
		Falsification	Major	Moderate	Minor	_		
						Percent 0.0	0%	
	Matrix Notes					e persons served by the Fa ed levels protective of hun		
						Adjustment	\$4,750	
							ſ	\$250
								\$250
Violatio	on Event	S						
		Number of \	/iolation Events	1		21 Number of violat	ion days	
			daily weekly		_			
			monthly quarterly semiannual annual single event	X		Violation	Base Penalty	\$250
		One quarterly	•			e date of the record review tember 20, 2021.	, August 30,	
Good Fa	aith Effo	rts to Com	ply	0.0%			Reduction	\$0
			-	Before NOE/NOV	NOE/NOV to EDPI	RP/Settlement Offer		·
			Extraordinary					
			Ordinary N/A					
			Notes			eet the good faith criteria olation.	for	
			'			Viola	tion Subtotal	\$250
Econon	nic Bene	fit (EB) for	this violatio	n		Statutory Lir	nit Test	
		Estimate	ed EB Amount		\$1,273	Violation Final F	Penalty Total	\$238
			· · · · · ·					·
				THIS VIOL	ativii Filidi AS	ssessed Penalty (adjust	cu ioi illilits)	\$238

	E	conomic	Benefit	Wor	rksheet		
Respondent	City of Rule						
Case ID No.	61368						
Reg. Ent. Reference No.	RN101400836						
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
	_					5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	Item Cost	Date Required	i illai Date	113	Interest Saveu	costs Saveu	LD 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	\$5,000	13-Aug-2019	1-Apr-2023	3.64	\$61	\$1,212	\$1,273
Land			•	0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delay	ad cost includes th	ne estimated ar	mount to	n nrovide a total ca	apacity of at least 0	6 anm ner
Notes for DELAYED costs	•				•	cumenting the viola	<u> </u>
Notes for DELAYED COSTS	Connectio	on, calculated from			•	Lumenting the viola	tion to the
			estimate	ea aate d	of compliance.		
Avoided Costs	ANNU	ALIZE avoided co	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Hotel is Avoid to dots							
•							
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,273
• • • • • • • • • • • • • • • • • • • •		7-7-30				L	1-1

	E	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	61368						
	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		T 1		1 0 00	±0	¢ 0	# 0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	21-Dec-2020	1-Nov-2022	1.86	\$9	n/a	\$9
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	procedures, representati inv	guidance, training ve locations in the vestigation initially	g, and/or overs distribution sy documenting t	ount to ight to e stem at the viola	implement improv nsure that the disi least once per day tion to the estimat	ements to the Facilinfectant residual is , calculated from the ced date of complian	monitored at ne date of the nce.
Avoided Costs	ANNU	ALIZE avoided co	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$100			TOTAL		\$9

	Screening Da	te 20-Sep-2021		Docket No.	2021-1266-MLM-E	PCW
		ent City of Rule				Policy Revision 5 (January 28, 2021)
	Case ID N					PCW Revision February 11, 2021
Rea.	Ent. Reference N					, ,
		lia Public Water Su	nnly			
	Enf. Coordinat		SP1)			
	Violation Num					
	Rule Cite		20 T	Admin Code C 200 1	10(-)(5)	
			30 Tex.	Admin. Code § 290.1	10(C)(5)	
	Violation Descript	IANI			to ensure that monoch nitrification is controlled	
					Base	Penalty \$5,000
>> Fn	vironmental, Pro	nerty and Hum	an Health M	latriv		
// LII	Vironinental, Fro	perty and main	Harm	idtiix		
	Rele	ase Major	Moderate	Minor		
OR		:ual				
	Poter	tial		Х	Percent 3.0%	
D						
>>Pro	grammatic Matri		Madauska	Minau		
	Falsificati	on Major	Moderate	Minor	Percent 0.0%	
					Percent 0.0%	
	Eniluro to	conduct chloramino	offoctiveness s	ampling could load to	nitrification in the dist	ribution
					nitrification in the dist an insignificant amount	
	Notes	•	•	ceed levels protective	•	
		Correaminaties with	en would not ex	teeca levelo protectivo	e or mannan medicin	
				Ad	ljustment	\$4,850
						\$150
\/:_ _+	ion Franks					
violati	ion Events					
	Number	of Violation Events	1	21	Number of violation d	lavs
			_		<u></u>	, 5
		daily				
		weekly				
		monthly				
		quarterly			Violation Base	Penalty \$150
		semiannual				
		annual single event	V			
		Siligle event	X			
			One single eve	ent is recommended.		
	- ' Pec					
Good	Faith Efforts to C		0.0%	75/NOV:		eduction \$0
		Be Extraordinary	tore NOE/NOV NO	DE/NOV to EDPRP/Settlem	ent Offer	
		· 📙				
		Ordinary				
		N/A	Х			
		Notes	The Respondent	t does not meet the g	good faith criteria for	
		notes		this violation.		
		L				
					Violation 9	Subtotal \$150
Econo	mic Benefit (EB)	for this violatio	n		Statutory Limit	Test
		_		44.5		
	Estin	nated EB Amount		\$113	Violation Final Penal	Ity Total \$143
			This violati	ion Final Assessed	Penalty (adjusted fo	r limits) \$143

	E	conomic	Benefit	Woı	rksheet		
Respondent							
Case ID No. Reg. Ent. Reference 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		<u> </u>		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0	\$0 \$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	21-Dec-2020	1-Nov-2022	1.86	\$9	n/a	\$9
Remediation/Disposal	4100	21 000 2020	I HOV LOLL	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	monochloram	ine is the prevailir	ng chloramine s	pecies a	nd that nitrificatio	fectiveness samples n is controlled, calcu stimated date of co	ulated from the
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$100	21-Dec-2020	20-Sep-2021	0.75	\$4	\$100	\$104
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	monochloram	ine is the prevailir	ng chloramine s	pecies a	nd that nitrificatio	fectiveness samples n is controlled, calcu o the date of screen	ulated from the
Approx. Cost of Compliance		\$200			TOTAL		\$113

Respondent City of Rule Case ID No. Reg. Ent. Reference No. Media Violation No. City of Rule 61368 RN101400836 Public Water Supply 4							
Reg. Ent. Reference No. RN101400836 Media Public Water Supply							
Media Public Water Supply							
· · · ·							
Violation No. 4	Percent Interest Sears of						
	Depreciation						
	5.0 15						
Item Cost Date Required Final Date Yrs Inter	est 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 \$0 \$0						
Engineering/Construction 0.00	\$0 \$0 \$0						
Land	\$0 n/a \$0						
Record Keeping System 0.00	\$0 n/a \$0						
Training/Sampling \$253 21-Dec-2020 1-Nov-2022 1.86	\$24						
Remediation/Disposal 0.00	\$0 n/a \$0						
Permit Costs 0.00 Other (as needed) \$5 21-Dec-2020 1-Nov-2022 1.86	\$0						
Other (as needed) \$5 21-Dec-2020 1-Nov-2022 1.86	\$0 II/d \$0						
Notes for DELAYED costs Notes for DELAYED costs The Other (as needed) delayed cost includes the estimated a analzyer used to determine the effectiveness of chloramina from the date of the investigation initially documenting the very content of the properties of the investigation initially documenting the very content of the investigation initially documenting th	The Training/Sampling delayed cost includes the estimated amount to purchase current Monochlor F reagent packets and monochloramine and free ammonia standards (\$40 for the reagent and \$213 for the standards) for the Hach DR300 colorimeter, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance. The Other (as needed) delayed cost includes the estimated amount to properly verify the accuracy of the analzyer used to determine the effectiveness of chloramination at least once every 90 days, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.						
	except for one-time avoided costs)						
Avoided Costs ANNUALIZE avoided costs before entering item (
Disposal 0.00	\$0 \$0 \$0						
Disposal 0.00 Personnel 0.00	\$0 \$0 \$0						
Disposal Personnel Inspection/Reporting/Sampling Disposal Personnel Disposal Personnel Disposal Dispo	\$0 \$0 \$0 \$0 \$0 \$0						
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Disposal Personnel Disposal Personnel Disposal Disp	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0						
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance Disposal Personnel Disposal Personnel Disposal Di	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0						
Disposal 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$5						
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance Disposal Personnel Disposal Personnel Disposal Di	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0						
Disposal 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$						

	Screening Date	20-Sep-2021	Docket No. 2021-1266-MLM-E	PCW
	Respondent	City of Rule		Policy Revision 5 (January 28, 2021)
	Case ID No.			PCW Revision February 11, 2021
Rea. I	Ent. Reference No.	RN101400836		
		Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	30 Tay	Admin Code \$ 200 42/5/(1)/5/(ii)	
		30 Tex	. Admin. Code § 290.42(f)(1)(E)(ii)	
	Violation Description	•	nment facilities for all liquid chemical storage tanks gallon, anti-scalant stock tanks were not provided containment facilities.	
			Base Pe	snalty \$5,000
>> Env	rironmental, Prope	rty and Human Healtl	h Matrix	
		Harm		
ΩD	Release		Minor	
OR	Actual		Payant 5.00/	
	Potential	Х	Percent 5.0%	
>>Proc	grammatic Matrix			
, , i i o s	Falsification	Major Moderate	Minor	
			Percent 0.0%	
		7		
		or the environment to a signif	facilities for the anti-scalant stock tanks could expricant amount of contaminants which would not exceptive of human health.	
			Adjustment \$	4,750
				¢250
				\$250
Violatio	on Events			
	Number of \	Violation Events 1	21 Number of violation days	;
		daily weekly		
		monthly		. +250
		quarterly <u>x</u> semiannual	Violation Base Pe	nalty \$250
		annual	╣	
		single event	1	
	One quarterl		lculated from the date of the record review, August f screening, September 20, 2021.	: 30,
Good F	aith Effarts to Com	nply 0.0%		uction \$0
Good F	aith Efforts to Com		NOE/NOV to EDPRP/Settlement Offer	uction \$0
		Extraordinary	NOL/NOV to EBINI/Settlement oner	
		Ordinary		
		N/A x		
			dent describe and a second sec	
		Notes The Respond	dent does not meet the good faith criteria for this violation.	
			Violation Sub	ptotal \$250
Econon	nic Benefit (EB) for	this violation	Statutory Limit Te	st
	Estimat	ed EB Amount	\$107 Violation Final Penalty	Total \$238
			John Final Assessed Barreller (addition of the	mita) ±222
		This vio	olation Final Assessed Penalty (adjusted for li	mits) \$238

	E	conomic	Benefit	Wor	ksheet		
Respondent Case ID No.							
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		supply				Percent Interest	Depreciation
Violation No.	5					ГО	
	-					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs		1		1 0 00	L +0	+0	+0
Equipment				0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Buildings Other (as needed)	\$750	21-Dec-2020	1-Jan-2023	2.03	\$0 \$5	\$0 \$102	\$0 \$107
Engineering/Construction	\$730	21-Dec-2020	1-Jaii-2023	0.00	\$5 \$0	\$102	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	•	anks (\$250 per tai	nk x three tank	s), calcu	•	ontainment facilities te of the investigation	
						<u> </u>	
Avoided Costs	ANNUA	ALIZE avoided co	osts before er		<u> </u>	one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		,		,, 9.33		7 0	
Approx. Cost of Compliance		\$750			TOTAL		\$107

	Screening [Date 20-Sep-2021		Docke	et No. 2021-1266-MLM-E		PCW
	Respond	lent City of Rule				Policy Re	evision 5 (January 28, 2021)
		No. 61368				PCW	Revision February 11, 2021
Rea.	Ent. Reference	No. RN101400836					, ,
- 3		edia Public Water S					
	Enf. Coordina		чр.,				
	Violation Nu		1				
	Rule Cit		20 T-	Admin Codo C	200 42/4/(12)		
			30 Te	ex. Admin. Code §	290.42(u)(13)		
	Violation Descrip		bels or various	s colors of paint.	backwash, and chemical fee Specifically, the feed lines a reverse osmosis unit.		
					Bas	e Penalty	\$5,000
>> En	vironmental, Pı	conerty and Hur	nan Haalth	Matrix			
// LII	ivii oiiiileiitai, Pi	operty and mu	Harm	I Matrix			
	Rel	ease Major	Moderate	Minor			
OR	A	Actual					
	Pot	ential	Х		Percent 5.0%		
		-					
>>Pro	ogrammatic Mat		M = d == t =	Minan			
	Falsifica	ation Major	Moderate	Minor	Percent 0.0%		
					Percent 0.0%		
				•	ustomers served by the Faci d levels protective of humar	-	
					Adjustment	\$4,750	
						Ī	\$250
							7-50
Violati	ion Events						
				1			
	Numbe	er of Violation Events	1		Number of violation	days	
		daily weekly monthly quarterly semiannual annual single event	X		Violation Bas	e Penalty[\$250
				1 . 16		. 20	
	One qu		•	screening, Septe	date of the record review, Aumber 20, 2021.	igust 30,	
Good I	Faith Efforts to	Comply	0.0%			Reduction	\$0
				NOE/NOV to EDPRP			
		Extraordinary					
		Ordinary					
		N/A	X				
		Notes	The Respond	lent does not mee this viola	et the good faith criteria for ation.		
					Violation	Subtotal	\$250
Econo	mic Benefit (EB) for this violat	ion		Statutory Limit	Test	
	Est	imated EB Amount	:	\$65	Violation Final Pen	alty Total	\$238
			This viol	lation Final Asse	essed Penalty (adjusted f	or limits)	\$238
			5 4151		J, (aajastea 1		Ψ250

	E	conomic	Benefit	Wor	rksheet		
Respondent	City of Rule						
Case ID No.							
Reg. Ent. Reference No.)					
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	21-Dec-2020	1-Nov-2022	1.86	\$3	\$62	\$65
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 Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0 \$0	n/a	\$0 \$0
Notes for DELAYED costs	date of t	the investigation ir	nitially docume	nting the	e violation to the e	d blend lines, calcul stimated date of co	npliance.
Avoided Costs	ANNU	ALIZE avoided co	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		<u>"</u>		<u> </u>	Ι ΨΟ	Φ0	J.O.
Approx. Cost of Compliance		\$500			TOTAL		\$65

	Screening Date	20-Sep-2021	Docket No. 2021-1266-MLM-E	PCW
	Respondent	City of Rule		Policy Revision 5 (January 28, 2021)
	Case ID No.	61368		PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN101400836		
	Media	Public Water Supply		
	Enf. Coordinator	Ryan Byer		
	Violation Number			
	Rule Cite(s)	30 Tex. Adm	in. Code § 290.46(f)(2) and (f)(3)(B)(x)	
		Failed to maintain water v	vorks operations and maintenance records and r	make
	Violation Description	them readily available t	for review by the Executive Director upon reque	
	violation bescription	Specifically, records of treat	ment effectiveness monitoring for the reverse o	<mark>osmosis</mark>
		unit were	not being recorded on a daily basis.	
			Base F	Penalty \$5,000
>> Env	/ironmental, Prope	rty and Human Health	ı Matrix	
	Release	Harm Major Moderate	Minor	
OR	Actual			
	Potential		Percent 0.0%	
_				
>>Pro	grammatic Matrix		M:	
	Falsification	Major Moderate	Minor Percent 1.0%	
			X Percent 1.0%	
	Matrix	Less than 30% of the ru	le requirements were not being met.	
	Notes		,	
			Adjustment	\$4,950
				\$50
Violati	on Events			
	Number of V	/iolation Events 1	21 Number of violation da	IVS
				,,,
		daily		
		weekly		
		monthly	Violation Base F	Ponalty ¢50
		quarterlysemiannual	Violation base r	Penalty \$50
		annual		
		single event x		
		One single	event is recommended.	
		One single	event is recommended.	
Good F	aith Efforts to Com			duction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary		
		N/A <u>x</u>		
		Notes The Respond	lent does not meet the good faith criteria for	
		Notes	this violation.	
			Violation S	ubtotal \$50
Econor	nic Benefit (EB) for	this violation	Statutory Limit T	est
			¢4 Violation Final Bount	y Total \$48
	Estimate	ed EB Amount	\$4 Violation Final Penalt	y 10tai \$48
		This vio	lation Final Assessed Penalty (adjusted for	limits) \$50

	E	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	61368						
	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 \$0	\$0
Engineering/Construction Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System	\$45	21-Dec-2020	1-Nov-2022	1.86	\$4	n/a	\$4
Training/Sampling	<u> </u>	21 Dec 2020	1 NOV 2022	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	records and calculated fr	d make them immore on the date of the	nediately availal e investigation	ole for in initially complia	nspection upon required the value.	tem operation and uest by the Executi riolation to the estin	ve Director, nated date of
Avoided Costs	ANNUA	ALIZE avoided co	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0
Notes for AVOIDED costs		1		<u> 0.00</u>	Ψ0	Ψ0	30
Approx. Cost of Compliance		\$45			TOTAL		\$4



PAYABLE PENALTY

Penalty Calculation Worksheet (PCW)

THE PONMENTAL OF	Policy Re	evision 5 (January 28	3, 2021)			PCW Rev	vision February 11, 2021
DATES	Assigned	7-Sep-2021					
	PCW	20-Sep-2021	Screening 20-Sep-2021	EPA Due			
DECDO	NDENT /FACTI T	TV TNEODMATT	ON				
KESPU	NDENT/FACILI Respondent		ON				
Red	g. Ent. Ref. No.	RN101400836					
	ty/Site Region		_	Major/I	Minor Source	Minor	
	NFORMATION	51050				l-	
En	f./Case ID No.	61368 2021-1266-MLM		No.	of Violations Order Type		
Med	lia Program(s)			Governmen	t/Non-Profit		
1100	Multi-Media		рргу		Coordinator		
		<u> </u>				Enforcement T	eam 8
Adr	nin. Penalty \$ I	Limit Minimum	\$50 Maximum	\$1,000			
			·				
			Penalty Calcula	tion Secti	on		
TOTA	L BASE PENA	LTY (Sum of	violation base penal	ties)		Subtotal 1	\$820
ADILI	STMENTS (+	/_) TO SUBT	OTAL 1				
ADJU.	STMENTS (+ Subtotals 2-7 are of	otained by multiplying	g the Total Base Penalty (Subtotal 1) by the indicated	percentage.		
	Compliance Hi		-5.0%	Adjustment		tals 2, 3, & 7	-\$41
		Enhancement t	for one NOV with the same/s	imilar violation	s. Reduction		
	Notes	2	for High Performer class				
			3				
	Culpability	No	0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does not meet the	culpability crit	eria.		
	Good Faith Eff	ort to Comply T	otal Adjustments			Subtotal 5	\$0
		. ,	•				
	Faculty Danie	_ £: L	0.00/	= 1		Cubtotal C	#0
	Economic Bene	Total EB Amounts		Enhancement* d at the Total EB \$	Amount	Subtotal 6	\$0
	Estimated	Cost of Compliance	\$15,473	7			
SUM (OF SUBTOTA	LS 1-7			F.	inal Subtotal	\$779
OTHE	D FACTORS (AC THETTEE A	AAV DEGUIDE	0.00/			40
	or enhances the Final		1AY REQUIRE	0.0%		Adjustment	\$0
, todacco		Subtotal by the mai	catea percentage.				
	Notes						
					Final Pen	nalty Amount	\$779
STAT	UTORY LIMIT	ADJUSTME	VI		Final Asse	ssed Penalty	\$995
DEFE	DDAI			0.0%	Doduction	Adjustment	\$0
	KKAL :he Final Assessed Pe	enalty by the indicate	d percentage.	0.0%	Reduction	Aujustment	\$ U
]	
	Notes	No o	deferral is recommended for	Findings Order	s.		
						I	

\$995

Screening Date 20-Sep-2021
Respondent City of Rule

Case ID No. 61368

Reg. Ent. Reference No. RN101400836

Media Public Water Supply

Enf. Coordinator Ryan Byer

Component	story <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 (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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	0	0%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addies	Disclosures of violations under the Texas Environmental, Health, and Safety Aud Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)		0%
		NI -	00/
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sul	btotal 2)
Repeat Violato	r (Subtotal 3)		
N,	Adjustment Per	centage (Sul	btotal 3)
Compliance His	story Person Classification (Subtotal 7)		
High Pe	rformer Adjustment Per	centage (Sul	btotal 7)
Compliance His	story Summary		
Compliance History Notes	Enhancement for one NOV with the same/similar violations. Reduction for High classification.	Performer	
	Total Compliance History Adjustment Percentage (S	Subtotals 2,	⊐ <i>3,</i> & 7) [
inal Complianc	e History Adjustment	·	
	Final Adjustment Percenta		

		ening Date			Do	cket No. 2021	-1266-MLM-E		PCW
		espondent							Revision 5 (January 28, 2021)
D		ase ID No.						PCV	V Revision February 11, 2021
Reg.	Ent. Ker		RN101400836	mmlv.					
	Enf C	oordinator	Public Water S	ирріу					
		tion Number	Tyan byei	1					
	71014								
		Rule Cite(s)		30 Tex	. Admin. Cod	le § 290.46(s)(2)(G)		
	Violation	n Description	and pressumonths.	ıre instrumen Specifically, t	ts used for re he Facility's s rices used for	civity (or total diseverse osmosis a six pressure instractors osmosis reverse osmosis 12 months.	nt least once ever ruments and th	rery 12 ie four	
							Bas	se Penalty	\$1,000
>> Env	vironmeı	ntal, Prope	rty and Hum	nan Health	Matrix				
			-	Harm					
OR		Release Actual		Moderate	Minor	1			
UK		Actual Potential		Х		Perc	cent 5.0%	1	
		rotential		X		reic	.ent 3.0%		
>>Pro	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor			_	
						Perc	cent 0.0%		
	Г								
	Matrix Notes		• • •	significant am		ent could cause aminants which which which which which was a suit of the course of the	•	•	
						Adjustn	nent	\$950	
						Aujustii	ilelit_	\$930	
									\$50
\									
Violatio	on Event	:S							
		Number of \	/iolation Events	10	1 [21 Num	ber of violation	n davs	
					<u> </u>			, .	
			daily weekly monthly quarterly semiannual annual single event	X			Violation Bas	se Penalty	\$500
			Ten single	e events are r	ecommended	l, one for each d	evice.		
Good F	aith Effa	rts to Com	nly	0.0%				Reduction	\$0
GUUU F	aith Eilt	i is to colli		Before NOE/NOV		DPRP/Settlement Off	fer	Reduction	φU
			Extraordinary						
			Ordinary						
			N/A	Х				7	
			Notes	The Respor		ot meet the good s violation.	l faith criteria		
							Violatio	n Subtotal	\$500
Econor	mic Bene	fit (EB) for	this violati	on		Sta	tutory Limi	t Test	
		Estimate	ed EB Amount		\$3,594	Viola	tion Final Per	alty Total	\$475
				This viol	ation Final A	Assessed Penal	ty (adjusted	for limits)	\$500

	E	conomic	Benefit	Woı	ksheet		
Respondent	City of Rule						
Case ID No.	61368						
Reg. Ent. Reference No.							
Media	Public Water S					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							
200 2 200							
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)	\$2,500	12-Jan-2018	1-Nov-2022	4.81	\$601	n/a	\$601
	The delayed	cost includes the	estimated amou	int to ca	alibrate the Facility	's conductivity (or t	otal dissolved
	solids) monito	ors and pressure i	instruments at le	east onc	e every 12 month	s (\$250 per device :	x ten devices),
Notes for DELAYED costs	calculated f	rom the date of th	ne investigation i	nitially	documenting the v	violation to the estin	nated date of
	- Carcaracca :	om the date of the	.c coc.yac.c	compli			nated date of
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$2,500	12-Jan-2018	20-Sep-2021	3.69	\$493	\$2,500	\$2,993
Other (as needed)			•	0.00	\$0	\$0	\$0
	The sucided	cost includes the	actimated areas	nt to -	alibrata tha Escilit	de conductivity (and	estal dissalved
						's conductivity (or t	
Notes for AVOIDED costs		•			•	s (\$250 per device	
	calculated fr	om the date of th	ne investigation i	nitially	documenting the v	iolation to the date	of screening.
		\= aaa					10.504
Approx. Cost of Compliance		\$5,000			TOTAL		\$3,594

		20-Sep-2021		Do	cket No. 2021-1266-MLM-E		PCW
Res	spondent	City of Rule				Policy R	evision 5 (January 28, 2021)
	se ID No.					PCW	Revision February 11, 2021
Reg. Ent. Refer							
		Public Water Si	upply				
	ordinator	Ryan Byer	=				
	on Number	2					
R	ule Cite(s)		30 T	ex. Admin. Co	de § 290.46(s)(1)		
		Failed to calil	orate the Facil	ity's rate-of-fl	ow controllers every 12 months a	and well	
					pecifically, the rate-of-flow contr		
Violation I	Description				ter lines on the reverse osmosis		
		not been call			the well meter for Well G10400 the last three years.	osb nad	
			not bee	ii calibratea iii	the last timee years.		
					_		+1.000
					Base	Penalty	\$1,000
>> Environment	al Prope	rty and Hun	nan Health	Matrix			
Z Z Z II V II O I I I I C I I	ul, Flope	cy and man	Harm	Hacita			
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential			Х	Percent 3.0%		
> > Dua	- 14-4						
>>Programmati	Falsification	Major	Moderate	Minor			
	aisirication	Majoi	Moderate	MILIOI	Percent 0.0%		
<u> </u>			<u> </u>		7 er cent 0.0 %		
F.	ailura ta calib	wate the Facility	de rate of flow	v controllors a	nd well meter could result in inac	oursts or	
Matrix					in persons served by the Facility		
					ich would not exceed levels prote		
	•	J		uman health.	·		
					Adjustment	\$970	
						T	+20
						1	\$30
Violation Events							
				i ir			
	Number of \	/iolation Events	4		21 Number of violation of	days	
	Number of \	/iolation Events	4	<u>L</u>	Number of violation of	days	
	Number of \	daily	4	! <u>∟</u>	21 Number of violation of	days	
	Number of \	daily weekly	4	. L	21 Number of violation o	days	
	Number of \	daily weekly monthly	4			·	4420
	Number of \	daily weekly monthly quarterly	4		21 Number of violation of Violation of Violation Base	·	\$120
	Number of \	daily weekly monthly quarterly semiannual	4			·	\$120
	Number of \	daily weekly monthly quarterly semiannual annual				·	\$120
	Number of \	daily weekly monthly quarterly semiannual	4 × × ×			·	\$120
	Number of \	daily weekly monthly quarterly semiannual annual				·	\$120
	Number of \	daily weekly monthly quarterly semiannual annual single event	X	recommended		·	\$120
	Number of \	daily weekly monthly quarterly semiannual annual single event	X	recommended	Violation Base	·	\$120
		daily weekly monthly quarterly semiannual annual single event	x x	1	Violation Base , one for each device.	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing	x x le events are 1		Violation Base , one for each device.	·	\$120 \$0
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing	x le events are I 0.0% Before NOE/NOV		Violation Base , one for each device.	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing	x le events are I 0.0% Before NOE/NOV		Violation Base , one for each device.	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing ply Extraordinary Ordinary	x le events are I 0.0% Sefore NOE/NOV		Violation Base , one for each device.	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing	x x le events are i	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing Extraordinary Ordinary N/A	x le events are I 0.0% Before NOE/NOV x The Respond	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing ply Extraordinary Ordinary	x le events are I 0.0% Before NOE/NOV x The Respond	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing Extraordinary Ordinary N/A	x le events are I 0.0% Before NOE/NOV x The Respond	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for	Penalty	
Good Faith Effor		daily weekly monthly quarterly semiannual annual single event Four sing Extraordinary Ordinary N/A	x le events are I 0.0% Before NOE/NOV x The Respond	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for	Penalty	
	ts to Com	daily weekly monthly quarterly semiannual annual single event Four sing Ply Extraordinary Ordinary N/A Notes	x le events are I 0.0% Sefore NOE/NOV x The Respond	NOE/NOV to ED	violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for violation. Violation	Penalty Reduction Subtotal	\$0
Good Faith Effor	ts to Com	daily weekly monthly quarterly semiannual annual single event Four sing Ply Extraordinary Ordinary N/A Notes	x le events are I 0.0% Sefore NOE/NOV x The Respond	NOE/NOV to ED	violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for violation.	Penalty Reduction Subtotal	\$0
	ts to Com	daily weekly monthly quarterly semiannual annual single event Four sing Extraordinary Ordinary N/A Notes	x le events are i 0.0% Before NOE/NOV X The Respond	NOE/NOV to ED	Violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for violation. Violation Statutory Limit	Reduction Subtotal	\$0 \$120
	ts to Com	daily weekly monthly quarterly semiannual annual single event Four sing Ply Extraordinary Ordinary N/A Notes	X le events are I 0.0% Before NOE/NOV X The Respond	NOE/NOV to ED	violation Base , one for each device. PRP/Settlement Offer meet the good faith criteria for violation. Violation	Reduction Subtotal Test	\$0

	E	conomic	Benefit	Wor	ksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No.	RN101400836						
Media Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
Violation No.	_					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 \$0	n/a	\$0
Training/Sampling Remediation/Disposal				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)	\$124	12-Jan-2018	1-Nov-2022	4.81	\$30	n/a	\$30
Other (as needed)	3124	12-Jan-2010	1-1100-2022	0.00	\$0	n/a	\$0
Notes for DELAYED costs	meter ((\$31	per controller x t	three flow contro	llers) +	(\$31 per well met	's rate-of-flow contr ter x one well meter the estimated date o)), calculated
Avoided Costs	ANNU	ALIZE avoided o	osts before en	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance		48.5.004.6		0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$124	12-Jan-2018	20-Sep-2021	3.69	\$24	\$124	\$148
ONE-TIME avoided costs Notes for AVOIDED costs	meter ((\$31	per controller x t	three flow contro	llers) +	(\$31 per well met	s rate-of-flow contriber x one well meter on to the date of sci)), calculated
Approx. Cost of Compliance		\$248			TOTAL		\$178

Screening Date	20-Sep-2021	Docket No. 2021-1266-MLM-E	PCW
Respondent	City of Rule		Policy Revision 5 (January 28, 2021)
Case ID No.	61368		PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN101400836		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		
Violation Number	3		
Rule Cite(s)	30 Tex.	Admin. Code § 290.121(a) and (b)	
	•	date chemical and microbiological monitoring plants describes the compling frequency, and specific	
	analytical procedures and I	ons, describes the sampling frequency, and speci aboratories that the Facility will use to comply w	
Violation Description		pecifically, the monitoring plan did not include a	
	procedures and laboratories	related to compliance of the reverse osmosis u	nit and
	chlo	ramine effectiveness sampling.	
		_	
		Base I	Penalty \$1,000
>> Environmental, Prope	rty and Human Health	Matrix	
	Harm		
Release		Minor	
OR Actual Potential		Percent 0.0%	
Potential		Percent 0.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		X Percent 1.0%	
Makuin			
Matrix Notes	Less than 30% of the	rule requirements were not met.	
Notes			
		Adjustment	\$990
			\$10
Violation Events			
Number of	Violation Events 1	21 Number of violation da	nve
Number of	Violation Events 1	Number of violation da	ly5
	daily	Ī	
	weekly		
	monthly		
	quarterly	Violation Base I	Penalty \$10
	semiannual		
	annual		
	single event x		
	One single	event is recommended.	
Good Faith Efforts to Com			eduction \$0
	Extraordinary Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A x		
	Notes The Respond	lent does not meet the good faith criteria for	
	Notes	this violation.	
		Violation S	subtotal \$10
Economic Benefit (EB) for	this violation	Statutory Limit T	lest lest
Estimat	ed EB Amount	\$11 Violation Final Penalt	ty Total \$10
	This vio	lation Final Assessed Penalty (adjusted for	limits) \$50
		, (, (,	,

	E	conomic	Benefit	Woı	rksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
Violation Noi						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		10.1.0010		0.00	\$0	n/a	\$0
Other (as needed)	\$45	12-Jan-2018	1-Dec-2022	4.89	\$11	n/a	\$11
						n maintaining a che	
Notes for DELAYED costs	microbiolog		•			igation initially docu	menting the
		,	violation to the	estimate	ed date of compliar	nce.	
Avoided Costs	ANNU	ALIZE avoided o	osts before er	ntering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
	-					_	
Approx. Cost of Compliance		\$45			TOTAL		\$11

		ening Date		Dock	et No. 2021-1266-MLM-E	PCW
	F	Respondent	City of Rule		Pol	icy Revision 5 (January 28, 2021)
		Case ID No.	61368			PCW Revision February 11, 2021
Reg.	Ent. Ref	ference No.	RN101400836			
		Media	Public Water Supply			
	Enf. C	Coordinator				
		ation Number				
		Rule Cite(s)		20 Tau Admin Cad	- 5 200 46(-)	
				30 Tex. Admin. Cod	e g 290.46(2)	
	Violatio	n Description	Failed to create a nitri	fication action plan for water.	all systems distributing chloraminate	
					Buse i ena	ψ1,000
>> En	vironme	ntal, Prope	rty and Human He			
		Release	Har Major Mode			
OR		Actual		111101		
		Potential			Percent 0.0%	
			<u> </u>	1		
>>Pro	gramma	itic Matrix				
		Falsification	Major Mode	ate Minor		
			Х		Percent 10.0%	
	Matrix		100% of th	e rule requirements w	are not mot	
	Notes		100 % 01 (1)	e rule requirements w	ere not met.	
					Adjustment \$9	000
					-	
						\$100
Violati	ion Even	te				
Violati	IOII EVEII	t3				
		Number of \	/iolation Events 1		Number of violation days	
			daily			
			weekly			
			monthly			
			quarterly		Violation Base Pena	lty \$100
			semiannual			
			annual x			
			single event x			
			One s	ingle event is recomm	ended.	
Good	Faith Eff	orts to Com	nly	0.0%	Reducti	on \$0
330u l	aith Lil	orts to com	Before NO			JII J
			Extraordinary			
			Ordinary			
			N/A x			
			The Be	snondent does not mo	et the good faith criteria for	
			Notes The Re	spondent does not me this viol		
				21115 4101		
					Violation Subto	tal \$100
						Ψ100
Econo	mic Bene	efit (EB) for	this violation		Statutory Limit Test	
		Estimate	ed EB Amount	\$43	Violation Final Penalty To	tal \$95
		Estimate			Violation Final Penalty To sessed Penalty (adjusted for limi	

	E	conomic	Benefit	Wor	ksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
21012010111101						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 \$0	n/a	\$0 \$0
Record Keeping System Training/Sampling				0.00	\$0	n/a n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	12-Jan-2018	1-Nov-2022	4.81	\$43	n/a	\$43
Notes for DELAYED costs	date of	the investigation i	nitially documer	nting the	e violation to the e	n action plan, calcula stimated date of cor	mpliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		<u>, , , , , , , , , , , , , , , , , , , </u>		1 0.00	1 40	Ψ0	Ψ0
Approx. Cost of Compliance		\$180			TOTAL		\$43

	Screening Date			Doc	ket No. 2021-1266-MLM-E		PCW
	Respondent	City of Rule				Policy Re	evision 5 (January 28, 2021)
	Case ID No.	61368				PCW	Revision February 11, 2021
Reg.	Ent. Reference No.	RN101400836					
	Media	Public Water Sup	pply				
	Enf. Coordinator						
	Violation Number	5					
	Rule Cite(s)		30 Tex.	Admin. Code 8	290.118(a) and (b)		
					nstituent levels ("MSCLs") for ir f 0.05 mg/L, and pH of not less		
	Violation Description	Specifically, in	ron, mangane	ese, and pH in	samples collected from the district district and 6 and 2.86 mg/L, 0.518 mg/L, and 6	ribution	
				respect	ively.		
					Base	Penalty	\$1,000
>> Env	vironmental, Proper	rty and Huma	an Health	Matrix			
		_	Harm				
OB	Release	Major	Moderate	Minor			
OR	Actual Potential			.,	Percent 3.0%		
	Potential			Х	Percent 3.0%		
>>Pro	grammatic Matrix						
, ,	Falsification	Major	Moderate	Minor			
					Percent 0.0%		
	Matrix			_	d pH could expose persons serv		
	Notes Facility to a	n insignificant an			h would not exceed levels prote	ctive of	
			n	uman health.			
					Adjustment	\$970	
					Aujustilielit	\$97U	
						Ι	\$30
Violati	on Events						
	Number of \	/iolation Events	3		21 Number of violation	davs	
			J	l <u>L</u>	ZI Number er treidien.	, .	
		daily					
		weekly					
		monthly				_	
		quarterly			Violation Base	Penalty	\$90
		semiannual					
		annual					
		single event	X				
		Three sing	le events are	recommended	I, one for each MSCL.		
					•		
Good F	aith Efforts to Com		0.0%	NOE (NO.)		Reduction	\$0
		Extraordinary	efore NOE/NOV	NOE/NOV to EDI	PRP/Settlement Offer		
		·					
		Ordinary					
		N/A	Х				
		Notos	The Respond	ent does not n	neet the good faith criteria for		
		Notes		this v	iolation.		
		L					
					Violation	_	\$90
Econor	nic Benefit (EB) for	this violatio	n		Statutory Limit	Test	
	Estimate	ed EB Amount		\$3,111	Violation Final Pena	ilty Total	\$86
		_	This	lation First 4	ssessed Penalty (adjusted fo	- Je limait-\	\$150
			inis vio	iacion Final A	ssesseu Penaity (adjusted to	a minits)	201201

Economic Benefit Worksheet							
Respondent Case ID No.							
	Public Water S					Percent Interest	Years of
Violation No.	5					ГО	Depreciation
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	5.0 Costs Saved	EB Amount
Item Description	Item cost	Date Required	i illai Date	113	Interest Saveu	Costs Saveu	LD 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)	\$10,000	13-Aug-2019	31-Oct-2025	0.00 6.22	\$0 \$3,111	n/a n/a	\$0 \$3.111
Notes for DELAYED costs	manganese, a	nd pH and/or obt	ain written appr d from the date	oval from	m the Executive Di	iter that meets the irector to use the wa ly documenting the	ater sources for
Avoided Costs	ANNU	ALIZE avoided o	osts before er	ntering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed) Notes for AVOIDED costs]		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$10,000			TOTAL		\$3,111



Penalty Calculation Worksheet (PCW)

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

DATES

Assigned 7-Sep-2021 PCW 20-Sep-2021 Screening 20-Sep-2021 EPA Due

RESPONDENT/FACILITY INFORMATION							
Respondent	City of Rule						
Reg. Ent. Ref. No.	RN101400836						
Facility/Site Region	3-Abilene	Major/Minor Source Minor					

CASE INFORMATION							
Enf./Case ID No.	61368			No.	of Violations	1	
Docket No.	2021-1266-MLM	-E			Order Type	Findings	l
Media Program(s)	Water Rights			Governmen	t/Non-Profit	Yes	1
Multi-Media	Public Water Su	oply		Enf	. Coordinator	Ryan Byer	l
	•			-	EC's Team	Enforcement Team 8	1
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$5,000			-

		Penalty Calculation Section		
TOTA	L BASE PENA	LTY (Sum of violation base penalties)	Subtotal 1	\$500
ADJU	STMENTS (+	/-) TO SUBTOTAL 1		
	Subtotals 2-7 are of	tained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
	Compliance Hi	story -5.0% Adjustment Sub	totals 2, 3, & 7	-\$25
	Notes	Enhancement for one NOV with the same/similar violations. Reduction for High performer classification.	n	
	Culpability	No 0.0% Enhancement	Subtotal 4	\$0
	Notes	The Respondent does not meet the culpability criteria.		
	Good Faith Effe	ort to Comply Total Adjustments	Subtotal 5	-\$50
	Economic Bene		Subtotal 6	\$0
	Estimated	Total EB Amounts \$3 *Capped at the Total EB \$ Amount Cost of Compliance \$50		
SUM	OF SUBTOTAL	.S 1-7	Final Subtotal	\$425
OTHE	D EACTORS A	S JUSTICE MAY REQUIRE 0.0%	Adimetorant	\$0
		Subtotal by the indicated percentage.	Adjustment	\$ 0
	Notes			
	'	Final P	enalty Amount	\$425
STAT	UTORY LIMIT	ADJUSTMENT Final Ass	sessed Penalty	\$425
DEFE	RRAL	0.0% Reduction	Adjustment	\$0
		nalty by the indicated percentage.		
		No defermed to recover and of few fits divine Onders		
	Notes	No deferral is recommended for Findings Orders.		
DAVA	BLE PENALTY		_	\$425
IAIA	DLE FLINALI			رعب

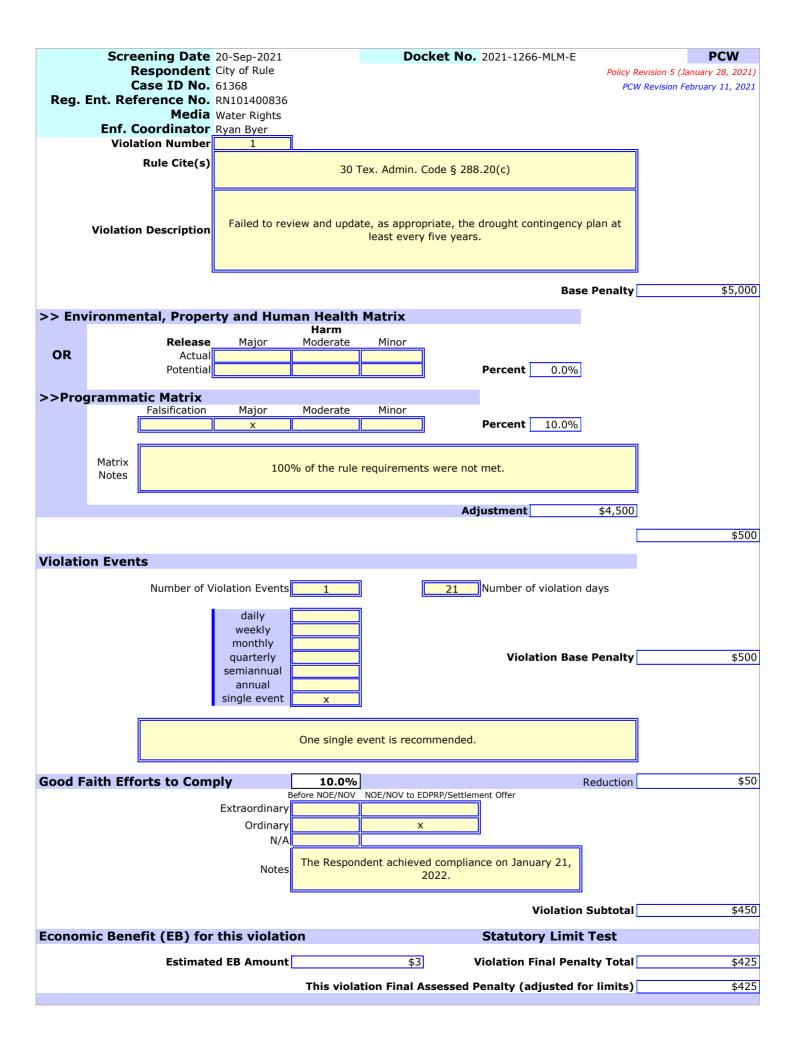
Screening Date 20-Sep-2021
Respondent City of Rule

Case ID No. 61368 Reg. Ent. Reference No. RN101400836

Media Water Rights

Enf. Coordinator Ryan Byer

		Compliance History Worksheet							
		ory Site 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 (number of NOVs meeting criteria)	1	5%					
		Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of	0	0%					
		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	0	0%					
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%					
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%					
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%					
	Emissions	Chronic excessive emissions events (number of events)	0	0%					
	Audits	0	0%						
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%					
		Environmental management systems in place for one year or more	No	0%					
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%					
		Participation in a voluntary pollution reduction program	No	0%					
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%					
		Adjustment Per	centage (Sub	total 2) 5%					
> Rep	eat Violator	(Subtotal 3)							
	N/A	Adjustment Per	centage (Sub	total 3) 0%					
Com	npliance Histo	ory Person Classification (Subtotal 7)							
	High Performer Adjustment Percentage (Subtotal 7) -10%								
>> Compliance History Summary									
	Compliance History Notes	Enhancement for one NOV with the same/similar violations. Reduction for High classification.	h performer						
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -5%									
>> Final Compliance History Adjustment									
		Final Adjustment Percenta	age *capped a	at 100% -5%					



	E	conomic	Benefit	10W	'ksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No.		.					
Media Violation No.	Water Rights 1					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 \$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	21-Dec-2020	21-lan-2022	1.08	\$3	n/a	\$3
Notes for DELAYED costs	needed, ca	alculated from the	date of the inv	estigatio complia	n initially documer ance.	contingency plan an iting the violation to	the date of
Avoided Costs	ANNU	ALIZE avoided o	osts before e			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Notes for AVOIDED costs				<u> 0.00</u>	1 \$0	<u> </u>	\$0
Approx. Cost of Compliance		\$50			TOTAL		\$3



Compliance History Report

Compliance History Report for CN600737704, RN101400836, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or CN600737704, City of Rule Classification: HIGH Rating: 0.00

Owner/Operator:

Regulated Entity: RN101400836, CITY OF RULE WATER Classification: NOT APPLICABLE Rating: N/A

SYSTEM

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

CH Group: 14 - Other

Location: 401 GLADSTONE AVENUE IN RULE, HASKELL COUNTY, TEXAS

TCEQ Region: REGION 03 - ABILENE

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1040003

Compliance History Period: September 01, 2016 to August 31, 2021 Rating Year: 2021 Rating Date: 09/01/2021

Date Compliance History Report Prepared: February 24, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 24, 2017 to February 24, 2022

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

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

Site and Owner/Operator History:

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

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

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

- D. The approval dates of investigations (CCEDS Inv. Track. No.):
- E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

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

1 Date: 02/26/2021 (1703051)

Self Report? NO Classification: Minor

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

Description: Failure to calibrate the conductivity (or total dissolved solids) monitors and pressure

instruments at least once every 12 months.

Self Report? NO Classification: Minor

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

Description: Failure to calibrate the well meter and flow-measuring devices on the reverse osmosis

unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(5)

Description: Failure to include analytical procedures related to compliance and maintenance of the

reverse osmosis unit and preventative nitrification testing (related to the nitrification

action plan) in the monitoring plan.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(z) Description: Failure to have a nitrification action plan.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.118(a) 30 TAC Chapter 290, SubChapter F 290.118(b)

Description: Failure to meet the secondary constituent levels for aluminum, iron, manganese, and

pH.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(a)(6) 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(i)

Description: Failure to provide a total capacity of 0.6 GPM per connection.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain the general appearance of the well pump on well No. 2 at the Rule

PS.

Self Report? NO Classification: Moderate

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

Description: Failure to complete customer service inspections (CSIs) at locations where potential

contamination hazards may be present.

Self Report? NO Classification: Moderate

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

Description: Failure to monitor the chlorine residual in distribution daily.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)

30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)(i)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)(ii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(ii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(iv)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(C)(v)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(D)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(D)(iii)
30 TAC Chapter 290, SubChapter F 290.110(c)(5)(D)(iii)

Description: Failure to perform chloramine effectiveness sampling at all required locations and at the

required frequency.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 288, SubChapter B 288.20(c)

Description: Failure to update the Drought Contingency Plan (DCP) every five years.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i) 30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to verify the accuracy the disinfectant residual analyzer used for compliance at

least once every 90 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(D)

Description: Failure to verify the accuracy of the analyzer used to determine the effectiveness of

chloramination at least once every 90 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii) 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)(I)

Description: Failure to provide adequate containment for all liquid chemical storage tanks. Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(b)(9) 30 TAC Chapter 290, SubChapter D 290.42(b)(9)(F)

30 TAC Chapter 290, SubChapter D 290.42(b)(9)(F) 30 TAC Chapter 290, SubChapter D 290.42(d)(13)

Description: Failure to provide pipe identification at the RO unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(x)

Description: Failure to monitor the conductivity (or total dissolved solids) of the feed and permeate

water daily

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF RULE	§	
RN101400836	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1266-MLM-E

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCI	EQ") considered this agreement of the parties, resolving an enforcement
action regarding the	City of Rule (the "Respondent") under the authority of TEX. WATER CODE
ch. 11 and TEX. HEAL	TH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through
the Enforcement Div	sion, and the Respondent presented this Order to the Commission.

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

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

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

I. FINDINGS OF FACT

- 1. The Respondent owns and operates a public water supply located at 401 Gladstone Avenue in Rule, Haskell County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 265 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(51).
- 2. During a record review conducted on August 30, 2021, an investigator documented that:
 - a. The Facility's six pressure instruments and the four conductivity monitoring devices used for reverse osmosis had not been calibrated in the last 12 months.
 - b. The rate-of-flow controllers for the feed, permeate, and concentrate water lines on the reverse osmosis unit had not been calibrated every 12 months and the well meter for Well G1040003B had not been calibrated in the last three years.

- c. The monitoring plan did not include analytical procedures and laboratories related to compliance of the reverse osmosis unit and chloramine effectiveness sampling.
- d. The Respondent did not create a nitrification action plan for all systems distributing chloraminated water.
- e. Iron, manganese, and pH in samples collected from the distribution system on August 13, 2019, measured 2.86 milligrams per liter ("mg/L"), 0.518 mg/L, and 6.99, respectively.
- f. The Facility had 265 connections requiring a total capacity of 159 gallons per minute ("gpm") per connection. However, only 116 gpm of total capacity were provided, indicating a 27% deficiency.
- g. The Respondent was monitoring the disinfectant residual from the entry point, which is not considered to be in the distribution system.
- h. The Respondent did not conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled.
- i. No records were available to show that each method of the Hach DR300 colorimeter used to monitor monochloramine and free ammonia was being calibrated at least once every 90 days, and the Monochlor F reagent packets and the monochloramine and free ammonia standards were expired.
- j. The three, 55-gallon, anti-scalant stock tanks were not provided with containment facilities.
- k. The feed lines and blend lines were not labeled on the reverse osmosis unit.
- l. Records of treatment effectiveness monitoring for the reverse osmosis unit were not being recorded on a daily basis.
- m. The Respondent did not review and update, as appropriate, the drought contingency plan at least every five years.
- 3. The Executive Director recognizes that the Respondent implemented a corrective measure at the Facility by reviewing and updating, as appropriate, the drought contingency plan by January 21, 2022.

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. Water Code ch. 11, Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to calibrate the Facility's conductivity (or total dissolved solids) monitors and pressure instruments used for reverse osmosis at least once every 12 months, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(2)(G).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to calibrate the Facility's rate-of-flow controllers every 12 months and well meter at least once every three years, in violation of 30 Tex. Admin. Code § 290.46(s)(1).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 Tex. Admin. Code § 290.121(a) and (b).
- 5. As evidenced by Finding of Fact No. 2.d, 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).
- 6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to meet the maximum secondary constituent levels ("MSCLs") for iron of 0.3 mg/L, manganese of 0.05 mg/L, and pH of not less than 7.0, in violation of 30 Tex. Admin. Code § 290.118(a) and (b).
- 7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to provide two or more wells having a total capacity of 0.6 gpm per connection, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(1)(D)(i) and Tex. Health & Safety Code § 341.0315(c).
- 8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day, in violation of 30 Tex. Admin. Code § 290.110(c)(4)(B).
- 9. As evidenced by Finding of Fact No. 2.h, the Respondent failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(5).
- 10. As evidenced by Finding of Fact No. 2.i, the Respondent failed to verify the accuracy of the analyzer used to determine the effectiveness of chloramination at least once every 90 days, in violation of 30 Tex. Admin. Code § 290.46(s)(2)(D).

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- 11. As evidenced by Finding of Fact No. 2.j, the Respondent failed to provide containment facilities for all liquid chemical storage tanks, in violation of 30 Tex. ADMIN. CODE § 290.42(f)(1)(E)(ii).
- As evidenced by Finding of Fact No. 2.k, the Respondent failed to identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint, in violation of 30 Tex. Admin. Code § 290.42(d)(13).
- 13. As evidenced by Finding of Fact No. 2.l, the Respondent failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(B)(x).
- As evidenced by Finding of Fact No. 2.m, the Respondent failed to review and update, as appropriate, the drought contingency plan at least every five years, in violation of 30 Tex. ADMIN. CODE § 288.20(c).
- 15. Pursuant to Tex. Water Code § 11.0842(a) and Tex. Health & Safety Code § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 16. An administrative penalty in the amount of \$2,610 is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. Water Code § 11.0842(c) and Tex. Health & Safety Code § 341.049(b). The Respondent paid the \$2,610 penalty.

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. 16 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Rule, Docket No. 2021-1266-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. Calibrate the Facility's ten conductivity (or total dissolved solids) monitors and pressure instruments used for reverse osmosis, in accordance with 30 Tex. ADMIN. CODE § 290.46;
 - ii. Calibrate the Facility's rate-of-flow controllers and the well meter, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iii. Create a nitrification action plan, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iv. Begin monitoring the disinfectant residual throughout the distribution system at sites designated in the public water system's monitoring plan at least once every day, in accordance with 30 Tex. Admin. Code § 290.110. This provision will be satisfied upon three months of compliant monitoring;
 - v. Begin collecting all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon six consecutive months of compliant monitoring;
 - vi. Verify the accuracy of the analyzer used to determine the effectiveness of chloramination, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - vii. Identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint, including but not limited to identifying the feed lines and blend lines on the reverse osmosis unit, in accordance with 30 Tex. Admin. Code § 290.42;
 - viii. Compile and maintain properly completed water works operations and maintenance records, including but not limited to records of treatment effectiveness monitoring for the reverse osmosis unit, in accordance with 30 Tex. Admin. Code § 290.46; and
 - ix. Update the Facility's operational guidance and conduct employee training to ensure that Monochlor F reagent packets and monochloramine and free ammonia standards are currently purchased for the Hach DR300 colorimeter, in accordance with 30 Tex. ADMIN. CODE § 290.44.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.iii and 2.a.vi through 2.a.ix.

- c. Within 60 days after the effective date of this Order, develop and maintain an upto-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 Tex. Admin. Code § 290.121.
- d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.
- e. Within 90 days after the effective date of this Order, provide adequate containment facilities for the three, 55-gallon, anti-scalant stock tanks, in accordance with 30 Tex. ADMIN. CODE § 290.42.
- f. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e.
- g. Within 135 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.iv.
- h. Within 180 days after the effective date of this Order, provide two or more wells having a total capacity of at least 0.6 gpm per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- i. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.h.
- j. Within 225 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.l below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.v.
- k. Within 1,095 days after the effective date of this Order, provide water that meets the MSCLs for iron, manganese, and pH and/or receive written approval from the Executive Director to use the water source for public drinking water, in accordance with 30 Tex. ADMIN. CODE § 290.118. The well completion data and all required monitoring test reports shall be submitted to:

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> Plan and Technical Review Section Water Supply Division, MC 159 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3038

l. Within 1,110 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.k. 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 Abilene Regional Office Texas Commission on Environmental Quality 1977 Industrial Boulevard Abilene, Texas 79602-7833

- 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.
- This Order may be executed in separate and multiple counterparts, which together shall 9. 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.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Cunt	10/24/2022
For the Executive Director	Date
I, the undersigned, have read and understand the the attached Order, and I do agree to the terms ar acknowledge that the TCEQ, in accepting payment on such representation.	nd conditions specified therein. I further
I also understand that failure to comply with the and/or failure to timely pay the penalty amount,	
 A negative impact on compliance history; Greater scrutiny of any permit applications Referral of this case to the Attorney General additional penalties, and/or attorney fees, o Increased penalties in any future enforcement Automatic referral to the Attorney General's TCEQ seeking other relief as authorized by 	I's Office for contempt, injunctive relief, or to a collection agency; ent actions; s Office of any future enforcement actions; and
In addition, any falsification of any compliance de	ocuments may result in criminal prosecution.
Signature Walkins	10.6.2022 Date
Name (Printed or typed) Authorized Representative of City of Rule	Mayor Title
☐ If mailing address has changed, please check	c this box and provide the new address below: