Executive Summary – Enforcement Matter – Case No. 61425 Coleman County Special Utility District RN101212520 Docket No. 2021-1332-PWS-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: PWS **Small Business:** No Location(s) Where Violation(s) Occurred: Coleman County Special Utility District, 214 Santa Anna Avenue, Coleman, Coleman County **Type of Operation:** Public water supply **Other Significant Matters:** Additional Pending Enforcement Actions: No Past-Due Penalties: No Other: N/A Interested Third-Parties: None Texas Register Publication Date: June 24, 2022 Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,540 Total Paid to General Revenue: \$8,540 Total Due to General Revenue: \$0 Payment Plan: N/A Compliance History Classifications: Person/CN - Unclassified Site/RN - N/A Major Source: Yes Statutory Limit Adjustment: N/A Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A Date(s) of Investigation: September 6, 2021 through September 24, 2021 Date(s) of NOE(s): September 24, 2021

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Violation Information

1. Failed to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the Executive Director ("ED") [30 TEX. ADMIN. CODE § 290.117(c)(2)(C), (h), and (i)(1)].

2. Failed to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the ED [30 TEX. ADMIN. CODE \S 290.117(c)(2)(B), (h), and (i)(1)].

3. Failed to collect lead and copper tap samples at the required 40 sample sites, have the samples analyzed, and report the results to the ED [30 TEX. ADMIN. CODE § 290.117(c)(2)(A), (h), and (i)(1)].

4. Failed to provide the results of nitrite/nitrate sampling to the ED [30 TEX. ADMIN. CODE § 290.106(e)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Respondent shall undertake the following technical requirements:

a. Within 30 days:

i. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed, and the results are reported to the ED within ten days following the end of each monitoring period;

ii. Collect the required number of lead and copper tap samples, have the samples analyzed, and report the results to the ED within ten days following the end of the monitoring period;

iii. Ensure that all delinquent drinking water chemical analysis results for nitrite/nitrate are reported to the ED; and

iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results for nitrite/nitrate are released by the Facility's laboratories and reported to the ED within the first ten days following the month in which the results are received by the public

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water system, or the first ten days following the end of the monitoring period, whichever occurs first.

b. Within 45 days, submit written certification to demonstrate compliance with a.i., a.iii., and a.iv.

c. Within 225 days, submit written certification to demonstrate compliance with a.ii.

Contact Information

TCEQ Attorney: N/A TCEQ Enforcement Coordinator: Miles Wehner, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-2813; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 Respondent: Robert Mann, President, Coleman County Special Utility District, 214 Santa Anna Avenue, Coleman, Texas 76834

Respondent's Attorney: N/A

REAL PROPERTY OF	Policy R	Pe evision 5 (January 28	-	alculatio	n Worksł	neet (PC	-	vision February	y 11, 2021
DATES	Assigned	27-Sep-2021			_		7		
	PCW	4-Oct-2021	Screening	1-Oct-2021	EPA Due	30-Jun-2021			
RESPO	NDENT/FACILI	TY INFORMATI	ON						
	Respondent	Coleman County		ty District (PCW	No. 1)]
	g. Ent. Ref. No. ty/Site Region				Major / M	linor Source	Major		-
Гасш	ty/Site Region	5-ADITETIE			Majoi / M	inor source	мајог		
	NFORMATION								7
En	f./Case ID No.	61425 2021-1332-PWS			No. c	of Violations Order Type			-
Med		Public Water Su			Government				-
	Multi-Media		5017			Coordinator	Carlos Molina		
				т г		EC's Team	Enforcement	Feam 2	
Adı	min. Penalty \$ I	Limit Minimum	\$50	Maximum	\$1,000				
			Donal	ty Calculat	tion Socti	20			
TOTA				ty Calculat					+
ΙΟΙΑ	L BASE PENA	LTY (Sum of	violation	base penal	ies)		Subtotal 1		\$600
ADJU	STMENTS (+	/-) TO SUBT	OTAL 1						
	Subtotals 2-7 are of Compliance Hi	tained by multiplying	g the Total Base				tals 2, 3, & 7		¢240
	compliance H	/	<u> </u>	40.0%	Adjustment				\$240
	Notes	Enhancement		r without denial	•	three NOVs			
			with the	same/similar vio	Diations.				
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent doe	es not meet the	culpability crite	eria.			
							1		
	Good Faith Eff	ort to Comply T	otal Adjusti	ments			Subtotal 5		\$0
	Economic Ben				Enhancement*		Subtotal 6		\$0
	Estimated	Total EB Amounts Cost of Compliance	<u>\$774</u> \$760	*Capped	l at the Total EB \$ /	Amount			
	Lotimated		\$700						
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal		\$840
		Subtotal by the indi-			0.0%		Adjustment		\$0
Reduces]		
	Notes								
						Final Per	alty Amount		\$840
STAT	UTORY LIMIT	ADJUSTMEI	ЛТ			Final Asse	ssed Penalty		\$840
DEFE					0.0%	Reduction	Adjustment		\$0
Reduces t	the Final Assessed Pe	nalty by the indicate	d percentage.				1		
	Notes	No.	leferral is rec	commended for	Findings Orders				
PAYA	BLE PENALT	Y							\$840

		0	0%					
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%				
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%				
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%				
	Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%				
	Emissions	Chronic excessive emissions events (number of events)	0	0%				
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0 1995 (number of audits for which notices were submitted)						
	Audits	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	rcentage (Sub	total 2)	40%			
>> Re	peat Violator	(Subtotal 3)						
	N/A	Adjustment Per	rcentage (Sub	total 3)	0%			
>> Co	mpliance Hist	ory Person Classification (Subtotal 7)						
	Unclassified Adjustment Percentage (Subtotal 7) 0%							
>> Co	mpliance Hist	ory Summary						
	> Compliance History Summary Compliance History Notes Enhancement for one order without denial of liability and three NOVs with the same/similar violations.							
>> Fina	d Compliance	Total Compliance History Adjustment Percentage (S History Adjustment	Subtotals 2,	3, & 7)	40%			
Fille	in compliance	Final Adjustment Percent	age *capped a	at 100%	40%			
					-			

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

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

the current enforcement action (number of NOVs meeting criteria)

Docket No. 2021-1332-PWS-E

Respondent Coleman County Special Utility District (PCW No. 1) Case ID No. 61425

Reg. Ent. Reference No. RN101212520

Screening Date 1-Oct-2021

Media Public Water Supply

Enf. Coordinator Carlos Molina

Number of...

Other written NOVs

Component

NOVs

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

Adjust.

15%

0%

Number

3

0

	Scre	ening Date	1-Oct-2021		Doc	ket No. 2021-1332-PWS-E			PCW
			Coleman County	Special Utility	/ District (PO	CW No. 1)	Policy R	Revision 5 (Ja	nuary 28, 2021)
_		ase ID No.					PCV	V Revision Fe	bruary 11, 2021
Reg.	Ent. Ref		RN101212520						
	Enf (Public Water Sup	pply					
		Coordinator							
	VIUIC							1	
		Rule Cite(s)	30 ⁻	Tex. Admin. C	ode § 290.1	17(c)(2)(C), (h), and (i)(1)			
			Failed to colle	ct lead and co	pper tap sar	nples at the required 20 samp	le sites,		
						he results to the Executive Dir			
	Violatio	n Description				1, 2017 monitoring period. Sp equired 20 lead and copper tap			
			the Respondent			ution system.	y samples		
						Base	e Penalty		\$1,000
	-						4		. ,
>> Env	vironme	ntal, Prope	rty and Huma	an Health M Harm	latrix				
		Release	Major	Moderate	Minor				
OR		Actual	-						
		Potential	X			Percent 30.0%			
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor				
				Tioderate		Percent 0.0%			
								,	
	Matrix	Failure to co	lect lead and co	nner tan samn	les could ev	pose persons served by the Fa	acility to		
	Notes					vels protective of human healt			
						-			
						Adjustment	\$700		
									\$300
Violati	on Even	ts							
		Number of V	iolation Events	1		1095 Number of violation	days		
			daily						
			weekly						
			monthly						
			quarterly			Violation Base	e Penalty		\$300
			semiannual						
			annual single event						
			single event	X					
				One single ev	ent is recom	imended.			
Good F	aith Eff	orts to Com	ply	0.0%			Reduction		\$0
					IOE/NOV to ED	PRP/Settlement Offer			
			Extraordinary						
			Ordinary						
			N/A	x					
			Notes	The Responde	ent does not	meet the good faith criteria			
			inotes		for this	violation.			
			Ŀ						
						Violation	Subtotal		\$300
Econor	mic Bene	efit (EB) for	this violatio	n		Statutory Limit	Test		
			ed EB Amount		\$79	Violation Final Pena			\$420
		EStimate							
				This violati	on Final As	sessed Penalty (adjusted f	or limits)		\$420

Kespondent	Coleman Coun	ty Special Utility	District (PCW No	o. 1)			
Case ID No.		cy opecial othey		,, <u>-</u>)			
Reg. Ent. Reference No.							
	Public Water S	upply				Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Dalassa d Calata							
Delayed Costs		и — — — — — — — — — — — — — — — — — — —			+ 0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	6-Sep-2021	22-Oct-2022	1.13	\$6	n/a	\$6
Remediation/Disposal	\$100			0.00	\$0	n/a	\$0
Permit Costs						· · · · · · · · · · · · · · · · · · ·	
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
				0.00 0.00 ount to	\$0 \$0 implement improv	n/a n/a rements to the Facil	\$0 \$0 ity's process
Other (as needed)	procedures,	guidance, trainin	g, and/or overs	0.00 0.00 ount to ight to e	\$0 <u>\$0</u> implement improv nsure that future	n/a n/a rements to the Facil lead and copper tap	\$0 \$0 ity's process samples are
	procedures,	guidance, trainin the Facility perso	g, and/or oversinnel, analyzed,	0.00 0.00 ount to ight to e and rep	\$0 \$0 implement improv ensure that future orted to the Execu	n/a n/a ements to the Facil lead and copper tap tive Director, calcul	\$0 \$0 ity's process samples are
Other (as needed)	procedures,	guidance, trainin the Facility perso	g, and/or oversinnel, analyzed,	0.00 0.00 ount to ight to e and rep	\$0 <u>\$0</u> implement improv nsure that future	n/a n/a ements to the Facil lead and copper tap tive Director, calcul	\$0 \$0 ity's process samples are
Other (as needed)	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 0.00 ount to ight to e and rep the est	\$0 \$0 implement improvensure that future orted to the Execu imated date of cor	n/a n/a ements to the Facil lead and copper tap tive Director, calcul	\$0 \$0 ity's process samples are ated from the
Other (as needed) Notes for DELAYED costs	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 0.00 ount to ight to e and rep the est	\$0 \$0 implement improvensure that future orted to the Execu imated date of cor	n/a n/a rements to the Facil lead and copper tap tive Director, calcul npliance.	\$0 \$0 ity's process samples are ated from the
Other (as needed) Notes for DELAYED costs Avoided Costs	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 0.00 ount to ight to e and rep the est	\$0 \$0 implement improvensure that future orted to the Execu imated date of cor item (except for	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance.	\$0 \$0 ity's process samples are ated from the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 0.00 0 0 0 0 0 0 0 0	\$0 implement improvent insure that future imated to the Execution imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoided \$0 \$0 \$0	\$0 \$0 ity's process samples are ated from the d costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 ount to ight to e and rep the est itering 0.00	\$0 implement improvensure that future orted to the Execu- imated date of cor item (except for \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoided \$0 \$0 \$0 \$0	\$0 \$0 ity's process samples are ated from the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	procedures, collected by	guidance, trainin the Facility perso record ALIZE avoided c	g, and/or overs nnel, analyzed, d review date to costs before er	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 implement improvent orted to the Execu- imated date of cor- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 samples are ated from the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	procedures, collected by	guidance, trainin the Facility perso recore	g, and/or overs nnel, analyzed, d review date to	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 implement improvent orted to the Execu- imated date of cor- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process samples are ated from the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	procedures, collected by	guidance, trainin the Facility perso record ALIZE avoided c	g, and/or overs nnel, analyzed, d review date to costs before er	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 implement improvent orted to the Execu- imated date of cor- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	procedures, collected by ANNU/ 	guidance, trainin the Facility perso record ALIZE avoided c	g, and/or overs nnel, analyzed, d review date to costs before er 1-Oct-2021	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 implement improvents orted to the Execution imated date of correct item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	procedures, collected by ANNU/ \$60 The avoided c	guidance, trainin the Facility perso record ALIZE avoided c 30-Sep-2017 ost includes the e	g, and/or overs nnel, analyzed, d review date to costs before er 1-Oct-2021 estimated amount	0.00 0.00 0.00 0.01 to e and rep the est tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$0 implement improvents orted to the Execu- imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul npliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	procedures, collected by ANNU/ \$60 The avoided c	guidance, trainin the Facility perso record ALIZE avoided c 30-Sep-2017 ost includes the e	g, and/or overs nnel, analyzed, d review date to costs before er 1-Oct-2021 estimated amoun o samples x one	0.00 0.00	\$0 implement improvensure that future orted to the Execu- imated date of cor- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul mpliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	procedures, collected by ANNU/ \$60 The avoided c	guidance, trainin the Facility perso record ALIZE avoided c 30-Sep-2017 ost includes the e	g, and/or overs nnel, analyzed, d review date to costs before er 1-Oct-2021 estimated amoun o samples x one	0.00 0.00	\$0 \$0 implement improvents orted to the Execu- imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul npliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	procedures, collected by ANNU/ \$60 The avoided c	guidance, trainin the Facility perso record ALIZE avoided c 30-Sep-2017 ost includes the e	g, and/or overs nnel, analyzed, d review date to costs before er 1-Oct-2021 estimated amoun o samples x one	0.00 0.00	\$0 implement improvensure that future orted to the Execu- imated date of cor- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a rements to the Facil lead and copper tap tive Director, calcul npliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ity's process ated from the ated from the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening D Respond	ate 1-Oct-2021 Coleman County Special Uti	Docket No. 2021-1332-PWS-E	PCW
Case ID			Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
Reg. Ent. Reference			
	dia Public Water Supply tor Carlos Molina		
Violation Nun			
Rule Cit	(c)	n. Code § 290.117(c)(2)(B), (h), and (i)(1)	
	JUTEX. Admin		
Violation Descrip	ion the samples analyzed, a	opper tap samples at the required 20 sample site nd report the results to the Executive Director fo hrough December 31, 2018 monitoring period.	
		Base	Penalty \$1,000
>> Environmental, Pro	perty and Human Health	n Matrix	
Rele	ase Major Moderate	Minor	
	tual		
Pote	ntial x	Percent 30.0%	
>>Programmatic Mat	iv.		
>>Programmatic Matu Falsifica		Minor	
		Percent 0.0%	
Matrix Failur	to collect lead and copper tap sa	amples could expose persons served by the Facil	l <mark>ity to</mark>
Notes	undetected contaminants which w	vould exceed levels protective of human health.	
		Adjustment	\$700
			\$300
Violation Events			
VIOIATION EVENIS			
Numbe	of Violation Events 1	365 Number of violation d	ays
	daily weekly monthly quarterly semiannual annual single event x	Violation Base	Penalty \$300
	One single	event is recommended.	
Good Faith Efforts to C	omply 0.0% Before NOE/NOV		eduction \$0
	Extraordinary		
	Ordinary		
	N/A x	<u> </u>	
	Notes The Respon	dent does not meet the good faith criteria for this violation.	
		Violation S	Subtotal \$300
Economic Benefit (EB)	for this violation	Statutory Limit	Test
Fcti	nated EB Amount	\$695 Violation Final Penal	lty Total \$420
			_
	This vie	plation Final Assessed Penalty (adjusted fo	r limits) \$420

	Coleman Cour	ty Special Utility [District (PCW No	. 1)			
Case ID No.)			
eg. Ent. Reference No.							
	Public Water S	ирріу				Percent Interest	Years of
Violation No.	. 2						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
	-						
Delayed Cost	•						
Delayed Costs Equipment	, 	1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	-			0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$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	·· 1-	
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
				0.00 ts to the	\$0 Facility's process	n/a procedures, guidan	\$0 ice, training,
Other (as needed)	and/or oversi	ght to ensure that	t future lead and	0.00 ts to the copper	\$0 e Facility's process r tap samples are	n/a procedures, guidan collected by the Fac	\$0 ice, training, ility personnel,
	and/or oversi	ght to ensure that	t future lead and he Executive Di	0.00 ts to the copper rector is	\$0 Facility's process tap samples are captured in the E	n/a procedures, guidan	\$0 ice, training, ility personnel,
Other (as needed)	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation	\$0 e Facility's process r tap samples are captured in the E No. 1.	n/a procedures, guidan collected by the Fac conomic Benefit Wo	\$0 ice, training, ility personnel, rksheet for
Other (as needed)	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation	\$0 e Facility's process r tap samples are captured in the E No. 1.	n/a procedures, guidan collected by the Fac	\$0 ice, training, ility personnel, rksheet for
Other (as needed) Notes for DELAYED costs	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation tering 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1.	n/a procedures, guidan collected by the Fac conomic Benefit Wo	\$0 ice, training, ility personnel, rksheet for
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation tering 0.00 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoider \$0 \$0	\$0 ce, training, ility personnel, orksheet for d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation tering 0.00 0.00 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0	\$0 ce, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation tering 0.00 0.00 0.00	\$0 e Facility's process r tap samples are s captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	and/or oversi analyzed, ANNU/	ght to ensure that and reported to t ALIZE avoided c	t future lead and he Executive Din V osts before en	0.00 ts to the copper rector is fiolation tering 0.00 0.00 0.00 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversi analyzed,	ght to ensure that and reported to t	t future lead and he Executive Dir V	0.00 ts to the copper rector is fiolation tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce, training, ility personnel, irksheet for 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	and/or oversi analyzed, ANNU/	ght to ensure that and reported to t ALIZE avoided c	t future lead and he Executive Din V osts before en	0.00 ts to the copper rector is fiolation tering 0.00 0.00 0.00 0.00	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ce, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversi analyzed, ANNU/ \$600	ght to ensure that and reported to t ALIZE avoided c	t future lead and he Executive Din V osts before en 1-Oct-2021	0.00 ts to the copper rector is (iolation tering 0.00 0.00 0.00 0.00 3.01 0.00	\$0 e Facility's process r tap samples are s captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 cce, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	and/or oversi analyzed, ANNU \$600 The avoided of	ght to ensure that and reported to t ALIZE avoided c and control of the avoid of the second of the avoid of the second of the second of the cost includes the e	t future lead and he Executive Din V osts before en <u>1-Oct-2021</u> estimated amour	0.00 ts to the copper rector is (iolation tering 0.00 0.00 0.00 0.00 3.01 0.00 mt to col	\$0 e Facility's process r tap samples are s captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ace, training, ility personnel, rksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversi analyzed, ANNU \$600 The avoided of	ght to ensure that and reported to t ALIZE avoided c and control of the avoid of the second of the avoid of the second of the second of the cost includes the e	t future lead and he Executive Din V osts before en <u>1-Oct-2021</u> stimated amour samples x one	0.00 ts to the copper rector is rector is rector is rector is rector is 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ility personnel, irksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	and/or oversi analyzed, ANNU \$600 The avoided of	ght to ensure that and reported to t ALIZE avoided c and control of the avoid of the second of the avoid of the second of the second of the cost includes the e	t future lead and he Executive Din V osts before en <u>1-Oct-2021</u> stimated amour samples x one	0.00 ts to the copper rector is rector is rector is rector is rector is 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 e Facility's process r tap samples are s captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ility personnel, irksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	and/or oversi analyzed, ANNU \$600 The avoided of	ght to ensure that and reported to t ALIZE avoided c and control of the avoid of the second of the avoid of the second of the second of the cost includes the e	t future lead and he Executive Din V osts before en <u>1-Oct-2021</u> stimated amour samples x one	0.00 ts to the copper rector is rector is rector is rector is rector is 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 e Facility's process r tap samples are captured in the E No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a procedures, guidan collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ility personnel, irksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

COMMISSION OF THE STATE	Policy Revi	Pe sion 5 (January 28, 2		Calculatio	on Worksł	neet (PC		vision February	y 11, 2021
DATES	Assigned PCW	27-Sep-2021 4-Oct-2021	Screening	1-Oct-2021	EPA Due	30-Jun-2021]		
RESPO		TY INFORMATI							
		Coleman County		ty District (PCV	V No. 2)				ļ
	ty/Site Region				Major/M	linor Source	Major		
	NFORMATION				-				1
En	f./Case ID No. Docket No.	61425 2021-1332-PWS	-E		No. d	of Violations Order Type			
Mec		Public Water Sup			Government Fnf.	/Non-Profit			
Ad	-	.imit Minimum	\$50	Maximum	\$5,000		Enforcement 1	Feam 2	
Au	iiiii. Peliaity și		•		· · · · · · · · · · · · · · · · · · ·				
				1	ation Section	on			
ΤΟΤΑΙ	L BASE PENA	LTY (Sum of	violation	base pena	ties)		Subtotal 1		\$5,500
ADJUS	STMENTS (+)	/-) TO SUBTO	DTAL 1	Penalty (Subtotal	1) by the indicated n	ercentage			
	Compliance His			40.0%			tals 2, 3, & 7		\$2,200
	Notes	Enhancement		r without denia same/similar v	l of liability and violations.	three NOVs			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent do	es not meet th	e culpability crite	eria.			
	Good Faith Effe	ort to Comply T	otal Adjustr	ments			Subtotal 5		\$0
	Economic Bene Estimated	efit Total EB Amounts Cost of Compliance	\$3,742 \$3,798		Enhancement* ed at the Total EB \$ /	Amount	Subtotal 6		\$0
SUM (OF SUBTOTAI	LS 1-7				F	inal Subtotal		\$7,700
		Subtotal by the indic			0.0%		Adjustment		\$0
Reduces t	Notes								
						Final Per	nalty Amount		\$7,700
STATI	JTORY LIMIT		IT			Final Asse	ssed Penalty		\$7,700
DEFER Reduces t		nalty by the indicated	percentage.		0.0%	Reduction	Adjustment		\$0
	Notes			commended for	Findings Orders	i.			
PAYA	BLE PENALTY	1							\$7,700

		Total Compliance History Adjustment Percentage (S History Adjustment	Subtotals 2,	3, & 7) [40%
	Compliance History Notes	Enhancement for one order without denial of liability and three NOVs with the so violations.	ame/similar]	
Со	mpliance Histo	bry Summary		-	
I	Unclass	ified Adjustment Per	centage (Sub	ototal 7)	0%
Со	mpliance Histo	ory Person Classification (Subtotal 7)			
	N/A	Adjustment Per	centage (Sub	ototal 3)	0%
Re	peat Violator (Subtotal 3)			
		Adjustment Per	centage (Sub	ototal 2)	40%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Other	Participation in a voluntary pollution reduction program	No	0%	
		Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
		Environmental management systems in place for one year or more	No	0%	
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
	Audits	Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Emissions	Chronic excessive emissions events (<i>number of events</i>) Letters notifying the executive director of an intended audit conducted under the	0	0%	
	Convictions	counts)	0	0%	
	Decrees	final court judgments or consent decrees without a denial of liability, of this state or the federal government Any criminal convictions of this state or the federal government (<i>number of</i>	0	0%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>) Any adjudicated final court judgments and default judgments, or non-adjudicated	0	0%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
		Other written NOVs	0	0%	
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%	
Col	Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.	
-		Compliance History Worksheet			
	Enf. Coo	rdinator Carlos Molina			
Reg	. Ent. Kerer	ence No. RN101212520 Media Public Water Supply			
D		e ID No. 61425	PCW Re	evision Februar	y 11, 2
		pondent Coleman County Special Utility District (PCW No. 2)	Policy Revis	sion 5 (January	/ 28, 2

	Screen	ing Date	1-Oct-2021		Dock	et No. 2021-1332-PWS-E			PCW
	Res	pondent	Coleman Count	y Special Utility	/ District (PCW	No. 2)	Policy	Revision 5 (Ja	anuary 28, 2021)
	Cas	e ID No.	61425				PC	W Revision Fe	ebruary 11, 2021
Reg.	Ent. Refer	ence No.	RN101212520						
			Public Water Su	vlaau					
	Enf. Coo		Carlos Molina	,					
		on Number		1					
		ule Cite(s)		<u> </u>					
		ule cite(s)	30	0 Tex. Admin. C	Code § 290.11	7(c)(2)(A), (h), and (i)(1)			
			Failed to collec	t lead and conr	or tan sample	s at the required 40 sample	citos havo		
					• •	ults to the Executive Directo			
	Violation D	escription		• •	•	y 1, 2020 through Decembe			
			and Ja	anuary 1, 2021	through June	30, 2021 monitoring period	S.		
						P-	oo Donaltu		¢E 000
						Ба	se Penalty		\$5,000
>> Env	vironmenta	l, Proper	ty and Huma	an Health M	latrix				
			_	Harm					
OR		Release	Major	Moderate	Minor				
UK		Actual				Barcant 30.0%	-		
		Potential	X			Percent 30.0%			
>>Proc	grammatic	Matrix							
2 2 1 1 U g		alsification	Major	Moderate	Minor				
						Percent 0.0%	,		
	Matrix	Failure to c	ollect lead and c	conner tan sami	nles could exp	ose persons served by the F	acility to		
	Notes					els protective of human heal			
						Adjustment	\$3,500	1	
						Aujustment	ψ0,000		
									\$1,500
Violatio	on Events								
VIOIALIO									
		Number of \	/iolation Events	3		547 Number of violatior	n days		
			daily						
			weekly						
			monthly quarterly			Violation Ba	co Donaltv		\$4,500
			semiannual			Violation Ba	serenary		\$UU
			annual						
			single event	X					
								1	
		ΤI	area single even	to are recomme	anded (and av	ent per monitoring period).			
			liee single even			ent per monitoring period).			
Good Fa	aith Efforts	s to Com		0.0%			Reduction		\$0
				Before NOE/NOV	NOE/NOV to EDPR	P/Settlement Offer			
			Extraordinary						
			Ordinary						
			N/A	<u> </u>			7		
			Notes	The Responder		et the good faith criteria for			
			Notes		this vio	lation.			
			L				4		
						Violatio	n Subtotal		\$4,500
Econom	nic Benefit	(EB) for	this violatio	n		Statutory Limi	t Test		
		Fstimat	ed EB Amount		\$3,735	Violation Final Pe	nalty Total		\$6,300
		_stinat					-		
				This viola	tion Final Ass	sessed Penalty (adjusted	for limits)		\$6,300

Media	Public Water S	νΙσουν					Years of
Violation No.						Percent Interest	Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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
		d cost to implome	nt improvement	c to the	e Facility's process	nrocedures auidan	co training
		-				•	
Notes for DELAYED costs	and/or oversig	ght to ensure that	future lead and	d coppe	r tap samples are	collected by the Fac	ility personnel
Notes for DELAYED costs	and/or oversig	ght to ensure that	future lead and	d coppe	r tap samples are	•	ility personnel
Notes for DELAYED costs	and/or oversig	ght to ensure that	future lead and le Executive Dir	d coppe ector, is	r tap samples are	collected by the Fac	ility personnel
Notes for DELAYED costs Avoided Costs	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	d copper ector, is No. 1	r tap samples are s captured in the E in PCW No. 1.	collected by the Fac	ility personnel orksheet for
	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	d copper ector, is No. 1	r tap samples are s captured in the E in PCW No. 1.	collected by the Fac conomic Benefit Wo	ility personnel orksheet for
Avoided Costs	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	d copper ector, is <u>No. 1</u> tering	r tap samples are s captured in the E in PCW No. 1. item (except for	collected by the Fac conomic Benefit Wo	ility personnel orksheet for d costs)
Avoided Costs Disposal Personnel	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	copper ector, is No. 1 i tering 0.00 0.00 0.00	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0	collected by the Fac conomic Benefit Wo one-time avoided \$0 \$0 \$0 \$0	ility personnel prksheet for d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	copper ector, is No. 1 tering 0.00 0.00	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ility personnel prksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	and/or oversig analyzed, a ANNUA	ALIZE avoided co	future lead and the Executive Dir Violation osts before en	coppe ector, is No. 1 tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) (c
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversig analyzed, a	ght to ensure that and reported to th	future lead and the Executive Dir Violatior	copperector, is No. 1 i tering 0.00 0.00 0.00 0.00 0.00 0.25	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	collected by the Fac conomic Benefit Wo so so so so so so so so so so so so so	ility personnel orksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	and/or oversig analyzed, a ANNUA	ALIZE avoided co	future lead and the Executive Dir Violation osts before en	coppe ector, is No. 1 tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) (c
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversig analyzed, a ANNUA S3,689	and reported to the consure that and reported to the constraint of	future lead and the Executive Dir Violation osts before en <u>1-Oct-2021</u>	copperector, is No. 1 i tering 0.00 0.00 0.00 0.00 0.00 0.25 0.00	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ility personnel orksheet for d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	and/or oversig analyzed, a ANNUA \$3,689 The avoided c	ALIZE avoided co and reported to the and reported to the additional and the additional additional and the additional additional	future lead and he Executive Dir Violation osts before en 1-Oct-2021 stimated amour	copper ector, is No. 1 i tering 0.00 0.00 0.00 0.00 0.25 0.00 t to col	r tap samples are s captured in the E in PCW No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	collected by the Fac conomic Benefit Wo so so so so so so so so so so so so so	ility personnel orksheet for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Scre	ening Date	1-Oct-2021		Do	ocket No. 2021-1332-PWS-E		PC	CW
	R	espondent	Coleman Count	ty Special Utili	ity District (P	PCW No. 2)	Policy R	evision 5 (January 2	8, 2021)
	C	ase ID No.	61425				PCV	/ Revision February	11, 2021
Reg.	Ent. Ref	erence No.	RN101212520						
			Public Water Su	upply					
		oordinator		n					
	Viola	ation Number						1	
		Rule Cite(s)		30 1	Fex. Admin.	Code § 290.106(e)			
	Violatio	n Description				trate sampling to the Executive I cember 31, 2020 monitoring per	iod.		
						Ba	se Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	nan Health	n Matrix				
				Harm					
OR		Release Actual	-] -	Moderate	Minor	٦			
UN		Potential				Percent 0.0%	7		
			<u> </u>	I	JL		-		
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor		-		
			<u> </u>			Percent 20.0%			
	Matrix Notes		100	0% of the rule	e requiremen	its were not met.			
						Adjustment	\$4,000		
									\$1,000
Violatio	on Even	ts							
		Number of \	/iolation Events daily weekly	<u> </u>		264 Number of violation	n days		
			monthly quarterly			Violation Ba	se Penalty		\$1,000
			semiannual				,		+ = / • • • •
			annual						
			single event	X					
				One single	event is reco	ommended.			
Good F	aith Eff	orts to Com	iply	0.0%			Reduction		\$0
			В	Before NOE/NOV		EDPRP/Settlement Offer			
			Extraordinary						
			Ordinary						
			N/A	<u> </u>	I <u></u>		7		
			Notes	The Respond		t meet the good faith criteria for s violation.			
						Violatio	n Subtotal		\$1,000
1									

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$7 Violation Final Penalty Total \$1,400
	This violation Final Assessed Penalty (adjusted for limits) \$1,400

					ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	61425	ty Special Utility	District (PCW No	. 2)			
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	+100			0.00	\$0	n/a	\$0
Training/Sampling	\$100	6-Sep-2021	22-Oct-2022	1.13	\$6	n/a	\$6
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	¢0	10 1 2021	22 Oct 2022	0.00	<u>\$0</u>	n/a	\$0
Permit Costs Other (as needed)	training, and/	ng/Sampling cost or oversight to er	nsure that future	1.78 imated drinkir	\$1 cost to implement g water sample re	n/a process procedures esults are released t	\$1 s, guidance, by the Facility's
Other (as needed) Notes for DELAYED costs	The Trainir training, and/o laboratori The Other (nitrite/nitrate	ng/Sampling cost or oversight to er es and reported t as needed) cost i) so that the lab date the samp	includes the est nsure that future to the Executive estimate includes the esti will release all d pling results were	1.78 imated Directo d date mated a rinking e due to	\$1 cost to implement of water sample re r, calculated from of compliance. amount to pay any water chemical an o the estimated da	n/a process procedures esults are released to the record review of outstanding lab fee alysis results, calcu te of compliance.	\$1 s, guidance, by the Facility's date to the es (\$8.74 for lated from the
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Compliance History Report

Compliance History Report for CN602693145, RN101212520, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, I Owner/Ope		, or CN602693145, Coleman County Special Utility District	Classification: UNCLASSIFIED	Rating:
Regulated E	Intity:	RN101212520, COLEMAN COUNTY SUD	Classification: NOT APPLICABLE	Rating: N/A
Complexity	Points:	N/A	Repeat Violator: N/A	
CH Group:		14 - Other		
Location:		214 SANTA ANNA AVENUE IN COLEMAN, C	COLEMAN COUNTY, TEXAS	
TCEQ Regio	n:	REGION 03 - ABILENE		
ID Number PUBLIC WAT	• •	SUPPLY REGISTRATION 0420034 WA	TER LICENSING LICENSE 0420034	
Compliance	History Pe	riod: September 01, 2016 to August 31, 20	021 Rating Year: 2021 R	ating Date: 09/01/2021
Date Compl	iance Histo	ry Report Prepared: February 25, 20)22	
Agency Dec	ision Requi	ring Compliance History: Enforcem	nent	
Component	Period Sel	ected: February 25, 2017 to February 25,	, 2022	
TCEQ Staff	Member to	Contact for Additional Information Re	egarding This Compliance History	
Name:	Carlos Molina	3	Phone: (512) 239-2557	
1) Has the site	e been in exist	erce and/or operation for the full five year com oce and/or operation for the full five year com change in ownership/operator of the site durin	hh	ES O
<u>Componen</u>	<u>its (Multin</u>	<u>nedia) for the Site Are Listed in Se</u>	ections A - J	
1 Ef	ffective Date: Classification: Citation: 3 Description: 09/24/2015 ff Classification: Citation: 3 Description:	Major D TAC Chapter 290, SubChapter F 290.106(f)(2 A THSC Chapter 341, SubChapter A 341.0315(a NO2 AMCL 3Q2015 - This system exceeded the or EP003; a sample result of 2 mg/L collected o	2) a) e MCL of 1 mg/L for nitrite with a sample i on 09/24/2015 for EP001. L) c) quarter of 2016 the system violated the m	
B. Crimina N/A	l convictior	IS:		
C. Chronic	excessive	emissions events:		

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

Item 1	August 16, 2017	(1434897)
Item 2	February 04, 2019	(1540326)

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:	03/19/2021	(1762762)		
	Self Repor	t? NO		Classification:	Moderate
	Citation: Descriptior	30 TAC 30 TAC	Chapter 290, SubChapter F 2 Chapter 290, SubChapter F 2 Chapter 290, SubChapter F 2 MR 2nd 6M2020 - The system	90.117(h) 90.117(i)(1)	nort distribution lead
	2000.000	and cop	oper levels to the TCEQ for the 2020 to 12/31/2020 within the	routine six-month monitori	
2	Date:	03/31/2021	(1762762)		
	Self Report	t? NO		Classification:	Moderate
	Citation: Description	30 TAC 30 TAC 30 TAC 30 TAC 30 TAC NO32 M	Chapter 290, SubChapter D 2 Chapter 290, SubChapter F 2 IR YR2020 - The system failed	90.106(c)(6) 90.106(c)(7) 90.106(c)(9) 90.106(c)(9) 90.106(e) to monitor and/or report n	
3	Date:		CEQ for the annual monitorin uired timeline. (1762762)	g period from 01/01/2020 to	o 12/31/2020 Within
0	Self Repor		(1,01,01)	Classification:	Moderate
			Chapter 290, SubChapter F 2		
	Descriptior	30 TAC n: LCR RT and cop	Chapter 290, SubChapter F 2 Chapter 290, SubChapter F 2 MR 1st 6M2021 - The system oper levels to the TCEQ for the 2021 to 06/30/2021 within the	90.117(i)(1) failed to monitor and/or rep routine six-month monitori	

F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs): N/A
- H. Voluntary on-site compliance assessment dates: N/A
- I. Participation in a voluntary pollution reduction program: \$N/A\$

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING COLEMAN COUNTY SPECIAL UTILITY DISTRICT RN101212520 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1332-PWS-E

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

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

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

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

I. FINDINGS OF FACT

- 1. The Respondent owns and operates a public water supply located at 214 Santa Anna Avenue in Coleman, Coleman County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 2,524 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
- 2. During a record review conducted on September 6, 2021 through September 24, 2021, an investigator documented that:
 - a. The Respondent collected only 18 of the required 20 lead and copper tap samples from the distribution system for the January 1, 2015 through December 31, 2017 monitoring period;

- b. The Respondent did not collect lead and copper tap samples from the required 20 sample sites for the January 1, 2018 through December 31, 2018 monitoring period;
- c. The Respondent did not collect lead and copper tap samples from the required 40 sample sites during the January 1, 2020 through June 30, 2020, July 1, 2020 through December 31, 2020, and January 1, 2021 through June 30, 2021 monitoring periods; and
- d. The Respondent did not provide the results of nitrite/nitrate sampling for the January 1, 2020 through December 30, 2020 monitoring period.

II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(C), (h), and (i)(1).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(B), (h), and (i)(1).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to collect lead and copper tap samples at the required 40 sample sites, have the samples analyzed, and report the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(A), (h), and (i)(1).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to provide the results of nitrite/nitrate sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.106(e).
- 6. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 7. An administrative penalty in the amount of \$8,540 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid the \$8,540 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. 7 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: Coleman County Special Utility District, Docket No. 2021-1332-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed, and the results are reported to the Executive Director within ten days following the end of each monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117;
 - ii. Collect the required number of lead and copper tap samples, have the samples analyzed, and report the results to the Executive Director within ten days following the end of the monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon the timely delivery of all lead and copper tap sampling results to the Executive Director for one compliant monitoring period;
 - iii. Ensure that all delinquent drinking water chemical analysis results for nitrite/nitrate are reported to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.106; and
 - iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results for nitrite/nitrate are released by the Facility's laboratories and reported to the Executive Director within the first ten days following the month in which the results are received by the public water system, or

the first ten days following the end of the monitoring period, whichever occurs first, in accordance 30 TEX. ADMIN. CODE § 290.106.

- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.c below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i, 2.a.ii, and 2.a.iv.
- c. Within 225 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.a.ii. 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:

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

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and

> substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
- 7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

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

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

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

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

Name (Printed or typed) Authorized Representative of Coleman County Special Utility District

Date Title

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