

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 55905  
Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
RN101453512  
Docket No. 2021-1377-PWS-E

**Order Type:**  
Default Order

**Media:**  
PWS

**Small Business:**  
N/A

**Location Where Violations Occurred:**  
6495 Appian Way, Fort Worth, Tarrant County

**Type of Operation:**  
public water supply (“PWS”)

**Other Significant Matters:**

Additional Pending Enforcement Actions:	Yes; 2022-1545-MLM-E; 2023-0485-UTL-E
Past-Due Penalties:	None
Past-Due Fees:	None
Other:	None
Interested Third Parties:	None

**Texas Register Publication Date:** October 4, 2024

**Comments Received:** None

**Penalty Information**

<b>Total Penalty Assessed:</b>	\$14,788
<b>Total Paid to General Revenue:</b>	\$0
<b>Total Due to General Revenue:</b>	\$14,788

**Compliance History Classifications:**

Person/CN - NA  
Site/RN - NA

**Major Source:** No

**Statutory Limit Adjustment:** None

**Applicable Penalty Policy:** January 28, 2021

**Investigation Information**

**Complaint Date:** N/A

**Date of Investigation:** July 21, 2021

**Dates of NOV:** March 16, 2021; April 1, 2021

**Date of NOE:** October 15, 2021

**Violation Information**

1. Failed to plug an abandoned public water supply (“PWS”) well with cement in accordance with 16 TEX. ADMIN. CODE Ch. 76 or submit the test results proving that the well is in a non-deteriorated condition [30 TEX. ADMIN. CODE § 290.46(u)].
2. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].
3. Failed to calibrate the Facility's two well meters at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].
4. Failed to ensure that all clearwells, ground storage tanks (“GSTs”), standpipes, and elevated storage tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association (“AWWA”) standards, [30 TEX. ADMIN. CODE § 290.43(c)(8)].
5. Failed to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen [30 TEX. ADMIN. CODE § 290.43(c)(1)].
6. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].
7. Failed to maintain water works operation 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)(D)(ii)].
8. Failed to ensure that all clearwells and water storage tanks have a liquid level indicator located at the tank site [30 TEX. ADMIN. CODE § 290.43(c)(4)].
9. Failed to use an approved chemical or media for the treatment of potable water that conforms to the American National Standards Institute/National Sanitation Foundation (“ANSI/NSF”) Standard 60 for Drinking Water Treatment Chemicals [30 TEX. ADMIN. CODE § 290.42(j)].
10. Failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].
11. Failed to maintain at the PWS accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned [30 TEX. ADMIN. CODE § 290.46(n)(1)].
12. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
13. Failed to provide the GST with a means of removing accumulated silt and deposits at all low points in the bottom of the tank [30 TEX. ADMIN. CODE § 290.43(c)(7)].
14. Failed to provide a pressure tank capacity of 20 gallons per connection [TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iv)].
15. Failed to provide two or more service pumps with a total capacity of 2.0 gallons per minute (“gpm”) per connection [TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii)].
16. Failed to provide a well capacity of 0.6 gpm per connection [TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(i)].

17. Failed to maintain the GST in strict accordance with current AWWA standards with a roof opening of not less than 30 inches in diameter with a lockable cover that overlaps the curbing at least two inches in a downward direction and a gasket to make a positive seal when the hatch is closed [30 TEX. ADMIN. CODE § 290.43(c)(2) and TCEQ Agreed Order Docket No. 2018-0424-PWS-E, Ordering Provision No. 3.c.iii].
18. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].
19. Failed to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account No. 92200190 for Fiscal Year 2019, 2020, and 2021 [TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(6)].

**Corrective Actions/Technical Requirements**

**Corrective Action Completed:**

None

**Technical Requirements:**

1. Within 30 days:
  - a. Calibrate the Facility's well meters;
  - b. Begin using a disinfectant that is ANSI/NSF Standard 60 certified;
  - c. Make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies;
  - d. Provide the roof opening on the GST with a lockable cover that overlaps the curbing at least two inches in a downward direction, an opening not less than 30-inches in diameter, and a gasket that creates a positive seal when the hatch is closed;
  - e. Compile and maintain properly completed water works operation and maintenance records, including but not limited to results of inspections for all water storage facilities; and
  - f. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 92200190.
2. Within 60 days:
  - a. Provide legible signs at each production, treatment, and storage facility that contains the name of the Facility and an emergency phone number where a responsible official can be contacted;
  - b. Provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen;
  - c. Provide the GST with a liquid level indicator; and
  - d. Develop and maintain a 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.

3. Within 90 days:
  - a. Plug the abandoned PWS Well No. 2 well with cement in accordance with 16 TEX. ADMIN. CODE Ch. 76 or submit test results proving that the well is in a non-deteriorated condition; and
  - b. Compile and maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank.
4. Within 180 days:
  - a. Repaint the GST's exterior in strict accordance with AWWA standards;
  - b. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing the pump house ceiling and roof and sealing the electrical sensor cable going into the GST;
  - c. Provide the GST with a properly constructed drain so that accumulated silt and deposits at all low points in the bottom of the drain can be removed and is not a potential agent in the contamination of the stored water or obtain Commission approval of an exception to the GST requirement;
  - d. Provide two service pumps with a total capacity of at least 2.0 gpm per connection;
  - e. Provide a well capacity of at least 0.6 gpm per connection; and
  - f. Provide a pressure tank capacity of at least 20 gallons per connection.
5. Submit written certification to demonstrate compliance:
  - a. Within 45 days for Technical Requirement Nos. 1.a. through 1.f.;
  - b. Within 75 days for Technical Requirement Nos. 2.a. through 2.d.;
  - c. Within 105 days for Technical Requirement Nos. 3.a. and 3.b.; and
  - d. Within 195 days for Technical Requirement Nos. 4.a. through 4.f.

**Litigation Information**

**Dates Petitions Filed:** January 18, 2023; April 20, 2023  
**Dates of Service:** unclaimed; unclaimed  
**Date Answer Filed:** N/A

**Contact Information**

**TCEQ Attorneys:** Benjamin Warmes, Litigation Division, (512) 239-3400  
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

**TCEQ Litigation Agenda Coordinator:** Katherine McKenzie, Litigation Division, (512) 239-2575

**TCEQ Enforcement Coordinator:** Samantha Salas, Enforcement Division, (512) 239-1543

**TCEQ Regional Contact:** Brent Candler, Dallas/Fort Worth Regional Office, (817) 588-5800

**Respondent Contact:** Chaos Shaw, 6495 Appian Way, Fort Worth, Texas 76135

**Respondent's Attorney:** N/A

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# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	4-Oct-2021	<b>Screening</b>	5-Oct-2021	<b>EPA Due</b>	
	<b>PCW</b>	5-Oct-2021				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water
<b>Reg. Ent. Ref. No.</b>	RN101453512
<b>Facility/Site Region</b>	4-Dallas/Fort Worth
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	55905	<b>No. of Violations</b>	19
<b>Docket No.</b>	2021-1377-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Epifanio Villarreal
		<b>EC's Team</b>	Enforcement Team 8
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$5,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$11,875</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>24.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$2,850</b>
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Notes: Enhancement for two NOV's with dissimilar violations and one agreed order containing a denial of liability.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$0</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts	\$3,030
Estimated Cost of Compliance	\$25,959

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$14,725</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.4%</b> Adjustment	<b>\$63</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided cost of compliance associated with Violation No. 3

<b>Final Penalty Amount</b>	<b>\$14,788</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$14,788</b>
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<b>DEFERRAL</b>	<b>0.0%</b> Reduction Adjustment	<b>\$0</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	<b>\$14,788</b>
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**Screening Date** 5-Oct-2021

**Docket No.** 2021-1377-PWS-E

**PCW**

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water

*Policy Revision 5 (January 28, 2021)*

**Case ID No.** 55905

*PCW Revision February 11, 2021*

**Reg. Ent. Reference No.** RN101453512

**Media** Public Water Supply

**Enf. Coordinator** Epifanio Villarreal

### Compliance History Worksheet

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

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 24%

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

N/A

**Adjustment Percentage (Subtotal 3)** 0%

**>> Compliance History Person Classification (Subtotal 7)**

N/A

**Adjustment Percentage (Subtotal 7)** 0%

**>> Compliance History Summary**

**Compliance History Notes**

Enhancement for two NOVs with dissimilar violations and one agreed order containing a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 24%

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 24%



Screening Date 5-Oct-2021

Docket No. 2021-1377-PWS-E

PCW

Respondent Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water

Policy Revision 5 (January 28, 2021)

Case ID No. 55905

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101453512

Media Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.46(u)

Violation Description

Failed to plug an abandoned public water supply well with cement in accordance with 16 Tex. Admin. Code Ch. 76 or submit the test results proving that the well is in a non-deteriorated condition. Specifically, Well No. 2's pump and motor had been pulled and were no longer on-site and there was an empty pump column with casing and a plastic meter box lid that had been loosely placed over the hole.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to plug or test the abandoned well could cause the source water to be contaminated with pollutants which would exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 3

76 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$2,250

Three monthly events are recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

Extraordinary		
Ordinary		
N/A	x	

Notes

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

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$145

Violation Final Penalty Total \$2,802

This violation Final Assessed Penalty (adjusted for limits) \$2,802

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### 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)	\$2,000	21-Jul-2021	1-Jan-2023	1.45	\$145	n/a	\$145

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to plug or test Well No. 2, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$145

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted. Specifically, each well is in its own separate, locked well house and neither well house has any signage. In addition, the ground storage tank and disinfection equipment are in a separate, fenced area and there is no signage.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

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

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10.0%"/>

Matrix Notes

100% of the rule requirements were not met.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

Three single events (one event per location that requires a sign) are recommended.

**Good Faith Efforts to Comply**  Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

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

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$300	21-Jul-2021	1-Dec-2022	1.36	\$1	\$27	\$28
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
<b>Notes for DELAYED costs</b>	The delayed cost includes the estimated amount to provide ownership signs at the Facility's production, treatment, and storage facilities (\$100 per location x three locations), calculated from the date of the investigation to the estimated date of compliance.						

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
<b>ONE-TIME avoided costs</b>				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
<b>Notes for AVOIDED costs</b>							

Approx. Cost of Compliance \$300

**TOTAL** \$28

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 3  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(s)(1)  
**Violation Description** Failed to calibrate the Facility's two well meters at least once every three years.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential			x		

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

Failure to calibrate the well meters could result in inaccurate water usage or unavailable water usage and production data which could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,850

\$150

**Violation Events**

Number of Violation Events 2 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$300

Two single events are recommended (one event per well meter).

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$300

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

**Estimated EB Amount** \$67 **Violation Final Penalty Total** \$374

**This violation Final Assessed Penalty (adjusted for limits)** \$374

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$62	21-Jul-2021	1-Nov-2022	1.28	\$4	n/a	\$4

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to calibrate the Facility's well meters (\$31 per well meter x two meters), calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$62	21-Jul-2021	5-Oct-2021	0.21	\$1	\$62	\$63
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

The avoided cost includes the estimated amount to calibrate the Facility's well meters (\$31 per well meter x two meters), calculated from the date of the investigation to the date of screening.

Approx. Cost of Compliance

\$124

**TOTAL**

\$67

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 4

**Rule Cite(s)** 30 Tex. Admin. Code § 290.43(c)(8)

**Violation Description**  
 Failed to ensure that all clearwells, ground storage tanks ("GSTs"), standpipes, and elevated storage tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association ("AWWA") standards. Specifically, the exterior coating of the GST was rusted and pitted in several places and the coating was peeling off.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				5.0%
	Potential		x		

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes**  
 Failure to ensure that the GST is painted in strict accordance with AWWA standards could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,750

\$250

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$250

One quarterly event is recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$250

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

**Estimated EB Amount** \$593 **Violation Final Penalty Total** \$311

**This violation Final Assessed Penalty (adjusted for limits)** \$311

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	21-Jul-2021	1-Apr-2023	1.70	\$28	\$565	\$593
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to repaint the Facility's GST, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$593



**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 5

**Rule Cite(s)** 30 Tex. Admin. Code § 290.43(c)(1)

**Violation Description**  
 Failed to provide the ground storage tank ("GST") with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen. Specifically, the screen covering the roof vent was rusted through on one side and had a hole.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				5.0%
Potential		x		

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

**Matrix Notes**  
 Failure to provide a screen for the roof vent on the GST could result in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,750

\$250

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$250

One quarterly event is recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$250

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

**Estimated EB Amount** \$2 **Violation Final Penalty Total** \$311

**This violation Final Assessed Penalty (adjusted for limits)** \$311

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$25	21-Jul-2021	1-Dec-2022	1.36	\$0	\$2	\$2
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
<b>Notes for DELAYED costs</b>	The delayed cost includes the estimated amount to provide a corrosion-resistant 16-mesh or finer screen for the roof vent on the GST, calculated from the date of the investigation to the estimated date of compliance.						

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
<b>ONE-TIME avoided costs</b>				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
<b>Notes for AVOIDED costs</b>							

Approx. Cost of Compliance \$25

**TOTAL** \$2

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, a large tree limb had fallen on the roof of the pump house during an inclement weather event and caused a section of the ceiling and roof to cave inward. The broken ceiling panels were heavily deteriorated and the hole in the roof created wet, unsanitary conditions within the pump house. In addition, the electrical sensor cable going into the GST near the overflow was not sealed.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="3.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

**>> Programmatic Matrix**

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

Matrix Notes

Failure to ensure the good working condition and general appearance of the system's facilities and its equipment could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

Two events are recommended (one event per facility/location).

**Good Faith Efforts to Comply**  Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Notes

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

**Violation Subtotal**

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

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	21-Jul-2021	1-Apr-2023	1.70	\$6	\$113	\$119
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to repair the pump house ceiling and roof and seal the electrical sensor cable going into the GST near the overflow, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$119

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 7

**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(D)(ii)

**Violation Description**  
 Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, results of inspections for all water storage facilities were not maintained on-site for review.

**Base Penalty** \$5,000

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> **Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				x	

At least 70% of the rule requirements were met.

**Adjustment** \$4,950

\$50

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$50

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$50

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

**Estimated EB Amount** \$3 **Violation Final Penalty Total** \$62

**This violation Final Assessed Penalty (adjusted for limits)** \$62

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	21-Jul-2021	1-Nov-2022	1.28	\$3	n/a	\$3
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

The delayed cost includes the estimated amount to maintain water system operation and maintenance records and make them immediately available for inspection upon request by the Executive Director, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

**TOTAL**

\$3

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 8

**Rule Cite(s)** 30 Tex. Admin. Code § 290.43(c)(4)

**Violation Description** Failed to ensure that all clearwells and water storage tanks have a liquid level indicator located at the tank site. Specifically, the GST does not have a liquid level indicator for measuring the volume of water inside the tank.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				3.0%
	Potential			x	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes** Failure to provide a liquid level indicator may not allow the operator to make necessary adjustments for production and usage calculations which could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,850

\$150

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$150

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$150

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

**Estimated EB Amount** \$19 **Violation Final Penalty Total** \$187

**This violation Final Assessed Penalty (adjusted for limits)** \$187

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment	\$200	21-Jul-2021	1-Dec-2022	1.36	\$1	\$18	\$19
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a liquid level indicator (\$200 per tank x one tank), calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

**TOTAL**

\$19



**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 9

**Rule Cite(s)** 30 Tex. Admin. Code § 290.42(j)

**Violation Description**  
 Failed to use an approved chemical or media for the treatment of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for Drinking Water Treatment Chemicals. Specifically, Pool Essentials Chlorinating Liquid is being used for disinfection which does not conform to ANSI/NSF Standard 60.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				3.0%
	Potential			x	

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

**Matrix Notes**  
 Failure to use approved disinfectants could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,850

\$150

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$150

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$150

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

**Estimated EB Amount** \$8 **Violation Final Penalty Total** \$187

**This violation Final Assessed Penalty (adjusted for limits)** \$187

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$125	21-Jul-2021	1-Nov-2022	1.28	\$8	n/a	\$8

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to ensure that all chemicals used in treatment of water supplied by public water systems conform to ANSI/NSF Standard 60 for Drinking Water Treatment Chemicals, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$125

**TOTAL**

\$8

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 10  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(n)(2)  
**Violation Description** Failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

**>> Programmatic Matrix**

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

**Adjustment** \$4,500

\$500

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$500

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$500

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

**Estimated EB Amount** \$12 **Violation Final Penalty Total** \$623

**This violation Final Assessed Penalty (adjusted for limits)** \$623

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### 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)	\$180	21-Jul-2021	1-Nov-2022	1.28	\$12	n/a	\$12

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to make available an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$180

**TOTAL**

\$12

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 11

**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(n)(1)

**Violation Description** Failed to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		

100% of the rule requirements were not met.

**Adjustment** \$4,500

\$500

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$500

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$500

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

**Estimated EB Amount** \$13 **Violation Final Penalty Total** \$623

**This violation Final Assessed Penalty (adjusted for limits)** \$623

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	21-Jul-2021	1-Jan-2023	1.45	\$13	n/a	\$13

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to compile and maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$180

**TOTAL**

\$13

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 12  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.121(a) and (b)  
**Violation Description** Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		x			10.0%

100% of the rule requirements were not met.

**Adjustment** \$4,500

\$500

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$500

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$500

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

**Estimated EB Amount** \$12 **Violation Final Penalty Total** \$623

**This violation Final Assessed Penalty (adjusted for limits)** \$623

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	21-Jul-2021	1-Dec-2022	1.36	\$12	n/a	\$12

#### Notes for DELAYED costs

The delayed cost includes the estimated amount to develop and begin maintaining an up-to-date chemical and microbiological monitoring plan, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

#### Notes for AVOIDED costs

Approx. Cost of Compliance

\$180

**TOTAL**

\$12



**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 13  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.43(c)(7)  
**Violation Description** Failed to provide the GST with a means of removing accumulated silt and deposits at all low points in the bottom of the tank. Specifically, the horizontal, 0.012-million-gallon GST did not have a means of removing accumulated sediment from the bottom of the inside of the tank.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential			x		

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

Failure to provide an adequate drain on the GST could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,850

\$150

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$150

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$150

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

**Estimated EB Amount** \$593 **Violation Final Penalty Total** \$187

**This violation Final Assessed Penalty (adjusted for limits)** \$187

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	21-Jul-2021	1-Apr-2023	1.70	\$28	\$565	\$593
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

The delayed cost includes the estimated amount provide a means to remove accumulated silt and deposits from the GST or obtain an exception to the requirement, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$593

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 14  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.45(b)(1)(F)(iv) and Tex. Health & Safety Code § 341.0315(c)  
**Violation Description** Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 40 connections requiring a pressure tank capacity of 800 gallons. However, the Facility had one, 80-gallon bladder style pressure tank, indicating a 90% deficiency.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential	x			

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes** Failure to provide adequate pressure tank capacity could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

**Adjustment** \$4,250

\$750

**Violation Events**

Number of Violation Events 3 76 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$2,250

Three monthly events are recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

**Good Faith Efforts to Comply**

**0.0%** Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$2,250

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$593 **Violation Final Penalty Total** \$2,802

**This violation Final Assessed Penalty (adjusted for limits)** \$2,802

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	21-Jul-2021	1-Apr-2023	1.70	\$28	\$565	\$593
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a pressure tank capacity of at least 20 gallons per connection, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$593

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 15  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.45(b)(1)(F)(iii) and Tex. Health & Safety Code § 341.0315(c)  
**Violation Description** Failed to provide two or more service pumps with a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the Facility had 40 connections requiring a service pump capacity of 80 gpm. However, the Facility had one service pump that provided a service pump capacity of 20 gpm, indicating a 75% deficiency.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential	x			

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes** Failure to provide adequate service pump capacity and the minimum number of service pumps could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

**Adjustment** \$4,250

\$750

**Violation Events**

Number of Violation Events 3 76 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$2,250

Three monthly events are recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$2,250

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

**Estimated EB Amount** \$119 **Violation Final Penalty Total** \$2,802

**This violation Final Assessed Penalty (adjusted for limits)** \$2,802

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 15

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment	\$1,000	21-Jul-2021	1-Apr-2023	1.70	\$6	\$113	\$119
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

#### Notes for DELAYED costs

The delayed cost includes the estimated amount to provide two service pumps with a pump capacity of at least 2.0 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

#### Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$119

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 16

**Rule Cite(s)** 30 Tex. Admin. Code § 290.45(b)(1)(F)(i) and Tex. Health & Safety Code § 341.0315(c)

**Violation Description** Failed to provide a well capacity of 0.6 gpm per connection. Specifically, the Facility had 40 connections requiring a well capacity of 24 gpm. However, only 13 gpm of well capacity was provided, indicating a 46% deficiency.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				5.0%
	Potential		x		

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes** Failure to provide adequate well capacity could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$4,750

\$250

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$250

One quarterly event is recommended, calculated from the investigation date, July 21, 2021, to the date of screening, October 5, 2021.

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

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$250

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

**Estimated EB Amount** \$593 **Violation Final Penalty Total** \$311

**This violation Final Assessed Penalty (adjusted for limits)** \$311

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 16

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### 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	21-Jul-2021	1-Apr-2023	1.70	\$28	\$565	\$593
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

The delayed cost includes the estimated amount to provide a well capacity of at least 0.6 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$593



**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 17  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.43(c)(2) and TCEQ Agreed Order Docket No. 2018-0424 PWS-E, Ordering Provision No. 3.c.iii  
**Violation Description**  
 Failed to maintain the GST in strict accordance with current AWWA standards with a roof opening of not less than 30 inches in diameter with a lockable cover that overlaps the curbing at least two inches in a downward direction and a gasket to make a positive seal when the hatch is closed. Specifically, the roof opening on the GST cover did not have a lockable cover that overlaps the curbing at least two inches in a downward direction. Additionally, the roof opening was approximately 12 inches in diameter and did not allow entrance into the tank, nor did it create a positive seal when closed as it threads downward into place.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					3.0%
Potential				x	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes**  
 Failure to maintain the GST in strict accordance with current AWWA standards with a roof opening with a lockable cover that overlaps the curbing could expose persons served by the Facility to an insignificant amount of contaminants that would not exceed levels protective of human health.

**Adjustment** \$4,850

\$150

**Violation Events**

Number of Violation Events: 1      672 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$150

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$150

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

**Estimated EB Amount** \$102      **Violation Final Penalty Total** \$187

**This violation Final Assessed Penalty (adjusted for limits)** \$187

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 17

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment	\$500	3-Dec-2019	1-Nov-2022	2.92	\$5	\$97	\$102
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

#### Notes for DELAYED costs

The delayed cost includes the estimated amount to ensure the roof opening on the GST has a cover that overlaps at least two inches in a downward direction, an opening of not less than 30 inches, and a opening that creates a positive seal when the hatch is closed, calculated from the effective date of TCEQ Agreed Order Docket No. 2018-0424-PWS-E to the estimated date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

#### Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

**TOTAL**

\$102

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 18

**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(t)

**Violation Description**  
 Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted. Specifically, the name and address of the water system had been placed upon the outside facing of an electrical box adjacent to the pump house to serve as a sign and there is no emergency phone number listed.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				x	

Between 30% to 70% of the rule requirements were not met.

**Adjustment** \$4,875

\$125

**Violation Events**

Number of Violation Events 1 76 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$125

One single event is recommended.

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$125

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

**Estimated EB Amount** \$9 **Violation Final Penalty Total** \$156

**This violation Final Assessed Penalty (adjusted for limits)** \$156

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 18

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	21-Jul-2021	1-Dec-2022	1.36	\$0	\$9	\$9
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
<b>Notes for DELAYED costs</b>	The delayed cost includes the estimated amount to provide ownership signs at the Facility's production, treatment, and storage facilities (\$100 per location x one location), calculated from the date of the investigation to the estimated date of compliance.						

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
<b>Notes for AVOIDED costs</b>							

Approx. Cost of Compliance \$100

**TOTAL** \$9

**Screening Date** 5-Oct-2021 **Docket No.** 2021-1377-PWS-E **PCW**  
**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 55905 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 19

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

**Violation Description** Failed to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account No. 92200190 for Fiscal Year 2019, 2020, and 2021.

**Base Penalty** \$5,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

**Adjustment** \$5,000

\$0

**Violation Events**

Number of Violation Events  Number of violation days

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

**Violation Base Penalty** \$0

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

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

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$0

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

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

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

## Economic Benefit Worksheet

**Respondent** Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water  
**Case ID No.** 55905  
**Reg. Ent. Reference No.** RN101453512  
**Media** Public Water Supply  
**Violation No.** 19

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs: N/A							

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs: N/A							

Approx. Cost of Compliance \$0

**TOTAL** \$0

The TCEQ is committed to accessibility.

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



# Compliance History Report

Compliance History Report for CN600754956, RN101453512, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

**Customer, Respondent, or Owner/Operator:** CN600754956, Chaos Shaw **Classification:** NOT APPLICABLE **Rating:** N/A

**Regulated Entity:** RN101453512, TWIN LAKES WATER **Classification:** NOT APPLICABLE **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** 6495 APPIAN WAY, FORT WORTH, TARRANT COUNTY, TEXAS

**TCEQ Region:** REGION 04 - DFW METROPLEX

**ID Number(s):**  
**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION**  
2200190

**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:** EPIFANIO VILLARREAL

**Phone:** (361) 881-6991

## **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? YES
- 3) Who is the current owner/operator? XIONG, JOSHUA OWNER since 10/10/2017  
SHAW, CHAOS OWNER since 10/10/2017
- 4) Who was/were the prior owner(s)/operator(s)? DAKE, DANIEL H, OWNER, 8/23/2005 to 10/9/2017  
ROOF, TONY BRYAN, OWNER, 12/30/2011 to 6/19/2017  
LOTT, KATHY, OWNER, 1/1/1800 to 6/19/2017

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

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

- 1 Effective Date: 12/03/2019 ADMINORDER 2018-0424-PWS-E (1660 Order-Agreed Order With Denial)  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)  
Description: Failed to keep on file copies of well completion data as defined in 30 TEX. ADMIN. CODE § 290.41(c)(3)(A) for as long as the well remains in service  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)  
Description: Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)  
Description: Failed to maintain the ground storage tank ("GST") in strict accordance with current American Water Works Association ("AWWA") standards with a roof opening with a lockable cover that overlaps the curbing at least two inches in a downward direction  
Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

Description: Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") free chlorine throughout the distribution system at all times

Classification: Moderate

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

Description: Failed to issue a boil water notification to the customers of the Facility within 24 hours of a low disinfectant residual using the prescribed format in 30 TEX. ADMIN. CODE § 290.47(c),

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(4)(A)

Description: Failed to operate the water system under the direct supervision of a water works operator who holds a Class "D" or higher license

Classification: Minor

Citation: 2A TWC Chapter 5, SubChapter A 5.702

30 TAC Chapter 290, SubChapter E 290.51(a)(6)

Description: Failed to pay public health service fees, including associated late fees, for TCEQ Financial Administration Account No. 92200190 for Fiscal Year 2018.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1 April 23, 2018 (1479966)

**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: 03/16/2021 (1723722)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.116(e)(1)  
30 TAC Chapter 290, SubChapter F 290.116(e)(2)  
Description: GWR Corrective Action Violation 10/2017 - Failure to complete the corrective action or be in compliance with an approved corrective action plan and schedule within 120 days of receiving notification of a significant deficiency.
- 2 Date: 04/01/2021 (1723722)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Description: DLQOR MR 4Q2020 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2020 within the required timeline.

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A



**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CHAOS SHAW AKA CHONGBAI  
XIA DBA TWIN LAKES WATER;  
RN101453512

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## DEFAULT ORDER

DOCKET NO. 2021-1377-PWS-E

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant TEX. WATER CODE ch. 5 and TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water ("Respondent").

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

### FINDINGS OF FACT

1. Respondent owns and operates a public water supply ("PWS") located at 6495 Appian Way in Fort Worth, Tarrant County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 40 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS as defined in 30 TEX. ADMIN. CODE § 290.38(71).
2. During an investigation conducted on July 21, 2021, an investigator documented that Respondent:
  - a. Failed to plug an abandoned PWS well with cement in accordance with 16 TEX. ADMIN. CODE Ch. 76 or submit the test results proving that the well is in a non-deteriorated condition. Specifically, Well No. 2's pump and motor had been pulled and were no longer on-site and there was an empty pump column with casing and a plastic meter box lid that had been loosely placed over the hole;
  - b. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted. Specifically, each well is in its own separate, locked well house and neither well house has any signage. In addition, the ground storage tank and disinfection equipment are in a separate, fenced area and there is no signage;
  - c. Failed to calibrate the Facility's two well meters at least once every three years;
  - d. Failed to ensure that all clearwells, ground storage tanks ("GSTs"), standpipes, and elevated storage tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association ("AWWA") standards. Specifically, the exterior coating of the GST was rusted and pitted in several places and the coating was peeling off;
  - e. Failed to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen. Specifically, the screen covering the roof vent was rusted through on one side and had a hole;

- f. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, a large tree limb had fallen on the roof of the pump house during an inclement weather event and caused a section of the ceiling and roof to cave inward. The broken ceiling panels were heavily deteriorated and the hole in the roof created wet, unsanitary conditions within the pump house. In addition, the electrical sensor cable going into the GST near the overflow was not sealed;
- g. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, results of inspections for all water storage facilities were not maintained on-site for review;
- h. Failed to ensure that all clearwells and water storage tanks have a liquid level indicator located at the tank site. Specifically, the GST does not have a liquid level indicator for measuring the volume of water inside the tank;
- i. Failed to use an approved chemical or media for the treatment of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for Drinking Water Treatment Chemicals. Specifically, Pool Essentials Chlorinating Liquid is being used for disinfection which does not conform to ANSI/NSF Standard 60;
- j. Failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies;
- k. Failed to maintain at the PWS accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned;
- l. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements;
- m. Failed to provide the GST with a means of removing accumulated silt and deposits at all low points in the bottom of the tank. Specifically, the horizontal, 0.012-million-gallon GST did not have a means of removing accumulated sediment from the bottom of the inside of the tank;
- n. Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 40 connections requiring a pressure tank capacity of 800 gallons. However, the Facility had one, 80-gallon bladder style pressure tank, indicating a 90% deficiency;
- o. Failed to provide two or more service pumps with a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the Facility had 40 connections requiring a service pump capacity of 80 gpm. However, the Facility had one service pump that provided a service pump capacity of 20 gpm, indicating a 75% deficiency;
- p. Failed to provide a well capacity of 0.6 gpm per connection. Specifically, the Facility had 40 connections requiring a well capacity of 24 gpm. However, only 13 gpm of well capacity was provided, indicating a 46% deficiency;
- q. Failed to maintain the GST in strict accordance with current AWWA standards with a roof opening of not less than 30 inches in diameter with a lockable cover that overlaps the curbing at least two inches in a downward direction and a gasket to make a positive seal when the hatch is closed. Specifically, the roof opening on the GST cover did not have a lockable cover that overlaps the curbing at least two inches in a downward direction. Additionally, the roof opening was approximately 12 inches in diameter and did not allow entrance into the tank, nor did it create a positive seal when closed as it threads downward into place;

- r. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted. Specifically, the name and address of the water system had been placed upon the outside facing of an electrical box adjacent to the pump house to serve as a sign and there is no emergency phone number listed;
  - s. Failed to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account No. 92200190 for Fiscal Year 2019, 2020, and 2021.
3. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water" (the "EDPRP") in the TCEQ Chief Clerk's office on January 18, 2023.
  4. The EDPRP was mailed to Respondent's last known address on January 18, 2023, via certified mail, return receipt requested, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed."
  5. The Executive Director re-filed the EDPRP in the TCEQ Chief Clerk's office on April 20, 2023.
  6. By letter dated April 20, 2023, sent to Respondent's last known address via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed." The first class mail has not been returned, indicating that Respondent received notice of the EDPRP.
  7. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

#### CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 5, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a., Respondent failed to plug an abandoned PWS well with cement in accordance with 16 TEX. ADMIN. CODE Ch. 76 or submit the test results proving that the well is in a non-deteriorated condition, in violation of 30 TEX. ADMIN. CODE § 290.46(u).
3. As evidenced by Finding of Fact No. 2.b., Respondent failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t).
4. As evidenced by Finding of Fact No. 2.c., Respondent failed to calibrate the Facility's two well meters at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
5. As evidenced by Finding of Fact No. 2.d., Respondent failed to ensure that all clearwells, GSTs, standpipes, and elevated storage tanks are painted, disinfected, and maintained in strict accordance with current AWWA standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(8).
6. As evidenced by Finding of Fact No. 2.e., Respondent failed to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(1).

7. As evidenced by Finding of Fact No. 2.f., Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
8. As evidenced by Finding of Fact No. 2.g., Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2) and (f)(3)(D)(ii).
9. As evidenced by Finding of Fact No. 2.h., Respondent failed to ensure that all clearwells and water storage tanks have a liquid level indicator located at the tank site, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4).
10. As evidenced by Finding of Fact No. 2.i., Respondent failed to use an approved chemical or media for the treatment of potable water that conforms to the ANSI/NSF Standard 60 for Drinking Water Treatment Chemicals, in violation of 30 TEX. ADMIN. CODE § 290.42(j).
11. As evidenced by Finding of Fact No. 2. j., Respondent failed to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2).
12. As evidenced by Finding of Fact No. 2.k., Respondent failed to maintain at the PWS accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(1).
13. As evidenced by Finding of Fact No. 2.l., Respondent failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
14. As evidenced by Finding of Fact No. 2.m., Respondent failed to provide the GST with a means of removing accumulated silt and deposits at all low points in the bottom of the tank, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(7).
15. As evidenced by Finding of Fact No. 2.n., Respondent failed to provide a pressure tank capacity of 20 gallons per connection, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iv).
16. As evidenced by Finding of Fact No. 2.o., Respondent failed to provide two or more service pumps with a total capacity of 2.0 gpm per connection, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii).
17. As evidenced by Finding of Fact No. 2.p., Respondent failed to provide a well capacity of 0.6 gpm per connection, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(i).
18. As evidenced by Finding of Fact No. 2.q., Respondent failed to maintain the GST in strict accordance with current AWWA standards with a roof opening of not less than 30 inches in diameter with a lockable cover that overlaps the curbing at least two inches in a downward direction and a gasket to make a positive seal when the hatch is closed, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(2) and TCEQ Agreed Order Docket No. 2018-0424-PWS-E, Ordering Provision No. 3.c.iii.
19. As evidenced by Finding of Fact No. 2.r., Respondent failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t).

20. As evidenced by Finding of Fact No. 2.s., Respondent failed to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account No. 92200190 for Fiscal Year 2019, 2020, and 2021, in violation of TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(6).
21. As evidenced by Findings of Fact Nos. 3 through 6, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
22. As evidenced by Finding of Fact No. 7, Respondent failed to file a timely answer as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
23. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a) the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
24. An administrative penalty in the amount of \$14,788 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).
25. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

#### **ORDERING PROVISIONS**

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

1. Respondent is assessed an administrative penalty in the amount of \$14,788 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water; Docket No. 2021-1377-PWS-E" to:

Financial Administration Division  
Revenue Operations Section  
Texas Commission on Environmental Quality  
Attention: Cashier's Office, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3088
3. Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Calibrate the Facility's well meters, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - ii. Begin using a disinfectant that is ANSI/NSF Standard 60 certified, in accordance with 30 TEX. ADMIN. CODE § 290.42;
    - iii. Make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in accordance with 30 TEX. ADMIN. CODE § 290.46;

- iv. Provide the roof opening on the GST with a lockable cover that overlaps the curbing at least two inches in a downward direction, an opening not less than 30-inches in diameter, and a gasket that creates a positive seal when the hatch is closed, in accordance with 30 TEX. ADMIN. CODE § 290.43;
  - v. Compile and maintain properly completed water works operation and maintenance records, including but not limited to results of inspections for all water storage facilities, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
  - vi. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 92200190. The payment shall be sent with the notation " Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water, Account No. 92200190" to the address listed in Ordering Provision No. 1.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.vi.
- c. Within 60 days after the effective date of this Order:
- i. Provide legible signs at each production, treatment, and storage facility that contains the name of the Facility and an emergency phone number where a responsible official can be contacted, in accordance with 30 TEX. ADMIN. CODE § 290.46;
  - ii. Provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen, in accordance with 30 TEX. ADMIN. CODE § 290.43;
  - iii. Provide the GST with a liquid level indicator, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
  - iv. Develop and maintain a 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. 3.i. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c.i. through 3.c.iv.
- e. Within 90 days after the effective date of this Order:
- i. Plug the abandoned PWS Well No. 2 well with cement in accordance with 16 TEX. ADMIN. CODE Ch. 76 or submit test results proving that the well is in a non-deteriorated condition, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
  - ii. Compile and maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- f. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.e.i. and 3.e.ii.

- g. Within 180 days after the effective date of this Order:
- i. Repaint the GST's exterior in strict accordance with AWWA standards, in accordance with 30 TEX. ADMIN. CODE § 290.43;
  - ii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing the pump house ceiling and roof and sealing the electrical sensor cable going into the GST, in accordance with 30 TEX. ADMIN. CODE § 290.46;
  - iii. Provide the GST with a properly constructed drain so that accumulated silt and deposits at all low points in the bottom of the drain can be removed and is not a potential agent in the contamination of the stored water, in accordance with 30 TEX. ADMIN. CODE § 290.43 or obtain Commission approval of an exception to the GST requirement pursuant to 30 TEX. ADMIN. CODE § 290.39(l). The exception request shall be submitted to:
    - Technical Review and Oversight Team
    - Water Supply Division, MC 159
    - Texas Commission on Environmental Quality
    - P.O. Box 13087
    - Austin, Texas 78711-3087
  - iv. Provide two service pumps with a total capacity of at least 2.0 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45;
  - v. Provide a well capacity of at least 0.6 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
  - vi. Provide a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45.
- h. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.i. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.g.i. through 3.g.vi.
- i. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

Respondent shall submit the written certifications and copies of documentation necessary to demonstrate compliance with these Ordering Provisions to:

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



and:

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

4. All relief not expressly granted in this Order is denied.
5. The provisions of this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
8. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

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Date

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## UNSWORN DECLARATION OF BENJAMIN N. WARMS

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on January 18, 2023.

The EDPRP was mailed to Respondent's last known address on January 18, 2023, via certified mail, return receipt requested, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed."

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the EDPRP was re-filed in the TCEQ Chief Clerk's office on April 20, 2023.

The EDPRP was mailed to Respondent's last known address on April 20, 2023, via certified mail, return receipt requested, and via first class mail, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed." The first class mail has not been returned, indicating that Respondent received notice of the EDPRP in accordance with 30 TEX. ADMIN. CODE § 70.104(c)(2).

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

"My name is Benjamin N. Warms, and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Travis County,  
State of Texas,  
on the 18th day of September, 2024

A handwritten signature in blue ink, appearing to read "Benjamin N. Warms".

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Declarant