Order Type:

1660 Agreed Order

Findings Order Justification:

N/A **Media:** PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

Laguna Tres Subdivision Water System, 116 Granada Calle Street, near Granbury, Hood County (Facility No. 1)

Laguna Vista Subdivision, 402 Aqua Vista Drive, near Granbury, Hood County (Facility No. 2)

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 22, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$19,316

Amount Deferred for Expedited Settlement: \$3,862

Total Paid to General Revenue: \$15,454

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - N/A

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

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

Date(s) of Investigation: September 1, 2021

Date(s) of NOE(s): October 29, 2021

Violation Information

At Facility No. 1:

- 1. Failed to provide a minimum pressure tank capacity of 20 gallons per connection. Specifically, Facility No. 1 had 226 connections requiring a pressure tank capacity of 4,520 gallons. However, no pressure tank capacity was provided, indicating a 100% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c)].
- 2. Failed to maintain at the public water system accurate and up-to-date detailed asbuilt plans or records drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned [30 Tex. ADMIN. CODE \S 290.46(n)(1)].
- 3. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition. Specifically, the well meter display for Well No. 6 was not registering water flowing through the meter [30 Tex. Admin. Code § 290.46(m)(6)].

At Facility No. 2:

- 1. Failed to provide a minimum pressure tank capacity of 20 gallons per connection. Specifically, Facility No. 2 had 227 connections requiring a pressure tank capacity of 4,540 gallons. However, no pressure tank capacity was provided, indicating a 100% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c)].
- 2. Failed to maintain at the public water system accurate and up-to-date detailed asbuilt plans or records drawings and specifications for each treatment plant, pump station, and storage tank until the Facility is decommissioned [30 Tex. ADMIN. CODE \S 290.46(n)(1)].
- 3. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, Facility No. 2 had 227 connections requiring a well capacity of 136 gpm. However, only 116 gpm of well capacity was provided, indicating a 15% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(i) and Tex. Health & Safety Code § 341.0315(c)].
- 4. Failed to provide an intruder-resistant fence around all potable water storage tanks and each water treatment plant and related appurtenances that remains locked during periods of darkness and when the Facility is unattended, or a locked building in the fence line which may satisfy this requirement or serve as a gate. Specifically, sections of boards were missing from the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1. Additionally, the strands of barbed wire on the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1 were very loose [30 Tex. ADMIN. CODE §§ 290.43(e) and 290.42(m)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. Replacing the well meter display for Well No. 6 at Facility No. 1 by October 22, 2021; and
- b. Replacing the missing boards and tightening the barbed wire on the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1 at Facility No. 2 by October 22, 2021.

Technical Requirements:

- 1. The Respondent shall undertake the following technical requirements at Facility No. 1:
- a. Within 90 days, 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.
- b. Within 105 days, submit written certification to demonstrate compliance with 1.a.
- c. Within 180 days, provide a pressure tank capacity of at least 20 gallons per connection.
- d. Within 195 days, submit written certification to demonstrate compliance with 1.c.
- 2. The Respondent shall undertake the following technical requirements at Facility No. 2:
- a. Within 90 days, 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.
- b. Within 105 days, submit written certification to demonstrate compliance with 2.a.
- c. Within 180 days:
- i. Provide a pressure tank capacity of at least 20 gallons per connection; and
- ii. Provide a well capacity of at least 0.6 gpm per connection.
- d. Within 195 days, submit written certification to demonstrate compliance with 2.c.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Salas, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219,

(512) 239-2548

Respondent: Josiah Cox, President, CSWR-Texas Utility Operating Company, LLC, 1650

Des Peres Road, Des Peres, Missouri, 63131-1832

Respondent's Attorney: N/A



OTHER FACTORS AS JUSTICE MAY REQUIRE
Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

S COMMISSION OF THE PROPERTY O	34 E	1	Penalty (Calculatio	n Works	heet (PC	ZW)	
SILIPONMENTAL OF	Policy Rev	ision 5 (January 2	28, 2021)				PCW Revi	ision February 11, 2021
DATES	Assigned							
	PCW	17-Nov-202	Screenin	g 10-Nov-2021	EPA Due			
RESPO	NDENT/FACILI							
Do	Respondent g. Ent. Ref. No.	CSWR-Texas	Utility Operation	ng Company, LLO	C (Laguna Tres	Subdivision)		
	ty/Site Region				Maior/	Minor Source	Maior	
		,						
	NFORMATION f./Case ID No.	61560			l No.	of Violations	2	
EII		2021-1483-P	WS-E		No.	Order Type		
Med	lia Program(s)	Public Water				nt/Non-Profit	No	
	Multi-Media] Enf		Amanda Conne Enforcement Te	
Adı	min. Penalty \$	Limit Minimı	ım \$50	Maximum	\$5,000		Linorcement re	carri Z
				Ity Calcula		ion	_	
TOTA	L BASE PENA	LTY (Sum	of violation	n base penal	ties)		Subtotal 1	\$6,250
ADJU!	STMENTS (+	/-) TO SUI	STOTAL 1					
	Subtotals 2-7 are of	tained by multip		e Penalty (Subtotal 1) by the indicated		_	
	Compliance Hi		deschion for any	0.0%	Adjustment		tals 2, 3, & 7	\$0
	Notes			notice of intent is below zero, th				
	Notes	uisciosui		· · · · · · · · · · · · · · · · · · ·	-	ercentage		
				otai 2) deladits t	.o zero.			
	Coolean hilitar	IN a		otal 2) defaults t			Subtatal 4	¢0
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Culpability Notes			•	Enhancement	teria.	Subtotal 4	\$0
				0.0%	Enhancement	teria.	Subtotal 4	\$0
		The	e Respondent d	0.0% oes not meet the	Enhancement	teria.	Subtotal 4	\$0 -\$187
	Notes	The	e Respondent d	0.0% oes not meet the	Enhancement	teria.	_	·
	Notes	The	e Respondent d	0.0% oes not meet the	Enhancement	teria.	_	-\$187
	Notes Good Faith Eff Economic Bene	The ort to Comple efit Total EB Amou	Respondent de Re	0.0% oes not meet the tments 0.0%	Enhancement critering		Subtotal 5	·
	Notes Good Faith Eff Economic Bene	The fort to Compl efit Total EB Amou	e Respondent de	0.0% oes not meet the tments 0.0%	Enhancement c culpability crit		Subtotal 5	-\$187

0.0%

20.0%

Deferral offered for expedited settlement.

Adjustment

Adjustment

Final Penalty Amount

Final Assessed Penalty

Reduction

\$0

\$6,063

\$6,063

-\$1,212

\$4,851

CSWR-Texas Utility Operating Company, LLC (Laguna Tres

Respondent Subdivision)

Case ID No. 61560

Reg. Ent. Reference No. RN101275451

Media Public Water Supply

Enf. Coordinator Amanda Conner

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

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

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

government environmental requirements

Satisfactory Performer

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

Since the reduction for one notice of intent to conduct an audit and one disclosure of violations is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

0%

0%

S	creening Date	10-Nov-2021		Dock	et No. 2021-1483-PWS-E	PCW
			tility Operating	g Company, LL	C (Laguna Tres Subdivision)	
	Respondent				Policy F	Revision 5 (January 28, 2021)
	Case ID No.				PCV	V Revision February 11, 2021
Reg. Ent.	Reference No.					
_		Public Water S				
	f. Coordinator		er T			
\	Violation Number	1				1
	Rule Cite(s)	30 Tex.	Admin. Code	§ 290.45(b)(1)	(C)(iv) and Tex. Health & Safety	
				Code § 341.	0315(c)	
Viola	ation Description	Specifically, th	ne Facility had	226 connection	capacity of 20 gallons per connection. s requiring a pressure tank capacity of k capacity was provided, indicating a iency.	
					Base Penalty	\$5,000
>> Environ	mental, Prope	rty and Hum		Matrix		
	Release	Major	Harm Moderate	Minor		
OR	Actual		moderate	Minor		
	Potential				Percent 30.0%	
>>Program	matic Matrix					
	Falsification	Major	Moderate	Minor	a	
					Percent 0.0%	
	Failure to	provide edeau	-t	ant conscitutos	ald recult in water outcase and law	
Mati Note	rix pressure prob	olems, exposing	persons serve	. ,	uld result in water outages and low y to contaminants which would exceed man health.	
			Р			
					Adjustment \$3,500	
						¢1 F00
						\$1,500
Violation Ev	ents ents					
	Number of \	Violation Events	3		70 Number of violation days	
		d=10.		1		
		daily				
		weekly monthly	×			
		quarterly			Violation Base Penalty	\$4,500
		semiannual			·	, , ,
		annual				
		single event				
	Three month	•			the September 1, 2021 investigation	
		date	to the Novem	ber 10, 2021 s	creening date.	
		_				
Good Faith			0.00/-		Reduction	\$0
Good Faith	Efforts to Com		0.0%			Ф О
dood i aitii	Efforts to Com		Before NOE/NOV	NOE/NOV to EDPF	P/Settlement Offer	φo
Good Faith	Efforts to Com	Extraordinary	Before NOE/NOV	NOE/NOV to EDPF		\$ О
Good Faith	Efforts to Com	Extraordinary Ordinary	Before NOE/NOV	NOE/NOV to EDPP		\$ 0
Good Faith	Efforts to Com	Extraordinary	Before NOE/NOV	NOE/NOV to EDPF		\$ 0
Good Faith	Efforts to Com	Extraordinary Ordinary N/A	Before NOE/NOV X The Respond	dent does not r	neet the good faith criteria	\$ 0
Good Faith	Efforts to Com	Extraordinary Ordinary	Before NOE/NOV X The Respond		neet the good faith criteria	ţ0
Good Faith	Efforts to Com	Extraordinary Ordinary N/A	Before NOE/NOV X The Respond	dent does not r	neet the good faith criteria iolation.	
Good Faith	Efforts to Com	Extraordinary Ordinary N/A	Before NOE/NOV X The Respond	dent does not r	neet the good faith criteria	
	enefit (EB) for	Extraordinary Ordinary N/A Notes	X The Respond	dent does not r	neet the good faith criteria iolation.	
	enefit (EB) for	Extraordinary Ordinary N/A Notes	The Respond	dent does not r for this v	neet the good faith criteria iolation. Violation Subtotal Statutory Limit Test	\$4,500
	enefit (EB) for	Extraordinary Ordinary N/A Notes	The Respond	dent does not r for this v	neet the good faith criteria iolation. Violation Subtotal	\$4,500 \$4,500

	E	conomic	Benefit	Wo	rksheet		
Respondent	CSWR-Texas I	Jtility Operating C	ompany, LLC (l	_aguna [·]	Tres Subdivision)		
Case ID No.	61560						
Reg. Ent. Reference No.	RN101275451						
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	1					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment	\$5,000	1-Sep-2021	17-Mar-2023	1.54	\$26	\$513	\$539
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	per co	onnection, calculat	ed from the inv	estigati	on date to the esti	ank capacity of at le	oliance.
Avoided Costs	ANNU	ALIZE avoided co	osts before er			one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Supplies/Equipment Financial Assurance		1		0.00	\$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)		 		0.00	\$0	\$0 \$0	\$0 \$0
Notes for AVOIDED costs				<u> 0.00</u>	η ψ0	Ψ0	40
Approx. Cost of Compliance		\$5,000			TOTAL		\$539

	Screening Date	10-Nov-2021	Docket No. 2021-1483-PWS-E	PCW
	Deenendent	CSWR-Texas Utility Operating	Company, LLC (Laguna Tres Subdivision)	5 (1 5 1 1 5 (1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
	Respondent			Policy Revision 5 (January 28, 2021)
D	Case ID No.			PCW Revision February 11, 2021
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	30 Te	x. Admin. Code § 290.46(n)(1)	
	Violation Description	built plans or records drawir	olic water system accurate and up-to-date detaings and specifications for each treatment plant ge tank until the Facility is decommissioned.	
			Base	Penalty \$5,000
>> Env	vironmental, Prope	rty and Human Health	Matrix	
		Harm		
OR	Release Actua		Minor	
OK	Potentia		Percent 0.0%	
	i otenda		referr 0.0%	
>>Proc	grammatic Matrix			
	Falsification	Major Moderate	Minor	
		х	Percent 20.0%	
	Matrix Notes	100% of the rule	requirements were not met.	
			Adjustment	\$4,000
				\$1,000
Vialatia	an Franka			
violatio	on Events			
	Number of	Violation Events 1	70 Number of violation d	avs
	Wallisel of	daily weekly monthly quarterly	Violation Base	
		semiannual annual single event x	Troitation Buse	T Charty \$1,000
		One single e	event is recommended.	
Good F	aith Efforts to Con	nply 0.0%	R	eduction \$0
			NOE/NOV to EDPRP/Settlement Offer	
		Notes The Responde	ent does not meet the good faith criteria for this violation.	
			Violation 9	
Econon	nic Benefit (EB) fo	r this violation	Statutory Limit	Test
	Estimat	ed EB Amount	\$11 Violation Final Penal	ty Total \$1,000
		·		
		This viola	ation Final Assessed Penalty (adjusted fo	r limits) \$1,000

	Economic Benefit Worksheet						
		Jtility Operating C	ompany, LLC (L	aguna T	Tres Subdivision)		
Case ID No.							
Reg. Ent. Reference No.							
Media Violation No.	Public Water S 2	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$180	1-Sep-2021	4-Dec-2022	1.26	\$11	n/a	\$11
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)	The delayed of	cost includes the e	stimated amou			ic water system, ac	
	,				·	or each treatment p	•
Notes for DELAYED costs	station,	and storage tank,	calculated from	n the da	te of the investiga	tion to the estimate	d date of
				complia	ance.		
Avoided Costs	ANNUA	ALIZE avoided co	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
ı							
Approx. Cost of Compliance		\$180			TOTAL		\$11

	Screening Date				2021-1483-PWS-E	PCW
	Respondent	CSWR-Texas Utility	y Operating Company	, LLC (Laguna	Tres Subdivision)	Policy Revision 5 (January 28, 2021)
	Case ID No.					PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN101275451				
		Public Water Supp	ly			
	Enf. Coordinator Violation Number					
	Rule Cite(s)		20 Tay, Admin 4	C-d- C 200 4/	5()(5)	
	, ,		30 Tex. Admin. (.oae § 290.46	o(m)(6)	
	Violation Description			well meter dis	ner mechanical devices splay for Well No. 6 wa the meter.	
					Base	Penalty \$5,000
>> Env	ironmental, Prope	rty and Humar	n Health Matrix			
	Release	Major M	Harm Moderate Minor			
OR	Actual		loderate Millor	1		
	Potential		Х		Percent 15.0%	
>>Pro	grammatic Matrix					
77110	Falsification	Major M	Moderate Minor	_		
					Percent 0.0%	
	F 11 .			1		
	Matrix Unavailable v	vater usage and pro	oduction data, resultir	ng in persons	n could result in inaccu being exposed to a sig ective of human health	nificant
				Δd	justment	\$4,250
				710.	Jucumonic	
						\$750
Violatio	on Events					
	Number of \	/iolation Events	1	51	Number of violation d	ays
		daily weekly monthly quarterly semiannual annual single event	X		Violation Base	Penalty \$750
	One quarterly		ended, calculated from ne October 22, 2021 c	· ·	per 1, 2021 investigati te.	on date
Good F	aith Efforts to Com	ply	25.0%		R	eduction \$187
			re NOE/NOV NOE/NOV to	EDPRP/Settleme	ent Offer	
		Extraordinary Ordinary	X			
		N/A	^			
			The Respondent achie	ved compliand 2021.	ce on October 22,	
					Violation S	Subtotal \$563
Econor	nic Benefit (EB) for	this violation			Statutory Limit	Test
		ed EB Amount	\$!	5	•	
	Estimate	EU ED AIIIOUNT		-	/iolation Final Penal	-
			This violation Fina	l Assessed P	enalty (adjusted for	r limits) \$563

	E	conomic	Benefit	Woi	rksheet		
Respondent	CSWR-Texas I	Jtility Operating C	ompany, LLC (L	aguna ⁻	Tres Subdivision)		
Case ID No.		, , ,	, ,, ,	J	,		
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
<u> </u>							
Delayed Costs				_			
Equipment	\$500	1-Sep-2021	22-Oct-2021	0.14	\$0	\$5	\$5
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		<u> </u>		0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	,	calculated fro	m the date of th	ie inves	tigation to the dat	·	·
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0	\$0
Notes for AVOIDED costs		<u> </u>		0.00	1 20	J \$0 1	\$ 0
Approx. Cost of Compliance		\$500			TOTAL		\$5



OTHER FACTORS AS JUSTICE MAY REQUIRE
Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

S COMMISSION OF THE PROPERTY O	Policy Rev	Pe ision 5 (January 28, 2	-	Calculatio	n Worksh	neet (PC	-	rision February 11, 2021
DATES	Assigned	8-Nov-2021 18-Nov-2021	Caraanir	10 Nov 2021	EDA Due			
	PCW	18-NOV-2021	Screenii	ng <u>10-Nov-2021</u>	EPA Due			
RESPO		TY INFORMATION			<u> </u>			
Red	respondent J. Ent. Ref. No.	RN101276806	<u>lity Operati</u>	ing Company, LLC	(Laguna Vista S	<u>subdivision)</u>		
		4-Dallas/Fort Wo	orth		Major/M	linor Source	Major	
CASE T	NFORMATION							
	f./Case ID No.	61560			No. o	of Violations	4	
	Docket No.	2021-1483-PWS				Order Type		
Med	lia Program(s) Multi-Media	Public Water Sup	ply		Government		No Amanda Conne) F
	Multi-Media				J E		Enforcement T	
Adr	min.Penalty \$	Limit Minimum	\$50	Maximum	\$5,000			
			Don	alty Calcula	tion Costi	<u> </u>		
				alty Calcula		ווע		\ -
IOIAI	L BASE PENA	LIY (Sum of	violatio	n base penalt	ies)		Subtotal 1	\$7,000
ADJUS	STMENTS (+	/-) TO SUBTO	OTAL 1					
			the Total Ba	se Penalty (Subtotal 1			·	÷C 440
	Compliance Hi		<u> </u>	92.0%	Adjustment		tals 2, 3, & 7	\$6,440
	Notos		_	reed order contair it a denial of liabil		•		
	Notes	_		an audit and one o	•			
							l 	
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent o	does not meet the	culpability crite	ria.		
					, ,			
	Good Faith Eff	ort to Comply T	otal Adius	stments			Subtotal 5	-\$187
		ore compry						7-0-
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts I Cost of Compliance	\$1,098		d at the Total EB \$ A	Amount		7.
	LStilliatet	Cost of Compilatice	\$11,180					
SUM C	OF SUBTOTA	LS 1-7				F	inal Subtotal	\$13,253

0.0%

20.0%

Deferral offered for expedited settlement.

Adjustment

Adjustment

Final Penalty Amount

Final Assessed Penalty

Reduction

\$0

\$13,253

\$13,253

-\$2,650

\$10,603

PCW

CSWR-Texas Utility Operating Company, LLC (Laguna Vista

Respondent Subdivision)

Case ID No. 61560

Reg. Ent. Reference No. RN101276806

Media Public Water Supply

Enf. Coordinator Amanda Conner

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Adjust

Number

Compliance History Worksheet

>>	Compliance Hist	ory <i>Site</i>	Enhancement	(Subtotal 2)
	Component	Numbe	r of	

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	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		75%
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 (number of judgments or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%

	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%
0 0.1.0.	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) 92%

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3) [N/A 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

History Notes

Compliance Enhancement for one agreed order containing a denial of liability and three agreed orders without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violations.

> Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 92%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

92%

	Screen	ing Date	10-Nov-2021		Doo	cket No. 2021-1483-PWS-E	PCW
	Pos	snondent	CSWR-Texas Ut	tility Operatin	g Company, I	LLC (Laguna Vista	Policy Revision 5 (January 28, 2021)
	Cas	se ID No.	Subdivision)				
Pog			RN101276806				PCW Revision February 11, 2021
Reg.	Elit. Kelei						
	Enf Cod		Public Water Su Amanda Conner				
		on Number		[
	R	ule Cite(s)	30 Tex. /	Admin. Code	§ 290.45(b)(Code § 34	1)(C)(iv) and Tex. Health & Safety 1.0315(c)	
	Violation [Description	Specifically, the	e Facility had	227 connecti	nk capacity of 20 gallons per conne ions requiring a pressure tank capa ank capacity was provided, indicat eficiency.	acity of
_		_				Base P	Penalty \$5,000
>> Env	vironment	al, Propei	rty and Hum		Matrix		
		Release	Major	Harm Moderate	Minor		
OR		Actual		Moderate	PHHOI		
		Potential	Х			Percent 30.0%	
>>Prog	grammati				N4:		
		alsification	Major	Moderate	Minor	Percent 0.0%	
	_					Percent 0.0%	
		Failure to	provide adequa	te nressure ta	ank canacity (could result in water outages and le	OW
	Matrix					ility to contaminants which would	
	Notes	, , , , , , , , , , , , , , , , , , ,		•	•	numan health.	
				<u> </u>			
						Adjustment	\$3,500
							\$1,500
							\$1,500
Violatio	on Events						
		Number of V	iolation Events/	3		Number of violation day	ys
			daily		1		
			weekly				
			monthly	Х			
			quarterly			Violation Base P	Penalty \$4,500
			semiannual				
			annual				
			single event		J		
		El				and the Contempt of 2021 investigation	
		inree month	•			om the September 1, 2021 investignscreening date.	jation
			date	to the Novem	10, 2021	. Screening date.	
Good F	aith Effart	e to Com	nlv	0.00/			duction
good F	aith Effort	.s to com		0.0% Sefore NOE/NOV		SPRP/Settlement Offer	duction \$0
			Extraordinary		,	3.12, 2.53.3.13.14	
			Ordinary				
			N/A	Х			
			,	The Deepen	dont door no	t most the good faith suitage	
			Notes	The Respon		t meet the good faith criteria s violation.	
					TOT UTIE	3 Tiolation.	
			_			Wieletter C	, btotal
						Violation Su	ıbtotal \$4,500
Econon	mic Benefit	t (EB) for	this violation	on		Statutory Limit To	est
		Eatin	ad ED A		#E30	Wielskies Final Barrate	v Total
		estimate	ed EB Amount		\$539	Violation Final Penalty	y Total \$8,640
				This viola	ation Final A	Assessed Penalty (adjusted for	limits) \$8,640

	E	conomic	Benefit	Wo	rksheet		
Respondent	CSWR-Texas	Utility Operating C	ompany, LLC (I	_aguna	Vista Subdivision)		
Case ID No.	61560						
Reg. Ent. Reference No.	RN101276806						
	Public Water 9						Years of
Violation No.						Percent Interest	Depreciation
2.0.000.000						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
20000 2 00000 40000							
Delayed Costs							
Equipment	\$5,000	1-Sep-2021	17-Mar-2023	1.54	\$26	\$513	\$539
 Buildings	7 7, 7			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 Avoided Costs	per co	onnection, calculat	ed from the inv	estigati	on date to the esti	ank capacity of at le mated date of comp one-time avoided	oliance.
Disposal		1	ooto belole el	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		\$539

	Screening Date		No. 2021-1483-PWS-E	PCW
	Respondent	CSWR-Texas Utility Operating Company, LLC (La	guna Vista Subdivision)	Policy Revision 5 (January 28, 2021)
	Case ID No.	1560		PCW Revision February 11, 2021
Rea.	Ent. Reference No.			rew Revision rebruary 11, 2021
11091		Public Water Supply		
	Enf. Coordinator	* * *		
	Violation Number	2		
	Rule Cite(s)	20 Tay Admin Code S 2	00.46(=)(1)	
		30 Tex. Admin. Code § 2	90.46(1)(1)	
	Violation Description	Failed to maintain at the public water system ac built plans or records drawings and specification station, and storage tank until the Fac	ns for each treatment plant,	
			Base P	enalty \$5,000
>> Env	vironmental, Prope	ty and Human Health Matrix		
	_	Harm		
OR	Release Actual	Major Moderate Minor		
OK	Potential		Percent 0.0%	
	i otenda		0.0 70	
>>Pro	grammatic Matrix			
	Falsification	Major Moderate Minor		
		X	Percent 20.0%	
	Matrix Notes	100% of the rule requirements were	not met.	
			Adjustment	\$4,000
				\$1,000
Violatio	on Events			
Violati	on Events			
	Number of V	plation Events 1 70	Number of violation day	/S
		daily weekly monthly quarterly semiannual annual single event	Violation Base P	enalty \$1,000
		One single event is recommend	ed.	
Good F	aith Efforts to Com	0.0%	Red	duction \$0
		Before NOE/NOV NOE/NOV to EDPRP/Set	tlement Offer	'
		Extraordinary		
		Ordinary		
		N/A x		
		Notes The Respondent does not meet to this violation		
			Violation Su	\$1,000
Econor	nic Benefit (EB) for	this violation	Statutory Limit T	est
	Estimate	I EB Amount \$11	Violation Final Penalty	/ Total \$1,920
		This violation Final Assess	ed Penalty (adjusted for	limits) \$1,920

	E	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	61560	Utility Operating C	ompany, LLC (l	.aguna \	/ista Subdivision)		
Media Violation No.	Public Water S 2	Supply				Percent Interest	Years of Depreciation
						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land	1400	1 0 0001		0.00	\$0	n/a	\$0
Record Keeping System	\$180	1-Sep-2021	4-Dec-2022	1.26	\$11	n/a	\$11
Training/Sampling				0.00	\$0 \$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0 \$0	n/a	\$0
Notes for DELAYED costs	to-date de station,	etailed as-built plar and storage tank,	ns or record dra calculated fron	nt to many interpretation in the dangle compliance in the dangle compliance in the many interpretation	aintain at the publi nd specifications for te of the investiga ance.	c water system, according to the contract properties to the estimate to the estimate	curate and up- plant, pump d date of
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	-
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance		1		0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		,				Ţ	3
Approx. Cost of Compliance		\$180			TOTAL		\$11

	Screening Date				2021-1483-PWS-E	PCW
	Respondent	CSWR-Texas Utility	Operating Compar	ıy, LLC (Laguna	a Vista Subdivision)	Policy Revision 5 (January 28, 2021)
	Case ID No.	61560				PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN101276806				
	Media	Public Water Suppl	У			
	Enf. Coordinator					
	Violation Number					
	Rule Cite(s)	30 Tex. Ad		5(b)(1)(C)(i) ar § 341.0315(c)	nd Tex. Health & Safety	′
			Code	3 341.0313(c)		
		Failed to provide	a minimum well ca	pacity of 0.6 ga	allons per minute ("gpm	n") per
	Violation Description	connection. Speci	ifically, the Facility I	nad 227 connec	ctions requiring a well o	capacity
		of 136 gpm. Hov		•	ity was provided, indica	ating a
			15%	deficiency.		
					Base	Penalty \$5,000
>> Env	vironmental, Prope	rtv and Human	Health Matrix	,		
		_	Harm			
OR	Release Actual		oderate Minor			
OK	Potential		X		Percent 15.0%	
	rocential		Α		15.070	
>>Prog	grammatic Matrix					
	Falsification	Major M	oderate Minor		Doveent 0.00/	
					Percent 0.0%	
	Failure to	provide adequate v	vell capacity could e	expose persons	served by the Facility	to a
	Matrix significant a	•		•	that are protective of h	
	Notes		health.			
						+4.250
				Ad	justment	\$4,250
						\$750
Violatio	on Events					
Violatio	on Events					
	Number of \	/iolation Events	1	70	Number of violation da	ays
		d=:1			_	
		daily weekly				
		monthly				
		quarterly	Х		Violation Base	Penalty \$750
		semiannual				
		annual single event				
	One quarterly	v event is recomme	nded, calculated fro	m the Septem	ber 1, 2021 investigation	on date
		•	November 10, 202	•		
Good F	aith Efforts to Com		0.0%			eduction \$0
			NOE/NOV NOE/NOV	to EDPRP/Settleme	ent Offer <mark>1</mark>	
		Extraordinary				
		Ordinary N/A	X		J	
			•		16.01	
		Notes		not meet the g his violation.	ood faith criteria for	
				ins violation.		
					Violation S	Subtotal \$750
Econon	nic Benefit (EB) for	this violation			Statutory Limit	Test
	Estimate	ed EB Amount	₆ ር	39 ·	Violation Final Penal	ty Total \$1,440
	Estillati	Ca ED AMOUNT				
			This violation Fire	al Assessed F	Penalty (adjusted for	flimits) \$1,440

	E	conomic	Benefit	Woi	rksheet		
Respondent	CSWR-Texas I	CSWR-Texas Utility Operating Company, LLC (Laguna Vista Subdivision)					
Case ID No.	61560				ŕ		
Reg. Ent. Reference No.	RN101276806)					
Media	Public Water 9					Percent Interest	Years of
Violation No.	3					r creene interese	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	1-Sep-2021	17-Mar-2023	1.54	\$26	\$513	\$539
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a	\$0 \$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	connec	tion, calculated fro	om the date of t	he inve	stigation to the es	apacity of at least 0. timated date of com	ppliance.
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel		<u> </u>		0.00	\$0 \$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$539

	Screening Date		Docket No. 2021-1483-PWS-E	PCW
	Respondent	CSWR-Texas Ut	cility Operating Company, LLC (Laguna Vista Subdivision)	Delice Devision 5 (January 20, 2021)
	Case ID No.			Policy Revision 5 (January 28, 2021)
Dog				PCW Revision February 11, 2021
Reg.	Ent. Reference No.		and a	
		Public Water Su	• • •	
	Enf. Coordinator Violation Number			
	Rule Cite(s)			
	nuic che(s)		30 Tex. Admin. Code §§ 290.43(e) and 290.42(m)	
		Failed to provid	le an intruder-resistant fence around all potable water stora	g <mark>e tanks</mark>
			er treatment plant and related appurtenances that remains	
			of darkness and when the Facility is unattended, or a locked	
	Violation Description		nce line which may satisfy this requirement or serve as a gat sections of boards were missing from the fence surrounding	
			storage tanks and Water Treatment Plant No. 1. Additiona	
		-	bed wire on the fence surrounding the potable water storage	
			and Water Treatment Plant No. 1 were very loose.	
				P 11
			Base	Penalty \$5,000
>> Env	ironmental, Prope	rtv and Hum	an Health Matrix	
		,	Harm	
0.0	Release		Moderate Minor	
OR	Actual		Parant 45 000	
	Potential		X Percent 15.0%	
>>Pro	grammatic Matrix			
, , , , ,	Falsification	Major	Moderate Minor	
			Percent 0.0%	
	Matrix		ble water storage tanks and water treatment plant could res	
	Notes contamin		ities by trespassers exposing persons served by the Facility	
	Significant a	imount of contain	ninants which would not exceed levels protective of human h	leaith.
			Adjustment	\$4,250
				\$750
Violatio	on Events			
Violatio	on Events			
Violatio		Violation Events		\$750
Violatio		-		\$750
Violatio		daily		\$750
Violatio		daily weekly		\$750
Violatio		daily weekly monthly	1 51 Number of violation d	\$750 ays
Violatio		daily weekly	1 51 Number of violation d	\$750 ays
Violatio		daily weekly monthly quarterly semiannual annual	1 51 Number of violation d	\$750 ays
Violatio		daily weekly monthly quarterly semiannual	1 51 Number of violation d	\$750 ays
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event	1 51 Number of violation d	\$750 ays Penalty \$750
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event	1 51 Number of violation d X Violation Base mended, calculated from the September 1, 2021 investigati	\$750 ays Penalty \$750
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event	1 51 Number of violation d	\$750 ays Penalty \$750
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to	1 51 Number of violation de September 1, 2021 investigation the October 22, 2021 compliance date.	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to	1 51 Number of violation d X Violation Base mended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date.	\$750 ays Penalty \$750
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to	1 51 Number of violation de September 1, 2021 investigation the October 22, 2021 compliance date.	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to	1 51 Number of violation d X Violation Base mended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date. 25.0% efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to apply Extraordinary Ordinary	1 51 Number of violation d X Violation Base mended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date.	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to	1 51 Number of violation downward of violation downward violation Base Wiolation Base Immended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date. 25.0% efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer X	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to apply Extraordinary Ordinary	1 51 Number of violation d Violation Base mended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date. 25.0% efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer x The Respondent achieved compliance on October 22,	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to ply Extraordinary Ordinary N/A	1 51 Number of violation downward of violation downward violation Base Wiolation Base Immended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date. 25.0% efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer X	\$750 ays Penalty \$750 on date
	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to ply Extraordinary Ordinary N/A	1 51 Number of violation d Violation Base mended, calculated from the September 1, 2021 investigation the October 22, 2021 compliance date. 25.0% efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer x The Respondent achieved compliance on October 22,	\$750 ays Penalty \$750 on date eduction \$187
Good F	One quarterl	daily weekly monthly quarterly semiannual annual single event y event is recom to apply Extraordinary Ordinary N/A Notes	The Respondent achieved compliance on October 22, 2021. Violation S Number of violation description of violation description of violation description descriptio	\$750 ays Penalty \$750 on date eduction \$187
Good F	Number of \	daily weekly monthly quarterly semiannual annual single event y event is recom to apply Extraordinary Ordinary N/A Notes	Violation Base The Respondent achieved compliance on October 22, 2021. Violation Statutory Limit	\$750 ays Penalty \$750 on date eduction \$187
Good F	One quarterl Taith Efforts to Com	daily weekly monthly quarterly semiannual annual single event y event is recom to apply Extraordinary Ordinary N/A Notes	The Respondent achieved compliance on October 22, 2021. Violation S Number of violation description of violation description of violation description descriptio	\$750 ays Penalty \$750 on date eduction \$187

	E	conomic	Benefit	Woi	rksheet		
The state of the s		Utility Operating C	ompany, LLC (L	.aguna \	Vista Subdivision)		
Case ID No.							
Reg. Ent. Reference No.	RN101276806	j					
Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation
310100011101						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
•							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	1-Sep-2021	22-Oct-2021	0.14	\$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 Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	The delayed cost includes the estimated amount to repair the intruder-resistant fencing surrounding the potable water storage tanks and Water Treatment Plant No. 1, calculated from the investigation date to the date of compliance.						
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Notes for AVOIDED costs		<u>"</u>		<u> 0.00</u>	1 \$0	3 0	\$0
Approx. Cost of Compliance		\$1,000			TOTAL		\$9

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 CN605844786, RN101275451, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, CN605844786, CSWR-TEXAS UTILITY Classification: SATISFACTORY Rating: 26.32

or Owner/Operator: OPERATING COMPANY, LLC

Regulated Entity: RN101275451, LAGUNA TRES Classification: NOT APPLICABLE Rating: N/A

SUBDIVISION WATER SYSTEM

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

CH Group: 14 - Other

Location: 116 Granada Calle Street near Granbury, Hood County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION WATER LICENSING LICENSE 1110019

1110019

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: Amanda Conner Phone: (512) 239-2521

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?YES2) Has there been a (known) change in ownership/operator of the site during the compliance period?NO

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

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

N/A

F. Environmental audits:

Notice of Intent Date: 01/19/2021 (1710315)

Disclosure Date: 02/12/2021 Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failed to secure the well.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(1)

Description: Failed to ensure a tank tag.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m) Description: Failed to prevent debris in the pump room.

Viol. Classification: Moderate

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

Description: Failed to prevent exposed wires outside the pump room.

Viol. Classification: Moderate

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

Description: Failed to prevent debris in well sites.

Disclosure Date: 07/20/2021 Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(B)

30 TAC Chapter 290, SubChapter D 290.47(f)

Description: Failed to establish an adequate cross-connection prevention program denoting appropriate backflow

prevention devices and testing requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(i) Description: Failed to establish a retail service agreement.

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

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 CN605844786, RN101276806, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Classification: SATISFACTORY

Rating: 26.32

Rating: N/A

Customer, Respondent, CN605844786, CSWR-TEXAS UTILITY

or Owner/Operator: OPERATING COMPANY, LLC

Regulated Entity: RN101276806, LAGUNA VISTA Classification: NOT APPLICABLE

SUBDIVISION

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

CH Group: 14 - Other

Location: 402 Agua Vista Drive near Granbury, Hood County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

1110095

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: Amanda Conner Phone: (512) 239-2521

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? CSWR-TEXAS UTILITY OPERATING COMPANY, LLC OWNER since 4/20/2021

4) Who was/were the prior owner(s)/operator(s)? Laguna Vista, Limited, OWNER, 3/3/2016 to 4/19/2021

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

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

Effective Date: 08/22/2017 ADMINORDER 2017-0476-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)

30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failure to provide a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution

system under normal operating conditions.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter D 290.46(q)(2)

Description: Failure to issue a boil water notification to the customers of the Facility within 24 hours of a low pressure event or water outage using the prescribed format in 30 Tex. Admin. Code § 290.47(c).

2 Effective Date: 02/19/2019 ADMINORDER 2017-1645-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

Description: Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") of free chlorine

throughout the distribution system at all times.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(A)

Description: Failed to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists, as identified in 30 TEX. ADMIN. CODE § 290.47(f).

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)

Rqmt Prov: Provision 2.c.i ORDER

Description: Failed to receive an approval from the Executive Director prior to making any significant change to addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities, and comply with a Commission Order (Agreed Order 2016-0400-PWS-E effective on September 20, 2016) Ordering Provision 2.c.i.

Classification: Major

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

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

Rqmt Prov: Ordering Provision 2.c.i.i. ORDER

Description: Failure to provide a well capacity of 0.6 gallons per minute (gpm) per connection and comply with a Commission Order (Agreed Order 2016-0400-PWS-E effective on September 20, 2016) Ordering Provision 2.c.i.i.

3 Effective Date: 06/18/2019 ADMINORDER 2018-0845-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

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

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. Specifically, on April 17, 2018, a free chlorine residual of 0.0 mg/L was measured at 606 Monterrey Court.

Classification: Minor

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

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment. Specifically, the intruder-resistant fence at the remote well and at the pump station were broken, a pile of trash was at the pump station, and the cover for the overflow pipe was not properly installed.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)

Description: Failed to properly cover the hypochlorination solution container to protect it from dust, insects, and other

contaminants.

4 Effective Date: 04/27/2020 ADMINORDER 2018-1291-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)

30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failed to provide a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions and 20 psi during emergencies such as fire fighting. Specifically, during the investigation between June 28, 2018 and August 3, 2018, a pressure recorder located on the distribution line along Bonita Court documented that the pressure dropped below 20 psi.

Classification: Moderate

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

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

Description: Failed to institute special precautions, protective measures, and boil water notices in the event of low distribution pressures (below 20 psi), water outages, microbiological samples found to contain Escherichia coli (E. coli) (or other approved fecal indicator), failure to maintain adequate disinfectant residuals, elevated finished water turbidity levels, or other conditions which indicate that the potability of the drinking water supply has been compromised. Specifically, a pressure recorder.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 4	February 27, 2018	(1467454)
Item 6	June 08, 2018	(1486452)
Item 8	July 11, 2018	(1499053)
Item 10	December 12, 2018	(1532032)

Item 14 October 24, 2019 (1596897) Item 15 May 19, 2021 (1722466)

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.

N/A

F. Environmental audits:

Notice of Intent Date: 01/19/2021 (1710319)

Disclosure Date: 02/12/2021 Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41

Description: Failed to ensure wells are secured.

Viol. Classification: Moderate

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

Description: Failure to prevent debris in well sites.

Disclosure Date: 07/20/2021 Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(B)

30 TAC Chapter 290, SubChapter D 290.47(f)

Description: Failed to establish an adequate cross-connection prevention program denoting appropriate backflow

prevention devices and testing requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(i) Description: Failed to establish a retail service agreement.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CSWR-TEXAS UTILITY	§	TEXAS COMMISSION ON
OPERATING COMPANY, LLC	§	
RN101275451 AND RN101276806	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1483-PWS-E

I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TO	CEQ") considered this agreement of the parties, resolving an enforcement
action regarding CS	WR-Texas Utility Operating Company, LLC (the "Respondent") under the
authority of TEX. HI	EALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through
the Enforcement Di	vision, and the Respondent together stipulate that:

- 1. The Respondent owns and operates public water supplies that provide water for human consumption, have approximately 226 and 227 connections respectively, and serve at least 25 people per day for at least 60 days per year at the following locations (the "Facilities"):
 - a. Laguna Tres Subdivision Water System located at 116 Granada Calle Street near Granbury, Hood County, Texas ("Facility No. 1"); and
 - b. Laguna Vista Subdivision located at 402 Aqua Vista Drive near Granbury, Hood County, Texas ("Facility No. 2").

As such, each Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).

- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code § 7.002 and Tex. Health & Safety Code § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 and Tex. Health & Safety Code § 341.031 because it alleges violations of Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- 4. An administrative penalty in the amount of \$19,316 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,454 of the penalty and \$3,862 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. 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.
- 9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facilities:
 - a. By replacing the well meter display for Well No. 6 at Facility No. 1 by October 22, 2021; and
 - b. By replacing the missing boards and tightening the barbed wire on the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1 at Facility No. 2 by October 22, 2021.

II. ALLEGATIONS

- 1. During an investigation conducted on September 1, 2021 at Facility No. 1, an investigator documented that the Respondent:
 - a. Failed to provide a minimum pressure tank capacity of 20 gallons per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c). Specifically, Facility No. 1 had 226 connections requiring a pressure tank capacity of 4,520 gallons. However, no pressure tank capacity was provided, indicating a 100% deficiency.

- b. Failed to maintain at the public water system accurate and up-to-date detailed as-built plans or records 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).
- c. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(6). Specifically, the well meter display for Well No. 6 was not registering water flowing through the meter.
- 2. During an investigation conducted on September 1, 2021 at Facility No. 2, an investigator documented that the Respondent:
 - a. Failed to provide a minimum pressure tank capacity of 20 gallons per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c). Specifically, Facility No. 2 had 227 connections requiring a pressure tank capacity of 4,540 gallons. However, no pressure tank capacity was provided, indicating a 100% deficiency.
 - b. Failed to maintain at the public water system accurate and up-to-date detailed as-built plans or records 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).
 - c. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(i) and Tex. Health & Safety Code § 341.0315(c). Specifically, Facility No. 2 had 227 connections requiring a well capacity of 136 gpm. However, only 116 gpm of well capacity was provided, indicating a 15% deficiency.
 - d. Failed to provide an intruder-resistant fence around all potable water storage tanks and each water treatment plant and related appurtenances that remains locked during periods of darkness and when the Facility is unattended, or a locked building in the fence line which may satisfy this requirement or serve as a gate, in violation of 30 Tex. Admin. Code §§ 290.43(e) and 290.42(m). Specifically, sections of boards were missing from the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1. Additionally, the strands of barbed wire on the fence surrounding the potable water storage tanks and Water Treatment Plant No. 1 were very loose.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: CSWR-Texas Utility Operating Company, LLC, Docket No. 2021-1483-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements at Facility No. 1:
 - a. Within 90 days after the effective date of this Order, 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.
 - b. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 180 days after the effective date of this Order, provide a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45.
 - d. Within 195 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 3. The Respondent shall undertake the following technical requirements at Facility No. 2:
 - a. Within 90 days after the effective date of this Order, 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.
 - b. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d above, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a.
 - c. Within 180 days after the effective date of this Order:
 - i. Provide a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45; and
 - ii. Provide a well capacity of at least 0.6 gpm per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45.
 - d. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d above, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c.i and 3.c.ii.
- 4. All relief not expressly granted in this Order is denied.
- 5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 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 the Respondent

CSWR-Texas Utility Operating Company, LLC DOCKET NO. 2021-1483-PWS-E Page 6

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Cunt	3/10/2023
For the Executive Director	Date
I, the undersigned, have read and understand the the attached Order, and I do agree to the terms and acknowledge that the TCEQ, in accepting payment on such representation.	d conditions specified therein. I further
I also understand that failure to comply with the C and/or failure to timely pay the penalty amount, n	
 A negative impact on compliance history; Greater scrutiny of any permit applications s Referral of this case to the Attorney General's additional penalties, and/or attorney fees, or Increased penalties in any future enforcement Automatic referral to the Attorney General's TCEQ seeking other relief as authorized by later 	s Office for contempt, injunctive relief, to a collection agency; nt actions; Office of any future enforcement actions; and
In addition, any falsification of any compliance do	cuments may result in criminal prosecution.
Josiah Cox (Jan 26, 2023 08:42 CST)	Jan 26, 2023
Signature	Date
Josiah Cox	President
Name (Printed or typed) Authorized Representative of CSWR-Texas Utility Operating Company, LLC	Title

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