# Executive Summary – Enforcement Matter – Case No. 61599 Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water RN101439875

#### Docket No. 2021-1526-PWS-E

Order Type:

1660 Agreed Order

**Findings Order Justification:** 

N/A

Media:

PWS

**Small Business:** 

Yes

Location(s) Where Violation(s) Occurred:

EJ Water, located 0.3 mile south of Texas State Highway 31 and Shell Road near

Gladewater, Gladewate, Gregg County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** December 22, 2023

Comments Received: No

**Penalty Information** 

**Total Penalty Assessed:** \$11,024

Amount Deferred for Expedited Settlement: \$2,204

**Total Paid to General Revenue:** \$245 **Total Due to General Revenue:** \$8,575

Payment Plan: 35 payments of \$245 each

**Compliance History Classifications:** 

CN603579921

Person/CN - N/A

Site/RN - N/A

CN604164756

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

**Statutory Limit Adjustment:** \$145

**Applicable Penalty Policy:** January 2021

**Investigation Information** 

Complaint Date(s): N/A

**Complaint Information:** N/A

Date(s) of Investigation: September 22, 2021 through September 23, 2021

Date(s) of NOE(s): November 18, 2021

### **Violation Information**

- 1. Failed to locate the Facility's well at least 150 feet away from septic tank perforated drainfields, areas irrigated by low dosage, low angle spray on-site sewage facilities, absorption beds, evapotranspiration beds, improperly constructed water wells, or underground petroleum and chemical storage tanks or liquid transmission pipelines. Specifically, Well No. 2 at the Shell Plant was approximately 45 feet from a sewer main where sewage from the adjacent mobile homes is collected for transferring to the city sewer main [30 Tex. Admin. Code § 290.41(c)(1)(A)].
- 2. Failed to provide a full-face self-contained breathing apparatus ("SCBA") or supplied air respirator that meets Occupational Safety and Health Administration ("OSHA") standards that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency [30 Tex. ADMIN. CODE § 290.42(e)(4)(A)].
- 3. Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use. Specifically, the Respondents did not have any chlorine scales [30 Tex. Admin. Code § 290.42(e)(3)(D)].
- 4. Failed to maintain a minimum disinfectant residual of 0.2 milligram per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, free chlorine residual concentrations of 0.03 mg/L were measured on School Road and at the Garcia Plant Entry Point [30 Tex. Admin. Code §§ 290.46(d)(2)(A) and 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c)].
- 5. Failed to provide the wells with a concrete sealing block that extends a minimum of three feet from the exterior well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inch per foot. Specifically, the concrete sealing block on Well No. 2 did not extend three feet in all directions around the well casing and had several cracks [30 Tex. ADMIN. CODE § 290.41(c)(3)(J)].
- 6. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the Hill Plant, the chlorine building was dilapidated, the fence barbed wire was loose, the coating on the pressure tank was chipping and peeling off, the pump building was flooded and had standing water under it, and the out of service storage tank was holding water. Additionally, the pump houses at the Shell Plant and the Garcia Plant had numerous wasp nests and the out of service elevated tank at the Shell Plant was overgrown in vegetation [30 Tex. Additionally. Code § 290.46(m)].
- 7. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed. Specifically, there were no vents for the chlorine room at the Hill Plant [30 Tex. Admin. Code § 290.42(e)(4)(C)].

- 8. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days. Specifically, on several occasions, samples were collected every 8 or 9 days. In addition, the disinfectant residual at the Garcia Pressure Plane was not being monitored [30 Tex. ADMIN. CODE § 290.110(c)(4)(A)].
- 9. Failed to conduct an inspection of the interior of the Facility's pressure tank with an inspection port at least once every five years [30 Tex. ADMIN. CODE § 290.46(m)(1)(B)].
- 10. Failed to provide a well blow-off line that terminates in a downward direction and at a point which will not be submerged by flood waters. Specifically, the blow-off line at Well No. 2 did not terminate in a downward direction [30 Tex. ADMIN. CODE § 290.41(c)(3)(L)].
- 11. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition. Specifically, the header for the service pump at the Hill Plant was leaking [30 Tex. ADMIN. CODE § 290.46(m)(4)].
- 12. Failed to seal the wellhead by a gasket or sealing compound. Specifically, the Shell Plant well casing metal plate had been sealed with silicone previously but had degraded over time leaving a gap [30 Tex. ADMIN. CODE § 290.41(c)(3)(K)].
- 13. Failed to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection. Specifically, the Shell Plant Pressure Plane had 119 connections requiring a pressure tank capacity of 2,380 gallons. However, only 20 gallons of pressure tank capacity were provided, indicating a 99% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c)].
- 14. 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, Online Pool Shock, Liquid Chlorinating Chemical for Swimming Pools was used for disinfection at the Garcia Plant, which does not conform to ANSI/NSF Standard 60 [30 Tex. ADMIN. CODE § 290.42(j)].
- 15. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection at each pump station or pressure plane. Specifically, the Hill Plant only had one service pump [30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(iii) and Tex. Health & Safety Code § 341.0315(c)].
- 16. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, records of the amount of each chemical used each week, a daily record or a monthly summary of the work performed and the number of hours worked by each of the part-

time operators, and maintenance records for the water system equipment and facilities, were not maintained on-site for review [30 Tex. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(vi), and (f)(3)(A)(vii)].

- 17. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements. Specifically, the monitoring plan lacked information on entry point sampling and triggered source water monitoring [30 Tex. Admin. Code § 290.121(a) and (b)].
- 18. 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)].
- 19. Failed to calibrate the Facility's well meter at least once every three years [30 Tex. Admin. Code § 290.46(s)(1)].
- 20. Failed to maintain at the public water system accurate and up-to-date detailed asbuilt 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)].

#### Corrective Actions/Technical Requirements

#### **Corrective Action(s) Completed:**

The Respondents implemented the following corrected measures:

- a. By maintaining a disinfectant residual concentration of at least 0.2 mg/L free chlorine throughout the distribution system by September 23, 2021;
- b. By providing a concrete sealing block around the Facility's Well No. 2 that extends a minimum of three feet from the exterior well casing in all directions and has a thickness of six inches and sealing the cracks on the sealing block by January 5, 2022;
- c. By sealing the Shell Plant's well casing by January 10, 2022;
- d. By installing the well blow-off line on Well No. 2 by January 10, 2022;
- e. By calibrating the Facility's well meters by September 6, 2022;
- f. By providing high level and floor level screened vents for all rooms where chlorine gas is fed by September 6, 2022;

- g. By compiling and maintaining properly completed water works operation and maintenance records, including but not limited to a daily record or a monthly summary of the work performed, and the number of hours worked by each of the part-time operators, and maintenance records for the water system equipment and facilities by September 13, 2022;
- h. By providing an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies by September 13, 2022;
- i. By providing accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank by September 13, 2022;
- j. By maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to repairing the service pump header leak at the Hill Plant by September 19, 2022;
- k. By initiating maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the wasp nests at the pump houses for the Shell Plant and the Garcia Plant by September 19, 2022;
- l. By providing facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use by September 20, 2022;
- m By refurbishing and repainting the pressure tank by October 18, 2022; and
- n. By maintaining 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 by January 3, 2023.

# **Technical Requirements:**

The Order will require the Respondents to:

- a. Within 30 days:
- i. Provide a full-face SCBA or supplied air respirator that meets OSHA standards and is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency;
- ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each week:

- iii. Monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days;
- iv. Conduct an inspection of the interior of the Facility's pressure tank;
- v. Begin using a disinfectant that is ANSI/NSF Standard 60 certified; and
- vi. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing the dilapidated chlorine building at the Hill Plant, repairing the loose barbed wire on the fence at the Hill Plant, remove the water at the pump building at the Hill Plant, remove the water from the out of service storage tank at the Hill Plant, remove the overgrown vegetation from the out of service elevated tank at the Shell Plant.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 180 days:
- i. Provide an elevated storage capacity of at least 100 gallons per connection or a pressure tank capacity of at least 20 gallons per connection;
- ii. Provide two or more service pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane; and
- iii. Ensure that no well is located within 150 feet of a septic tank perforated drainfield or obtain Commission approval of an exception to the setback requirements.
- d. Within 195 days, submit written certification to demonstrate compliance with c.

### **Contact Information**

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Epifanio Villarreal, Enforcement Division,

Enforcement Team 4, MC R-14, (361) 881-6991; Michael Parrish, Enforcement Division,

MC 219, (512) 239-2548

**Respondent:** David Michael Chandler, Owner, EJ Water, P.O. Box 9909, Longview,

Texas 75608

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



# Penalty Calculation Worksheet (PCW)

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

Assigned 22-Nov-2021 PCW 23-Nov-2021 **DATES** 

Multi-Media

**PAYABLE PENALTY** 

Screening 23-Nov-2021

EPA Due

Enf. Coordinator Epifanio Villarreal

EC's Team Enforcement Team 8

\$8,420

RESPONDENT/FACILITY INFORMATION												
Respondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No.1)												
Reg. Ent. Ref. No. RN101439875												
Facility/Site Region	5-Tyler	Major/Minor Source	Minor									
CASE INFORMATION												
Enf./Case ID No.	61599	No. of Violations	15									
	2021-1526-PWS-E	Order Type	1660									
Media Program(s)	Public Water Supply	Government/Non-Profit	No									
				1								

Admin. Penalty \$	Limit Minimum	\$50 <b>Max</b>	rimum	\$5,000	EC 3 Team	Lillorcement real	11 0
		Penalty (	Calcula	tion Section	on		
TOTAL BASE PENA	ALTY (Sum of	violation bas	e penali	ties)		Subtotal 1	\$10,600
ADJUSTMENTS (+	/-) TO SUBTO	OTAL 1	,_ , , , , ,				
Compliance H	, , ,	g the Total Base Penalt	0.0%	) by the indicated p Adjustment		tals 2, 3, & 7	\$0
Notes							
Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
Notes	The Ro	espondents do not	meet the	culpability crite	ria.		
Good Faith Eff	ort to Comply T	otal Adjustment	s			Subtotal 5	-\$127
Economic Ben	efit Total EB Amounts	\$10,470		Enhancement* d at the Total EB \$ /	Amount	Subtotal 6	\$0
Estimated	d Cost of Compliance	\$41,977	Саррск	a at the rotal LD \$7	Amount		
SUM OF SUBTOTA	LS 1-7				F	Final Subtotal	\$10,473
OTHER EACTORS	AC IUCTICE A	AAV DEOLITDE		0.5%		A discotor and	\$51
Reduces or enhances the Final				0.5%		Adjustment	<b>\$51</b>
Notes	Enhancement to	capture the avoid Violation	ded cost of Nos. 8 and	•	sociated with		
					Final Per	nalty Amount	\$10,524
STATUTORY LIMI	T ADJUSTMEI	TV			Final Asse	essed Penalty	\$10,524
DEFERRAL				20.0%	Reduction	Adjustment	-\$2,104
Reduces the Final Assessed P	enalty by the indicate	d percentage.				1	
Notes	I	Deferral offered fo	r expedited	d settlement.			

**PCW** 

**Respondent** Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ

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

**Case ID No.** 61599

Reg. Ent. Reference No. RN101439875

**Media** Public Water Supply

Enf. Coordinator Epifanio Villarreal

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2)												
>> (	Compliance Hist Component	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%								
		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%								
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%								
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%								
	Emissions	Chronic excessive emissions events (number of events)	0	0%								
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%								
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)		0%								
		Environmental management systems in place for one year or more	No	0%								
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%								
	Other	Participation in a voluntary pollution reduction program	No	0%								
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%								
		Adjustment Pe	rcentage (Sub	ototal 2)	0%							
>> F	Repeat Violator	(Subtotal 3)										
	N/A	Adjustment Pe	rcentage (Sub	ototal 3)	0%							
>> (	Compliance Hist	ory Person Classification (Subtotal 7)										
	Unclass	ified Adjustment Pe	rcentage (Sub	ototal 7)	0%							
>> (	Compliance Hist	ory Summary										
	Compliance History Notes	No adjustment for compliance history.										
<del>-</del> -		Total Compliance History Adjustment Percentage (	Subtotals 2,	3, & 7)	0%							
>> Fi	nai Compliance	History Adjustment Final Adjustment Percent	tage *canned	at 100%	0%							
		rınai Aujustinent Percent	age capped	at 100%	U 7/0							

Rea		23-Nov-2021	<b>Docket No.</b> 2021-1526-PWS-E	PCW
Rea	Pacnandant	Heritage Acres, LLC Water (PCW No.1)	C dba EJ Water and David Michael Chandler dba EJ	in. Davisian F (January 20, 2021)
Rea	Case ID No.			cy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
ILCU.	Ent. Reference No.			Tew Revision rebruary 11, 2021
		Public Water Supply	V	
	<b>Enf. Coordinator</b>		,	
	<b>Violation Number</b>	1		
	Rule Cite(s)			
			30 Tex. Admin. Code § 290.41(c)(1)(A)	
	Violation Description	perforated drainf sewage faciliti constructed water v liquid transmiss approximately 45 fe	e the Facility's well at least 150 feet away from septic tank fields, areas irrigated by low dosage, low angle spray on-site cies, absorption beds, evapotranspiration beds, improperly wells, or underground petroleum and chemical storage tanks sion pipelines. Specifically, Well No. 2 at the Shell Plant was feet from a sewer main where sewage from the adjacent mobile is collected for transferring to the city sewer main.	or
			Base Penal	<b>ty</b> \$5,000
			Hackle Matrice	
>> En	vironmental, Prope		Health Matrix Harm	
	Release		oderate Minor	
OR	Actual			
	Potential		x Percent 5.0%	
>>Pro	grammatic Matrix Falsification	Major Mo	oderate Minor	
	1 disilication	Major Mc	Percent 0.0%	
	<u> </u>		1 0.070	
	Matrix		east 150 feet from unsanitary surroundings could result in	
	NOTAC		uply and expose persons served by the Facility to a significant would not exceed levels that are protective of human health.	
	amount or c	oncarrinance writer	Would not exceed levels that are protective or naman nearth	
			Adjustment \$4,7	501
				50
				\$250
Violati	on Events			
Violati		(iolotion Events	Number of violation days	
Violati		/iolation Events	1 62 Number of violation days	
Violati		_	1 62 Number of violation days	
Violati		/iolation Events daily weekly	1 62 Number of violation days	
Violati		daily	1 62 Number of violation days	
Violati		daily weekly monthly quarterly	1 62 Number of violation days  Violation Base Penal	\$250
Violati		daily weekly monthly quarterly semiannual		\$250
Violati		daily weekly monthly quarterly semiannual annual		\$250
Violati		daily weekly monthly quarterly semiannual		\$250
Violati	Number of \	daily weekly monthly quarterly semiannual annual single event	X Violation Base Penal	\$250
Violati	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen	Violation Base Penal	\$250
Violati	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen	X Violation Base Penal	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t	Violation Base Penal  Note: The control of the investigation, September the date of screening, November 23, 2021.	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t	Violation Base Penal  Note: A calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0%  Reduction	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t	Violation Base Penal  Note: The control of the investigation, September the date of screening, November 23, 2021.	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Before Extraordinary	Violation Base Penal  Note: A calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0%  Reduction	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t	Violation Base Penal  Note: A calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0%  Reduction	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A	violation Base Penal  nded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  0.0%  Reduction  NOE/NOV NOE/NOV to EDPRP/Settlement Offer	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A	Violation Base Penal  Inded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0%  Reduction  NOE/NOV NOE/NOV to EDPRP/Settlement Offer  X  Respondents do not meet the good faith criteria for	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A The	violation Base Penal  nded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  0.0%  Reduction  NOE/NOV NOE/NOV to EDPRP/Settlement Offer	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A The	Violation Base Penal  nded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  0.0% Reduction NOE/NOV NOE/NOV to EDPRP/Settlement Offer  x Respondents do not meet the good faith criteria for this violation.	\$250
	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A The	Violation Base Penal  Inded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0%  Reduction  NOE/NOV NOE/NOV to EDPRP/Settlement Offer  X  Respondents do not meet the good faith criteria for	\$250
Good F	Number of \	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A Notes  The	Violation Base Penal  nded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  0.0% Reduction NOE/NOV NOE/NOV to EDPRP/Settlement Offer  x Respondents do not meet the good faith criteria for this violation.	\$250
Good F	One quarterly Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A Notes The	Violation Base Penal  Note: No	\$250
Good F	One quarterly Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event  y event is recommen 22, 2021, to t  ply  Extraordinary Ordinary N/A Notes  The	Violation Base Penal  Inded, calculated from the date of the investigation, September the date of screening, November 23, 2021.  O.0% Reduction NOE/NOV NOE/NOV to EDPRP/Settlement Offer  X Respondents do not meet the good faith criteria for this violation.  Violation Subtot	\$250

Economic Benefit Worksheet										
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)				
Case ID No.	61599									
Reg. Ent. Reference No.	RN101439875									
	Public Water S						Years of			
Violation No.						Percent Interest	Depreciation			
Violation Noi	-					5.0	15			
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount			
		Date Required	rinai Date	Yrs	Interest Saveu	Costs Saveu	EB Amount			
Item Description										
Delayed Costs	1	10		-						
Equipment				0.00	\$0	\$0	\$0			
Buildings	#2F 000	20 May 2010	1.0 2022	0.00	\$0	\$0	\$0			
Other (as needed)	\$25,000	28-Mar-2019	1-Sep-2023	4.43	\$369	\$7,388	\$7,757			
Engineering/Construction Land				0.00	\$0 \$0	\$0 n/a	\$0 \$0			
Record Keeping System				0.00	\$0 \$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		ne septic tank dra	infield or obtain	an exce		nsure it is located a from the date of the e of compliance.				
Avoided Costs	ANNU	ALIZE avoided o	osts before er	tering	item (except for	one-time avoided	l costs)			
Disposal				0.00	\$0	\$0	\$0			
Personnel				0.00	\$0	\$0	\$0			
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0			
Supplies/Equipment				0.00	\$0	\$0	\$0			
Financial Assurance				0.00	\$0	\$0	\$0			
ONE-TIME avoided costs				0.00	\$0	\$0	\$0			
Other (as needed)  Notes for AVOIDED costs		JL J		0.00	\$0	\$0	\$0			
Approx. Cost of Compliance		\$25,000			TOTAL		\$7,757			

	Economic Benefit Worksheet										
Respondent	Heritage Acres	s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)					
Case ID No.											
Reg. Ent. Reference No.	RN101439875	;									
Media Violation No.	Public Water S 2	Supply				Percent Interest	Years of Depreciation				
						5.0	15				
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount				
Item Description		•									
20011 2 00011 4 10011											
Delayed Costs											
Equipment	\$1,100	28-Mar-2019	1-Apr-2023	4.01	\$15	\$294	\$309				
Buildings	7 - 7 - 2 -			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	meets OSHA	standards and is	readily accessib	le outsi	de the chlorinator	BA or a supplied air room, calculated fro ated date of compli	m the date of				
Avoided Costs	ANNU	ALIZE avoided c	osts before er	ntering	item (except for	one-time avoided	l costs)				
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0				
Supplies/Equipment				0.00	\$0	\$0	\$0				
Financial Assurance				0.00	\$0	\$0	\$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Notes for AVOIDED costs											
Approx. Cost of Compliance		\$1,100			TOTAL		\$309				

	Screen	ing Date	23-Nov-2021		Doo	cket No.	2021-1526-	-PWS-E			PCW
	Por	nondont	Heritage Acres	, LLC dba EJ V	ater and Davi	id Michael C	Chandler dba	a EJ	Dell'err D		
	Cas	se ID No.	Water (PCW No	0.1)							anuary 28, 2021)
Rea			RN101439875						PCV	KEVISIOII F	ebruary 11, 2021
iteg.	Liiti Kerei		Public Water Su	ınnly							
	Enf. Cod		Epifanio Villarre								
		on Number	3	1							
	R	ule Cite(s)		30 Tox	. Admin. Code	s 200 42(4	o)(3)(D)				
				30 167	. Admin. Code	e g 290.42(t	e)(3)(D)				
	Violation [	Description	Failed to provi			use. Specific	cally, the Re				
								Base	Penalty		\$5,000
>> Em		al Drana	the and Hum	an Haalth	Matrix						
>> EIIV	viioiiiieiit	аі, Ріореі	rty and Hum	Harm	Matrix						
		Release	Major	Moderate	Minor						
OR		Actual					_				
		Potential		Х			Percent	5.0%			
>>Pro	grammati		NA	Madan	Mina						
	<u> </u>	alsification	Major	Moderate	Minor		Dawaamt [	0.00/			
	<u> </u>					l	Percent	0.0%			
	Matrix Notes	disinfectant	vide facilities for remaining for u mount of conta	ise could resul	t in persons se	erved by the ceed levels	e Facility be	ing expos	ed to a		
											+250
									1		\$250
Violatio	on Events										
Violati											
		Number of \	/iolation Events	1		62	Number of	violation d	ays		
			daily weekly monthly quarterly semiannual annual single event	X			Violat	tion Base	Penalty [		\$250
	0	no quartorly	event is recomi	mondod calcu	lated from the	date of the	n invoctigati	ion Sonto	mhor 22		
	Ŭ	ne quarterry		•	screening, No		_	on, septe	mber 22,		
Good F	aith Effor	ts to Com	nlv	0.0%				D	eduction		\$0
3034 1	CICII EIIOI	to com		Before NOE/NOV	NOE/NOV to ED	PRP/Settlemen	nt Offer		Caaction		70
			Extraordinary								
			Ordinary								
			N/A	Х							
			Notes		dents do not m this v	neet the goo violation.	od faith crite	eria for			
							V	/iolation	Subtotal		\$250
Econor	nic Benefi	t (EB) for	this violati	on		;	Statutor	y Limit	Test		
		Estimate	ed EB Amount		\$48	v	iolation Fi	nal Pena	ity Total		\$251
				This vio	lation Final A	Assessed P	enalty (ad	justed fo	r limits)		\$251

	Economic Benefit Worksheet										
Respondent Case ID No. Reg. Ent. Reference No.											
	Public Water S					Percent Interest	Years of Depreciation				
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Delayed Coate											
Delayed Costs Equipment	<u> </u>	1		0.00	\$0	\$0	\$0				
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Other (as needed)	\$200	28-Mar-2019	20-Sep-2022	3.48	\$0 \$2	\$0 \$46	\$48				
Engineering/Construction	\$200	20-1101-2019	20-3ep-2022	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	disinfectant	used daily and the investigation in	e amount of disin nitially document	fectant ing the	remanining for us	<u>'</u>	he date of the				
Avoided Costs	ANNU	ALIZE avoided C	osts before en			one-time avoided					
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0				
Notes for AVOIDED costs				0.00	<u>)</u>	Ψ0	30				
Approx. Cost of Compliance		\$200			TOTAL		\$48				

	Scree	ening Date				<b>cet No.</b> 2021-1526-PWS-E		PCW
	Re	espondent	Heritage Acres, Water (PCW No	, LLC dba EJ W	ater and David	Michael Chandler dba EJ	Policy Re	evision 5 (January 28, 2021)
	C	ase ID No.	61599	).1)				Revision February 11, 2021
Reg.	Ent. Refe	erence No.	RN101439875					
			Public Water Su	1 1 /				
			Epifanio Villarre	eal				
	Viola	tion Number Rule Cite(s)		:- C-d- E-2	00 46(4)(2)(4)	and 200 110(b)(4) and Tax	Lianible O	
		Rule Cite(S)	30 Tex. Adm		Safety Code § 3	and 290.110(b)(4) and Tex.	nealth &	
				<u> </u>	curety code 3 :	711.0313(c)		
			Failed to mainta	ain a minimum	n disinfectant re	esidual of 0.2 milligram per lit	er ("mg/L")	
	Violation	Description				system at all times. Specifi		
		•	chlorine residua		ons of 0.03 mg/ the Garcia Plant	L were measured on School	Road and at	
					ine Garcia Flanc	Littly Forner		
						Ва	se Penalty	\$5,000
>> En	vironmer	ital. Propei	rty and Hum	an Health	Matrix			
			c, and name	Harm				
OB		Release	Major	Moderate	Minor			
OR		Actual Potential		X		Percent 5.0%	<b>T</b>	
		roteritiai		Χ		<b>Fercent</b> 3.0%	<u>)</u>	
>>Pro	grammat	ic Matrix						
	lī.	Falsification	Major	Moderate	Minor	_	7	
	<u> </u>					Percent 0.0%	)	
	Matrix					ose persons served by the Fa		
	Notes	significant a	imount of contai	minants which	i would not exce	eed levels protective of huma	in neaith.	
							14.550	
						Adjustment	\$4,750	
								\$250
Violati	on Event	_						
Violati	on Event	3						
		Number of \	/iolation Events	1		1 Number of violation	n days	
			daily		Ī			
			daily weekly					
			monthly					
			quarterly	х		Violation Ba	se Penalty	\$250
			semiannual					
			annual					
			single event		l			
		One guarterly	avent is recomm	mandad salsu	lated from the	date of the investigation, Seg	tombor 22	
		One quarterly		•		otember 23, 2021.	itember 22,	
	Ц							
Good I	Faith Effo	rts to Com	ply	25.0%			Reduction	\$62
			В	sefore NOE/NOV	NOE/NOV to EDPF	RP/Settlement Offer		
			Extraordinary					
			Ordinary	X				
			N/A				1	
			Notes	The Respond		ompliance on September 23,	,	
					20	21.		
						Violatio	n Subtotal	\$188
								<b>ф100</b>
Econo	mic Bene	fit (EB) for	this violation	on		Statutory Lim	it Test	
		Estimate	ed EB Amount		\$12	<b>Violation Final Pe</b>	nalty Total	\$189
		Estimate	ed EB Amount			Violation Final Pe	-	\$189 \$189

	E	conomic	Benefit	ioW	rksheet		
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	er (PCW No.1)	
Case ID No.	61599						
Reg. Ent. Reference No.	RN101439875						
	Public Water S					Percent Interest	Years of Depreciation
Violation No.	4					F 0	-
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	28-Mar-2019		2.49	\$12	n/a	\$12
Notes for DELAYED costs	necessary re	pairs or adjustmene throughout the	ents to the Facili distribution sys	ty, and tem, ca	maintain a disinfed	se of non-compliance tant residual of at lest and residual of at lest and a lest a les	east 0.2 mg/L
Avoided Costs	ANNU	ALIZE avoided o	osts before er	terina	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		\$100			TOTAL		\$12

	E	conomic	Benefit	Wor	ksheet		
Respondent	Heritage Acres	, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)	
Case ID No.	61599					,	
Reg. Ent. Reference No.	RN101439875						
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
2.0.000						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Desemption							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$3,000	28-Mar-2019	5-Jan-2022	2.78	\$28	\$556	\$584
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a	\$0 \$0
Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0
Other (as needed)		<u> </u>		0.00	<b>3</b> 0	II/a	\$0
Notes for DELAYED costs	extends a min of six inches a	imum of three fee nd sloped to drair	et from the extended away from the	rior well wellhea	casing in all directed at not less than	with a concrete seali tions and has a mini 0.25 inch per foot, to the date of compl	mum thickness calculated from
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)  Notes for AVOIDED costs		<u>                                     </u>		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$3,000			TOTAL		\$584

	Economic Benefit Worksheet										
		s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)					
Case ID No.											
Reg. Ent. Reference No.											
	Public Water S	upply				<b>Percent Interest</b>	Years of				
Violation No.	6						Depreciation				
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Delayed Costs	<u> </u>	1 <del>1                                   </del>		7	1		1.0				
Equipment				0.00	\$0	\$0	\$0				
Buildings	\$500	22-Sep-2021	1-Apr-2023	0.00 1.52	\$0 \$3	\$0 \$51	<u>\$0</u> \$54				
Other (as needed) Engineering/Construction	\$500	22-Sep-2021	1-Apr-2023	0.00	\$3 \$0	\$51 \$0	\$54 \$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	water from t remove th	the out of service e wasp nests at the egetation from the	storage tank, and the pump houses are out of service and the service are services.	nd refur for the elevated	bish and repaint th Shell Plant and th	at the pump building ne pressure tank at e Garcia Plant, and Plant, calculated fro pliance.	the Hill Plant, remove the				
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l costs)				
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0				
Supplies/Equipment				0.00	\$0	\$0	\$0				
Financial Assurance				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		\$54				

	Scre	ening Date		U.C. 45 - 53 ···		cket No. 2021-152				PCW
	R	espondent	Heritage Acres, Water (PCW No	, LLC dba EJ W 5.1)	ater and Dav	id Michael Chandler d	iba EJ	Policy R	evision 5 (Ja	anuary 28, 2021)
	C	ase ID No.	61599	,. <b>.</b> ,						ebruary 11, 2021
Reg.	Ent. Ref		RN101439875							
	F 6 C		Public Water Su							
		oorainator	Epifanio Villarre	eal T						
	Viola	Rule Cite(s)	,	20 T	Advisor Cod	- 6 200 42(-)(4)(6)				
				30 Tex	. Admin. Code	e § 290.42(e)(4)(C)				
	Violatio	n Description	screened ve	ents for all end	losures in wh	which includes high le ich chlorine gas is be the chlorine room at	ing stored or	fed.		
							Base F	Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hum		Matrix					
		Release	Major	<b>Harm</b> Moderate	Minor					
OR		Actual	Мајог	Moderate	MILIOI					
		Potential	Х			Percent	15.0%			
_		·								
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor					
		Taisincation	Major	Moderate	MINO	Percent	0.0%			
	,			1						
	Matrix Notes	Failure to pro	vide ventilation		employees to e of human h	contaminants which nealth.	would exceed	l levels		
	,							+4.050		
						Adjustment		\$4,250		
								Ι		\$750
Violatio	on Event	·c								
Violatio	on Eveni	.5								
		Number of \	iolation Events/	3		62 Number o	of violation da	ys		
			daily							
			weekly							
			monthly	Х				_		
			quarterly			Viol	ation Base I	Penalty		\$2,250
			semiannual annual							
			single event							
	r									
		Three monthly				the date of the inverse November 23, 2021.	stigation, Sep	tember		
Good F	aith Eff	orts to Com	ply	0.0%			Re	duction		\$0
CCCU .					NOE/NOV to ED	PRP/Settlement Offer	110	duction		7-
			Extraordinary							
			Ordinary							
			N/A	X						
			Notes	The Respond		neet the good faith cr violation.	riteria for			
							Violation S	ubtotal		\$2,250
Econon	nic Bene	fit (EB) for	this violation	on		Statuto	ory Limit T	est		
		Estimate	ed EB Amount		\$241	Violation	Final Penalt	y Total		\$2,261
								-		
				i nis viol	ation Final A	Assessed Penalty (a	agusted for	ıımıts)		\$2,261

	E	conomic	Benefit	Woi	rksheet		
Respondent	Heritage Acres	s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)	
Case ID No.	61599						
Reg. Ent. Reference No.	RN101439875						
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment	\$1,000	28-Mar-2019	6-Sep-2022	3.45	\$11	\$230	\$241
Buildings	<b>417000</b>	20 110. 2013	0 00p 2022	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	chlorine ro	oom at the Hill Pla	nt, calculated fr violation to	om the the dat	date of the investi- te of compliance.	floor level screened gation initially docur	menting the
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)  Notes for AVOIDED costs				0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$1,000			TOTAL		\$241

	3016	ening Date				<b>cet No.</b> 2021-1526-PWS-E		PCW
	D	esnondent	Heritage Acres	s, LLC dba EJ W	ater and David	Michael Chandler dba EJ	Delieu De	isian F (Innuam, 20, 2021)
	C	ase ID No.	Water (PCW N	0.1)				evision 5 (January 28, 2021)
Peg			RN101439875				PCW	Revision February 11, 2021
Keg.	Liit. Kei		Public Water S					
	Enf C		Epifanio Villarr	,				
		tion Number		1				
	*1014	Rule Cite(s)	Ü	<u> </u>				
				30 Tex	. Admin. Code §	290.110(c)(4)(A)		
						representative locations throu	_	
	Violation	Description		•		seven days. Specifically, on se		
		-	·	•	•	or 9 days. In addition, the disignate was not being monitored.	nfectant	
			1651	dual off the Ga	icia riessule ri	arie was not being monitored.		
						Base	e Penalty	\$5,000
>> En	vironmer	ital, Propei	rty and Hun		Matrix			
		Release	Major	<b>Harm</b> Moderate	Minor			
OR		Actual	Major	Moderate	MINO			
O.X		Potential		X		Percent 5.0%		
		roteritiai		^		3.0 %		
>>Pro	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor			
						Percent 0.0%		
					•			
	Matrix					ve locations throughout the dis		
	Notes	system could				gnificant amount of contaminar	nts which	
			would	not exceed le	vels protective (	of human health.		
						A discolus and	#4.750	
						Adjustment	\$4,750	
								\$250
								·
Violati	on Event	S					_	
Violati	on Event		/islation Frants			Alumban of violation	da	·
Violati	on Event		/iolation Events	5 1		62 Number of violation of	days	·
Violati	on Event			1		62 Number of violation of	days	·
Violati	on Event		daily	1		62 Number of violation of	days	·
Violati	on Event			1		62 Number of violation of	days	·
Violati	on Event		daily weekly	x		Number of violation of Violation of Violation Base	, 	\$250
Violati	on Event		daily weekly monthly				, 	\$250
Violati	on Event		daily weekly monthly quarterly semiannual annual				, 	\$250
Violati	on Event		daily weekly monthly quarterly semiannual				, 	\$250
Violati	on Event		daily weekly monthly quarterly semiannual annual				, 	\$250
Violati	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	x x		Violation Base	e Penalty	\$250
Violati	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	x x		Violation Base	e Penalty	\$250
Violati	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	x x		Violation Base	e Penalty	\$250
		Number of \	daily weekly monthly quarterly semiannual annual single event event is recom 2021,	x x mended, calcu	screening, Nov	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	\$250
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,	x  mended, calcu to the date of  0.0%  Before NOE/NOV	screening, Nov	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event event is recom 2021,	x  mended, calcu to the date of  0.0%  Before NOE/NOV	screening, Nov	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary	x  mended, calcu to the date of  0.0%  Before NOE/NOV	screening, Nov	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary	x  mended, calcu to the date of  0.0%  Before NOE/NOV	screening, Nov	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x x mended, calcu to the date of  0.0% Before NOE/NOV  X The Response	NOE/NOV to EDPR	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary	x x mended, calcu to the date of  0.0% Before NOE/NOV  X The Response	NOE/NOV to EDPE	Violation Base date of the investigation, Septe ember 23, 2021.	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x x mended, calcu to the date of  0.0% Before NOE/NOV  X The Response	NOE/NOV to EDPE	Violation Base date of the investigation, Septe ember 23, 2021.  P/Settlement Offer  eet the good faith criteria for	e Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x x mended, calcu to the date of  0.0% Before NOE/NOV  X The Response	NOE/NOV to EDPE	Violation Base date of the investigation, September 23, 2021.  P/Settlement Offer det the good faith criteria for plation.	ember 22,	\$0
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x x mended, calcu to the date of  0.0% Before NOE/NOV  X The Response	NOE/NOV to EDPE	Violation Base date of the investigation, Septe ember 23, 2021.  P/Settlement Offer  eet the good faith criteria for	ember 22,	·
Good F	aith Effo	One quarterly	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x mended, calcu to the date of  0.0% Before NOE/NOV  X The Respond	NOE/NOV to EDPE	Violation Base date of the investigation, September 23, 2021.  P/Settlement Offer det the good faith criteria for plation.	ember 22, Reduction Subtotal	\$0
Good F	aith Effo	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A	x mended, calcu to the date of  0.0% Before NOE/NOV  x The Respond	NOE/NOV to EDPE	Violation Base date of the investigation, Septe ember 23, 2021.  P/Settlement Offer  Let the good faith criteria for lolation.  Violation	ember 22, Reduction Subtotal	\$0
Good F	aith Effo	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A  Notes	x mended, calcu to the date of  0.0% Before NOE/NOV  x The Respond	NOE/NOV to EDPF	Violation Base date of the investigation, Septe ember 23, 2021.  P/Settlement Offer et the good faith criteria for plation.  Violation  Statutory Limit Violation Final Pena	ember 22, Reduction Subtotal Test	\$250 \$251
Good F	aith Effo	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2021,  ply  Extraordinary Ordinary N/A  Notes	x mended, calcu to the date of  0.0% Before NOE/NOV  x The Respond	NOE/NOV to EDPF	Violation Base  date of the investigation, Septe ember 23, 2021.  P/Settlement Offer  eet the good faith criteria for plation.  Violation  Statutory Limit	ember 22, Reduction Subtotal Test	\$0

	E	conomic	Benefit	Wor	rksheet		
Respondent	Heritage Acres	s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	er (PCW No.1)	
Case ID No.							
Reg. Ent. Reference No.	RN101439875	, ,					
Media Violation No.	Public Water 9	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
•							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10	22-Sep-2021	1-Apr-2023	1.52	\$1	n/a	\$1
Notes for DELAYED costs					ate of the investig	tant residual at leas ation to the estimat	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$10	22-Sep-2021	23-Nov-2021	0.17	\$0	\$10	\$10
Notes for AVOIDED costs						ctant residual at least ation to the date of	•
Approx. Cost of Compliance		\$20			TOTAL		\$11

	Scree	ening Date	23-Nov-2021		Dock	et No. 2021-1526-PWS-E		PCW
	D	ocnondont	Heritage Acres,	LLC dba EJ W	ater and David N	Michael Chandler dba EJ	Dell'err D	
	C	ase ID No.	Water (PCW No	.1)				levision 5 (January 28, 2021) V Revision February 11, 2021
Rea			RN101439875				PCN	r Revision February 11, 2021
iteg.	Liici itoit		Public Water Su	ınnly				
	Enf. Co		Epifanio Villarre					
		tion Number		. <del></del> -				
		Rule Cite(s)	'	30 Tox	Admin Code S	290.46(m)(1)(B)		
				30 Tex.	. Aumin. Code g	290.40(11)(1)(0)		
	Violation	Description	Failed to condu	•		of the Facility's pressure to ce every five years.	ank with an	
						Ва	se Penalty	\$5,000
>> Env	/ironmer	ital, Propei	rty and Hum	an Health	Matrix			
				Harm				
OR		<b>Release</b> Actual	Major	Moderate	Minor			
OK		Potential	X			Percent 15.0%	J	
		rotential	^			15.0 %	<u> </u>	
>>Proc	grammat	tic Matrix						
_	_	Falsification	Major	Moderate	Minor		_	
						Percent 0.0%	)	
					•			•
	Matrix	Failure to insp	ect the interior	of the Facility's	s pressure tank	could result in non-detection	n of defects	
	Notes	resulting in a l				served by the Facility to co	ontaminants	
	110103		which w	ould exceed le	evels protective of	of human health.		
							+ 4 250	•
						Adjustment	\$4,250	
								\$750
Violatio	on Event	S						
		Number of \	/iolation Events	1		62 Number of violation	n dave	
		Number of v	riolation Events	1		Number of violation	i days	
			daily					
			weekly					
			monthly					
			quarterly			Violation Ba	se Penalty	\$750
			semiannual					
			annual					
			single event	Х				
	Ī							
				One single	event is recomm	ended.		
				_				
Good F	aith Effo	rts to Com		0.0%	NOE/NOV to EDPRP	/Sattlement Offer	Reduction	\$(
			Extraordinary	EIGIE NOE/NOV	NOE/NOV to EDPRP	/ Sectionient Offer		
			Ordinary					
			Ordinary N/A	Х				
			IN/A				7	
			Notes	The Respond		t the good faith criteria for		
			110103		this viol	ation.		
			<u>L</u>				<u>-1</u>	
						Violatio	n Subtotal	\$750
Econon	nic Bene	fit (EB) for	this violation	on		Statutory Lim	it Test	
		Estimate	ed EB Amount		\$44	Violation Final Pe	nalty Total	\$754
							-	
				This viol	ation Final Ass	essed Penalty (adjusted	for limits)	\$754

	E	conomic	Benefit	Wor	ksheet		
Respondent	Heritage Acres	s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)	
Case ID No.	61599						
Reg. Ent. Reference No.	RN101439875	, )					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$41	22-Sep-2021	1-Apr-2023	1.52	\$3	n/a	\$3
Notes for DELAYED costs	per tank x o	one tank), calculat	ed from the dat	e of the	investigation to th	surface of the press ne estimated date o	f compliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs		22.6 2021	22.11 2024	0.00	\$0	\$0	\$0
Other (as needed)	\$41	22-Sep-2021	23-Nov-2021	0.17	\$0	\$41	\$41
Notes for AVOIDED costs					•	surface of the press n to the date of scre	* '
Approx. Cost of Compliance		\$82			TOTAL		\$44

	Screeni	ng Date	23-Nov-2021		Do	ocket No	2021-1526	6-PWS-E			PCW
			Heritage Acres	, LLC dba EJ W	ater and Da	vid Michael	Chandler di	oa EJ			
			Water (PCW No	0.1)					Policy R	evision 5 (Ja	anuary 28, 2021)
	Case	e ID No.	61599						PCW	Revision F	ebruary 11, 2021
Reg.	<b>Ent. Refere</b>										
			Public Water S								
			Epifanio Villarro	eal							
		n Number	10								
	Ru	le Cite(s)		30 Tex	. Admin. Co	de § 290.4	1(c)(3)(L)				
	Walata Ba		Failed to provi								
	violation De	escription	a point which w	will not be subr Well No. 2 dic					off line at		
				Well No. 2 ulc	i noc termina	ate iii a dov	viiwaiu uiiec	Lioii.			
								Page	Penalty		\$5,000
								Dase	Penalty		\$5,000
>> Env	vironmenta	I, Propei	rty and Hun	nan Health	Matrix						
		,		Harm							
		Release	Major	Moderate	Minor	đ					
OR		Actual						2.22/			
		Potential			Х		Percent	3.0%			
>> Pro	grammatic	Matrix									
//PIU		Isification	Major	Moderate	Minor						
			aje.	rioderate		1	Percent	0.0%			
						1	_				
	Fai	ilure to pro	vide a blow-off	line discharge	openings tha	at terminat	es in a down	ward direc	tion may		
	Matrix		troduction of ar	n insignificant a	amount of co	ontaminants	s to the drin	king water			
	Notes		which wo	uld not exceed	l levels prote	ective of hu	man health.				
						A	djustment		\$4,850		
									Ī		\$150
									1		Ψ150
Violati	on Events										
							=				
	N	lumber of \	/iolation Events	1		62	Number of	f violation (	days		
			dailu		ı						
			daily weekly								
			monthly								
			quarterly				Viola	ation Base	Penalty		\$150
			semiannual						- 1		
			annual								
			single event	X							
				On a simala							
				One single	event is reco	illillellueu.					
Good F	aith Efforts	to Com	ply	10.0%				F	Reduction		\$15
			E	Before NOE/NOV	NOE/NOV to E	DPRP/Settlen	nent Offer				
			Extraordinary								
			Ordinary		>	X .					
			N/A								
				The Respon	dents achiev	ed complia	nce on Janu	arv 10.			
			Notes	2 20 5 3 11		2022.	2 5010	, ==,			
								Violation	Subtotal		\$135
											4100
Econor	mic Benefit	(EB) for	this violati	on			Statuto	ry Limit	Test		
		Estimate	ed EB Amount		\$1	]	Violation F	Final Pena	Ity Total		\$136
											·
				This vio	lation Final	Assessed	Penalty (a	djusted fo	or limits)		\$136

Economic Benefit Worksheet									
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)			
Case ID No.									
Reg. Ent. Reference No.	RN101439875								
Media Violation No.	Public Water 9	Supply				Percent Interest	Years of Depreciation		
						5.0	15		
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount		
Item Description									
Delayed Costs									
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)	\$50	22-Sep-2021	10-Jan-2022	0.30	\$0	\$1	\$1		
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	2 that tern	ninates in a down	vard direction, o	calculate complia	d from the date of ance.	line discharge open the investigation to	the date of		
Avoided Costs	ANNU	ALIZE avoided C	osts before er			one-time avoided			
Disposal Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0		
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0		
Supplies/Equipment				0.00	\$0 \$0	\$0 \$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				<u>  0.00</u>	1 40	Ψ0			
Approx. Cost of Compliance		\$50		-	TOTAL		\$1		

	Scre	ening Date				ket No. 2021-1526-P		PCW
	В	acnondont			later and Davi	d Michael Chandler dba		
		ase ID No.	Water (PCW No	).1)				evision 5 (January 28, 2021
Peg			RN101439875				PCW	/ Revision February 11, 202
iceg.	Liit. Kei		Public Water Si	ınnly				
	Enf. C		Epifanio Villarre					
		tion Number						
		Rule Cite(s)		20 Ta	y Admin Cod	e § 290.46(m)(4)		l
				30 16	ex. Admin. Cod	e g 230.40(III)(4)		l
	Violatio	n Description	facilities, di	stribution syst	em lines, and	its, storage and pressur related appurtenances in ervice pump at the Hill F	n a watertight	
							Base Penalty	\$5,00
>> Env	vironme	ntal, Prope	rty and Hum	nan Health	Matrix			
			_	Harm				
OR		Release	Major	Moderate	Minor			
UK		Actual Potential		X		Percent	5.0%	
		roteittai		X		Percent	3.0%	
>>Pro	gramma	tic Matrix						
, , , , ,	J	Falsification	Major	Moderate	Minor			
						Percent	0.0%	
								•
	Matrix	Failure to ma	intain the Facilit	y's equipment	t in a watertigh	t condition could expose	e persons served	l
	Matrix Notes	by the Facility	to a significant			ich would not exceed le	vels protective of	İ
	110000			h	uman health.			i.
							+4 750	
						Adjustment	\$4,750	
							Ī	\$25
							-	
Violatio	on Event	s						
					· ·	<u> </u>		
		Number of \	/iolation Events	1	<u> </u>	Number of vi	olation days	
			daily		Ī			
			weekly					
			monthly					
			quarterly	х		Violatio	on Base Penalty	\$25
			semiannual				-	
			annual					
			single event					
	ı							ľ
		One quarterly				date of the investigation	n, September 22,	l
			2021,	to the date of	screening, No	vember 23, 2021.		l
	L							
Good F	aith Effo	orts to Com	ply	0.0%			Reduction	\$
				Before NOE/NOV	NOE/NOV to EDF	PRP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	Х				
				The Respond	dents do not m	eet the good faith criter	ia for	
			Notes			iolation.		
						Vic	olation Subtotal	\$25
Econor	nic Bene	fit (EB) for	this violati	on		Statutory	Limit Test	
		Eat!	od ED A		<b>پ</b> ر م	Violetian Ele	al Bonalius Take I	#3F
		Estimate	ed EB Amount		\$35	violation FIN	al Penalty Total	\$25
				This vio	lation Final A	ssessed Penalty (adju	usted for limits)	\$25
							- 7	

Economic Benefit Worksheet								
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mic	hael Ch	nandler dba EJ Wat	ter (PCW No.1)		
Case ID No.	61599							
Reg. Ent. Reference No.	RN101439875	5						
Media	Public Water 9	Supply				Percent Interest	Years of	
Violation No.	11					r creent interest	Depreciation	
						5.0	15	
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount	
Item Description		•						
20011 2 00011 4 01011								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)	\$500	22-Sep-2021	19-Sep-2022	0.99	\$2	\$33	\$35	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0 \$0	n/a	\$0 \$0	
Record Keeping System Training/Sampling				0.00	\$0	n/a n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs				0.00	\$0	n/a	\$0	
Other (as needed)				0.00	\$0	n/a	\$0	
Notes for DELAYED costs	(\$500 per f	acility x one facilit	y), calculated fro	m the	date of the investi	ump header leak at gation to the date o	f compliance.	
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided		
Disposal				0.00	\$0	\$0 \$0	\$0	
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Supplies/Equipment				0.00	\$0 \$0	\$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		\$35	

	Screening Dat		<b>Docket No.</b> 2021-1526-PWS-E	PCW
	Dosnondo	Heritage Acres, LLC dba EJ Water	r and David Michael Chandler dba EJ	2 ( 2 ) ( 2 )
	Case ID N	t Water (PCW No.1)		Policy Revision 5 (January 28, 2021)
D				PCW Revision February 11, 2021
Reg. En	t. Reference No			
		Public Water Supply		
	ent. Coordinate Violation Numb	Epifanio Villarreal		
	Rule Cite(			
	Rule Cite(	30 Tex. Ad	Imin. Code § 290.41(c)(3)(K)	
v	iolation Descriptio	n Plant well casing metal plate I	gasket or sealing compound. Specifically, t had been sealed with silicone previously bu ed over time leaving a gap.	
			Base	Penalty \$5,000
>> Enviro	onmental, Prop	erty and Human Health Ma	trix	
	_	Harm		
OR	Releas	3	Minor	
OK	Actı Potent		Percent 5.0%	
	rotent	, X	Fercent 3.0%	
>>Progra	mmatic Matrix			
/ /	Falsificatio		Minor	
			Percent 0.0%	
	Astrica Failure to a		and the state of t	
	Matrix Failure to s	· · · · · · · · · · · · · · · · · · ·	ons served by the Facility to a significant an eed levels protective of human health.	nount or
'	votes	contaminants which would not exce	eed levels protective of fluman fleatin.	
	<u> </u>			
			Adjustment	\$4,750
				\$250
				Ψ230
<b>Violation</b>	Events			
	Number o	f Violation Events 1	62 Number of violation d	ays
		daily		
		weekly monthly		
		quarterly x	Violation Base	Penalty \$250
		semiannual	Violation base	\$250
		annual		
		single event		
	One quarte	ly event is recommended, calculated	d from the date of the investigation, Septe	mbor 22
	One quarte	•	eening, November 23, 2021.	inder 22,
		,	3,, -	
Good Fait	h Efforts to Co	mply 10.0%		Reduction \$25
Jood Fall	Elloits to Co		:/NOV to EDPRP/Settlement Offer	Ψ23
		Extraordinary		
		Ordinary	X	
		N/A		
		The December	t ti 10	
		Notes I ne Respondent	ts achieved compliance on January 10, 2022.	
			2022.	
				California I
Faar aus	Danafit (FD) 6	u this vislation	Violation :	
Есопотіс	Benefit (EB) f	or this violation	Statutory Limit	rest
	Estim	ited EB Amount	\$6 Violation Final Pena	Ity Total \$226
		This is the	m Einel Accessed Danalty (adducts of Co	u limita) +226
		This violation	on Final Assessed Penalty (adjusted fo	r limits) \$226

	E	conomic	Benefit	Wor	ksheet		
Respondent	Heritage Acres	s, LLC dba EJ Wate	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No.1)	
Case ID No.	61599						
Reg. Ent. Reference No.	RN101439875						
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	12					reiteilt Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description		•					
reem Description							
Delayed Costs							
Equipment	\$300	22-Sep-2021	10-Jan-2022	0.30	\$0	\$6	\$6
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	,	calculated fro	om the date of the	ne inves	tigation to the dat		·
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$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				0.00	1 40	Ψ0	ΨΟ
Approx. Cost of Compliance		\$300			TOTAL		\$6

	Scre	ening Date				<b>cet No.</b> 2021-1526-PWS-	E	PCW
	_				Vater and David	Michael Chandler dba EJ		
		ase ID No.	Water (PCW No	0.1)				evision 5 (January 28, 2021)
Pog			RN101439875				PCW	Revision February 11, 2021
Reg.	Liit. Kei		Public Water Su	ınnly				
	Enf. C		Epifanio Villarre					
		tion Number						
		Rule Cite(s)	30 Tex. Ad	min. Code § 2	90.45(b)(1)(C)(	iv) and Tex. Health & Safet	y Code §	
		. ,			341.031			
Violation Description			pressure tan Pressure Plai	k capacity of ne had 119 co owever, only	20 gallons per connections requi	city of 100 gallons per connonnection. Specifically, the ring a pressure tank capacitessure tank capacity were podeficiency.	Shell Plant cy of 2,380	
						В	ase Penalty	\$5,000
>> Env	vironme	ntal. Prope	rty and Hum	an Health	Matrix			
, ,		тем, тторо	,	Harm	10001120			
		Release	Major	Moderate	Minor			
OR		Actual				B 45.00	v 1	
		Potential	Х			Percent 15.00	<b>%</b>	
>>Pro/	aramma	tic Matrix						
//110	gramma	Falsification	Major	Moderate	Minor			
						Percent 0.00	%	
	Matrix Notes	Failure to pro				expose persons served by the otective of human health.	ne Facility to	
	,							
						Adjustment	\$4,250	
							T	\$750
							L	ψ, σσ
Violatio	on Event	:s						
					ī —			
		Number of \	/iolation Events	3	<u> </u>	Number of violation	on days	
			daily weekly monthly quarterly semiannual annual single event	X		Violation B	ase Penalty∫	\$2,250
			Sgic event		4			
		Three monthly				he date of the investigation ovember 23, 2021.	, September	
Good F	aith Fff	rts to Com	ply	0.0%			Reduction	\$0
3034 1	with Ell	. 15 15 00111		Sefore NOE/NOV	NOE/NOV to EDPR	P/Settlement Offer	Reduction	Ψ
			Extraordinary					
			Ordinary					
			N/A	Х			<b>=</b>	
			Notes	The Respon		eet the good faith criteria for plation.	r	
						Violati	on Subtotal	\$2,250
Econon	nic Bene	fit (EB) for	this violation	on		Statutory Lin	nit Test	
		Estimate	ed EB Amount		\$679	Violation Final Pe	enalty Total	\$2,261
							_	
				I his vio	iation Final As	sessed Penalty (adjusted	Tor limits)	\$2,261

Economic Benefit Worksheet								
Respondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No.1) Case ID No. 61599 Reg. Ent. Reference No. RN101439875 Media Public Water Supply Violation No. 13  Percent Interest Depreced								
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings	15.000			0.00	\$0	\$0	\$0	
Other (as needed)	\$5,000	22-Sep-2021	1-Sep-2023	1.94	\$32	\$647	\$679	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0 \$0	n/a n/a	\$0 \$0	
Record Keeping System Training/Sampling				0.00	\$0 \$0	n/a	\$0 \$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 gas 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)								
Avoided Costs Disposal	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0	
Personnel				0.00	\$0 \$0	\$0	\$0 \$0	
Inspection/Reporting/Sampling				0.00	\$0 \$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		\$679	

Economic Benefit Worksheet								
	: Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No.1)							
Case ID No. Reg. Ent. Reference No.								
	Public Water S		Percent Interest	Years of Depreciation				
						5.0	15	
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
Delayed Costs	<u> </u>	11 11		0.00	1 +0	1 +0	+0	
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Engineering/Construction Land				0.00	\$0	n/a	\$0 \$0	
Record Keeping System				0.00	\$0 \$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	22-Sep-2021	1-Apr-2023	1.52	\$10	n/a	\$10	
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	ANNU	ALIZE avoided c	osts before en	tering		one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs								
Approx. Cost of Compliance		\$125			TOTAL		\$10	

	Screening Date		<b>Docket No.</b> 2021-1526-PWS-E	PO	CVV
	Respondent	Heritage Acres, LLC dba EJ Water (PCW No.1)	Water and David Michael Chandler dba EJ	Policy Revision 5 (January 2	8. 2021)
	Case ID No.	61599		PCW Revision February	
Reg.	Ent. Reference No.				,
		Public Water Supply			
	Enf. Coordinator				
	Violation Number	15			
	Rule Cite(s)	30 Tex. Admin. Code §	290.45(b)(1)(C)(iii) and Tex. Health & Safety Co 341.0315(c)	ode §	
	Violation Description	per minute ("gpm") pe	ore service pumps having a total capacity of 2.0 r connection at each pump station or pressure pithe Hill Plant only had one service pump.		
			Base	Penalty	\$5,000
>> En	vironmental, Prope	rty and Human Healt	h Matrix		
	Release	Harm Major Moderate	Minor		
OR	Actual	riajoi riodelate	1 11101		
	Potential		x Percent 3.0%		
>>Pro	grammatic Matrix				
	Falsification	Major Moderate	Minor Porcent 0.0%		
			Percent 0.0%		
	Failure to pro	vide adequate service numn	capacity could result in water outages and low	pressure	
	Matrix problems, exp		Facility to an insignificant amount of contaminal		
	Notes	would not exceed I	evels protective of human health.		
			A dissals and	#4 9E0	
			Adjustment	\$4,850	
					\$150
Violati	on Events				
Violati	on Events				
Violati		/iolation Events 1	62 Number of violation d	lays	
Violati			62 Number of violation d	lays	
Violati		daily	62 Number of violation d	lays	
Violati		dailyweekly	62 Number of violation d	lays	
Violati		daily	62 Number of violation d  Violation Base	<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual		<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual annual		<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual		<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual annual		<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual annual single event x		<u></u>	\$150
Violati		daily weekly monthly quarterly semiannual annual single event x	Violation Base	<u></u>	\$150
		daily weekly monthly quarterly semiannual annual single event X  One single	Violation Base e event is recommended.	<u></u>	\$150 \$0
	Number of \	daily weekly monthly quarterly semiannual annual single event X  One single  ply  0.0%  Before NOE/NOX	Violation Base e event is recommended.	Penalty	·
	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  0.0%  Before NOE/NOV  Extraordinary	Violation Base e event is recommended.	Penalty	·
	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  0.0%  Extraordinary Ordinary	Violation Base e event is recommended.	Penalty	·
	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  0.09/  Before NOE/NOV  Extraordinary Ordinary N/A x	Violation Base e event is recommended.  R  NOE/NOV to EDPRP/Settlement Offer	Penalty	·
	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  0.09/  Before NOE/NOV  Extraordinary Ordinary N/A x	Violation Base e event is recommended.	Penalty	·
	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  0.0%  Extraordinary Ordinary N/A x  The Respon	Violation Base  e event is recommended.  R  NOE/NOV to EDPRP/Settlement Offer  Indents do not meet the good faith criteria for	Penalty	·
Good I	Number of \	daily weekly monthly quarterly semiannual annual single event   One single  ply  Before NOE/NOX  Extraordinary Ordinary N/A X  Notes  The Respon	Violation Base  e event is recommended.  R  NOE/NOV to EDPRP/Settlement Offer  Indents do not meet the good faith criteria for this violation.	Penalty  Reduction  Subtotal	\$0
Good I	Number of \ Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event   One single  ply  Before NOE/NOV  Extraordinary Ordinary N/A X  Notes  The Respon	Violation Base  e event is recommended.  R  NOE/NOV to EDPRP/Settlement Offer  Indents do not meet the good faith criteria for this violation.  Violation S  Statutory Limit	Penalty  Reduction  Subtotal  Test	\$150
Good I	Number of \ Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event   One single  ply  Before NOE/NOX  Extraordinary Ordinary N/A X  Notes  The Respon	Violation Base  e event is recommended.  R  NOE/NOV to EDPRP/Settlement Offer  Indents do not meet the good faith criteria for this violation.  Violation :	Penalty  Reduction  Subtotal  Test	\$0

	E	Economic Benefit Worksheet eritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No.1)									
	_	s, LLC dba EJ Wate	er and David Mid	chael Ch	nandler dba EJ Wa	ter (PCW No.1)					
Case ID No. Reg. Ent. Reference No.											
	Public Water S				Percent Interest	Years of Depreciation					
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Dalawad Casta											
Delayed Costs	<u> </u>	11 1		0.00	40	40	¢0				
Equipment				0.00	\$0	\$0	\$0 \$0				
Buildings	\$5,000	22-Sep-2021	1-Sep-2023	0.00 1.94	\$0 \$32	\$0 \$647	\$0 \$679				
Other (as needed) Engineering/Construction	\$3,000	22-3ep-2021	1-3ep-2023	0.00	\$52 \$0	\$047	\$079				
Lingineering/ construction 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	least 2.0 g	pm per connection inv	n at each pump restigation to the	station e estima	or pressure plane, ated date of compl		date of the				
Avoided Costs	ANNU	ALIZE avoided c	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				0.00	\$0	\$0	\$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)  Notes for AVOIDED costs		<u>JI                                     </u>		0.00	\$0	\$0	\$0				
Approx. Cost of Compliance		\$5,000			TOTAL		\$679				



**PAYABLE PENALTY** 

# Penalty Calculation Worksheet (PCW)

THE THOUSANT ALL OU	Policy Re	evision 5 (January 28,	. 2021)			`	PCW Rev	ision February 11, 202
DATES	Assigned		_		_			
	PCW	23-Nov-2021	Screening	23-Nov-2021	EPA Due			
RESPO	NDENT/FACILI	TY INFORMATION	ON					
	Respondent	Heritage Acres, L		ater and David	Michael Chand	ller dba EJ Wa	ter (PCW No. 2	)
	g. Ent. Ref. No.						T	
Facilit	ty/Site Region	5-Tyler			Major/N	Minor Source	Minor	
CASE I	NFORMATION							
	f./Case ID No.				No.	of Violations	6	
		2021-1526-PWS-				Order Type		
Med		Public Water Sup	ply			t/Non-Profit		
	Multi-Media				Ent.		Epifanio Villarr Enforcement T	
Adn	nin. Penalty \$ I	imit Minimum	\$50	Maximum	\$1,000	LC 3 Team	Linorcement 1	camo
	, i			-	, , , , , , , , , , , , , , , , , , , ,			
			Penalt	y Calculat	tion Secti	on		
TOTAL	L BASE PENA	LTY (Sum of		•			Subtotal 1	\$35!
		•		, and a position	,			· · · · · · · · · · · · · · · · · · ·
ADJUS	STMENTS (+	/-) TO SUBTO stained by multiplying	TAL 1	onalty (Subtotal 1	) by the indicated	norcontago		
	Compliance His		tile Total base F	0.0%	Adjustment		tals 2, 3, & 7	\$(
	<b>2</b> 11 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			0.0 /0				T.
	Notes		No adjustme	nt for compliar	ice history.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$(
	Natas	The De				! -		
	Notes	THE RE	spondents do	not meet the	сигравнику стис	eria.		
	'							
	Good Faith Effe	ort to Comply To	otal Adjustm	nents			Subtotal 5	\$(
	<b>Economic Bene</b>	_			Enhancement*		Subtotal 6	\$(
	Estimated	Total EB Amounts Cost of Compliance	\$257 \$1,147	*Capped	d at the Total EB \$	Amount		
		· <b>-</b>	¥ = / = · · ·					
SUM (	OF SUBTOTAL	LS 1-7				F.	inal Subtotal	\$35!
OT!!	D FACTORS A	C WICTIGE M	AV DEGUT	ne l	0.00/			1
		AS JUSTICE M Subtotal by the indic			0.0%		Adjustment	\$(
		,					]	
	Notes							
						5: / D	<u> </u>	425
						Finai Pen	nalty Amount	\$35!
STATI	JTORY LIMIT	ADJUSTMEN	IT			Final Asse	ssed Penalty	\$500
DEFER					20.0%	Reduction	Adjustment	-\$100
Reduces t	he Final Assessed Pe	nalty by the indicated	l percentage.				1	
	Notes	С	eferral offere	d for expedited	settlement.			

\$400

**PCW** 

**Respondent** Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ

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

**Case ID No.** 61599

Reg. Ent. Reference No. RN101439875

**Media** Public Water Supply

Enf. Coordinator Epifanio Villarreal

		Compliance History Worksheet			
>> (	Compliance Hist Component	ory Site Enhancement (Subtotal 2) Number of	Number	Adjust.	
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)		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%	
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)		0%	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Other	Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment Pe	rcentage (Sub	ototal 2)	0%
>> F	Repeat Violator	(Subtotal 3)			
	N/A	Adjustment Pe	rcentage (Sub	ototal 3)	0%
>> (	Compliance Hist	ory Person Classification (Subtotal 7)			
	Unclass	ified Adjustment Pe	rcentage (Sub	ototal 7)	0%
>> (	Compliance Hist	ory Summary			
	Compliance History Notes	No adjustment for compliance history.			
<del>-</del> -		Total Compliance History Adjustment Percentage (	Subtotals 2,	3, & 7)	0%
>> Fi	nai Compliance	History Adjustment Final Adjustment Percent	tage *canned	at 100%	0%
		rınai Aujustinent Percent	age capped	at 100%	U 7/0

	Screening D	ate 23-Nov-2021			0. 2021-1526-PWS-E		PCW
	Respond	ent Water (PCW No.		Water and David Mich	ael Chandler dba EJ	Policy R	evision 5 (January 28, 2021)
	Case ID		,				Revision February 11, 2021
Reg.	<b>Ent. Reference</b>						
		dia Public Water Su					
	Violation Nun	tor Epifanio Villarre	al				
			min Codo S	200 46(f)(2) (f)(2)(	۸۱/۱۱/۱۱۱۱ (۴)/۱۱/۱۸۱/۱۰۱۱ م	nd	
	Rule Cit	30 Tex. Ad	min. Code §	(f)(3)(A)(vii)	A)(i)(III), (f)(3)(A)(vi), a	ina	
	Violation Descrip	them readil Specifically, record or a mo worked by ea	y available frecords of the onthly summed on the part of the part	or review by the Exect e amount of each che nary of the work perfort- rt-time operators, an	maintenance records and cutive Director upon requemical used each week, a primed and the number of d maintenance records for t maintained on-site for r	est. daily hours or the	
					Base	Penalty	\$1,000
>> Env	vironmental, Pro	perty and Huma	an Health Harm	Matrix			
	Rele	ase Major	<b>Harm</b> Moderate	Minor			
OR		tual					
	Pote	ntial			Percent 0.0%		
>>Pro	grammatic Matı	iy					
77110	Falsifica		Moderate	Minor			
				X	Percent 1.0%		
	Matrix Notes	At leas	st 70% of the	e rule requirements w	vere met.		
					Adjustment	\$990	
							*10
						L	\$10
Violati	on Events						
	Numbe	of Violation Events	1	62	Number of violation da	ays	
		_	_			•	
		daily					
		weekly monthly					
		quarterly			<b>Violation Base</b>	Penalty	\$10
		semiannual					
		annual single event	X				
		omgre evene	Λ	<u> </u>			
			One single (	event is recommende	d.		
Good F	aith Efforts to (	omnly	0.0%		D	eduction	\$0
Joou F	and Enoits to		fore NOE/NOV	NOE/NOV to EDPRP/Sett		Lauction	ΨΟ
		Extraordinary					
		Ordinary					
		N/A	X				
		Notes	The Respond	lents do not meet the this violation	good faith criteria for		
					Violation S	ubtotal	\$10
Econor	nic Benefit (EB)	for this violatio	n		Statutory Limit 1	Γest	
				\$9		_	\$10
	ESTI	mated EB Amount			Violation Final Penals	-	φ10
			This viola	ation Final Assessed	d Penalty (adjusted for	· limits)	\$50

Economic Benefit Worksheet  Respondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No. 2)											
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No. 2)					
Case ID No.	61599										
Reg. Ent. Reference No.	RN101439875	N101439875									
	Public Water S				Percent Interest	Years of Depreciation					
					5.0	15					
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	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	\$45	28-Mar-2019	1-Apr-2023	4.01	\$9	n/a	\$9				
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	records an calculated f	d make them imr rom the date of th	nediately availa ne investigation	ble for ir initially complia	nspection upon required the value.	tem operation and luest by the Executiviolation to the esting	ve Director, nated date of				
Avoided Costs	ANNU	ALIZE avoided o	osts before er		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											
Approx. Cost of Compliance		\$45			TOTAL		\$9				

	Screening Date						PCW
	Doomondont	,		ater and David			
	•	-	2)				
Rea.						PCW	Revision rebluary 11, 2021
Respondent Water (PCW No. 2) Reg. Ent. Reference No. S1599 Reg. Ent. Reference No. RN101439875 Reg. Ent. Reference No. RN101439875 Ref. Coordinator Epifanio Villarreal Violation Number Rule Cite(s) 30 Tex. Admin. Code § 290.121(a) and (b) Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements. Specifically, the monitoring plan lacked information on entry point sampling and triggered source water monitoring.  **Percent**  **Release** Major** Moderate** Minor**  **Notes**  **Percent**  **Dercent**  **Dercent							
Heritage Acres, LLC dbs EJ Water and David Michael Chandler dbs EJ  Respondent Water (PCW No. 2)  Case ID No. 61599  Reg. Ent. Reference No. N10101439875  Media Public Water Supply  Enf. Coordinator Epfanio Wilarreal  Violation Number Palled to maintain an up-to-date chemical and microbiological monitoring plan that dentifies 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. Specifically, the monitoring plan backed information on entry point sampling and triggered source water monitoring.  >> Environmental, Property and Human Health Matrix  Harm  Release Major Moderate Minor  Actual Potential Procedures Moderate Minor  Percent 0.0%  >> Programmatic Matrix  Felisification Major Moderate Minor  Actual Potential							
	Violation Number	2					,
	Rule Cite(s)		30 Tex.	Admin. Code §	290.121(a) and (b)		
					., .,		
			•				
	Violetian Description			•			
	Violation Description						
					Base Pe	nalty	\$1,000
>> En:	vironmental Drene	the and Human	n Haalth	Matrix			
// EII	vironinental, Prope	ty and nume		Matrix			
	Release	Major		Minor			
OR							
	Potential				Percent 0.0%		
>> Dro	grammatic Matrix						
		Major	Moderate	Minor			
			Х		Percent 2.5%		
							1
	Matrix						
		Between 30%	6 and 70% of	the rule requir	ements were not met.		
					Adjustment	\$975	
							425
						1	\$25
Violati	on Events						
	Number of \	/iolation Events	1		Number of violation days	•	
		daily					
		· · · · · · · · · · · · · · · · · · ·					
		monthly					
					Violation Base Pe	nalty	\$25
		<u> </u>					
			Y				
			χ				
			One single	event is recomn	nended.		
Good F	aith Efforts to Com			NOT/NOV/ - TOTAL		uction	\$0
		<b>—</b>	fore NOE/NOV	NOE/NOV to EDPR	P/Settlement Offer		
		·					
		·	X				
		i i			at the second faith section is for		
		Notes	rne kespono	lents do not me this vio	et the good faith criteria for		
				CIIIO VIC			
					Violation Sub	total	\$25
Lacres	mia Danafit (FD) for	Abia vislati	_				
conoi	mic Benefit (EB) for	this violatio	n		Statutory Limit Te	ST	
	Estimate	ed EB Amount		\$34	<b>Violation Final Penalty</b>	Total	\$25
			This viol	ation Final Ac	sessed Penalty (adjusted for li	mits)	\$50
					charty (aujusted for it		Ψ30

	Economic Benefit Worksheet  Respondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No. 2)											
Respondent	Heritage Acres	s, LLC dba EJ Wat	er and David Mi	chael Ch	nandler dba EJ Wat	ter (PCW No. 2)						
Case ID No.	61599											
Reg. Ent. Reference No.	RN101439875	;										
	Public Water S					Percent Interest	Years of Depreciation					
Violation No.	_					5.0	15					
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount					
Item Description												
Delayed Costs												
Equipment				0.00	\$0	\$0	\$0					
 Buildings				0.00	\$0	\$0	\$0					
Other (as needed)				0.00	\$0	\$0	\$0					
Engineering/Construction				0.00	\$0	\$0	\$0					
Land				0.00	\$0	n/a	\$0					
Record Keeping System				0.00	\$0	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	28-Mar-2019	3-Jan-2023	3.77	\$34	n/a	\$34					
Notes for DELAYED costs	microbiolog	gical monitoring pl	an, calculated for violation to	om the the dat	date of the invest te of compliance.	g an up-to-date che igation initially docu	menting the					
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided						
Disposal				0.00	\$0	\$0	\$0					
Personnel				0.00	\$0	\$0	\$0					
Inspection/Reporting/Sampling				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 \$0	\$0 \$0					
Other (as needed)  Notes for AVOIDED costs				0.00	<u>  \$U</u>	<u>1 \$0</u>	\$0					
Approx. Cost of Compliance		\$180			TOTAL		\$34					

	Screening Date				et No. 2021-1526-PWS-E			PCW
				later and David I	Michael Chandler dba EJ			
	Respondent	Water (PCW No	). 2)			Policy R	Revision 5 (Ja	nuary 28, 2021)
	Case ID No.	61599				PCV	V Revision Fe	bruary 11, 2021
Reg.	Ent. Reference No.	RN101439875						
	Media	Public Water Su	ıpply					
	Enf. Coordinator		al					
	Violation Number	3					<del>,</del>	
	Rule Cite(s)		30 Te	ex. Admin. Code	§ 290.46(n)(2)			
		Failed to make	available an	accurate and up-	to-date map of the distribution	on system		
	<b>Violation Description</b>	so that	t valves and n	nains can be easi	ly located during emergencie	s.		
					Rac	e Penalty		\$1,000
					Das	e remaity		\$1,000
>> Env	ironmental, Prope	rty and Hum		Matrix				
	D.1	Madan	Harm	Mina				
OR	<b>Release</b> Actual	Major	Moderate	Minor				
OK	Potential				Percent 0.0%			
	roteittai				<b>Percent</b> 0.0%			
>>Pro	grammatic Matrix							
	Falsification	Major	Moderate	Minor				
		Х			Percent 10.0%			
							î	
	Matrix	100	20/ 611 1					
	Notes	100	)% of the rule	requirements w	ere not met.			
					Adjustment	\$900		
								\$100
Violatio	on Events							
Tiolati	on Events							
	Number of V	/iolation Events	1		62 Number of violation	days		
				· · · · · · · · · · · · · · · · · · ·				
		daily						
		weekly						
		monthly			Violation Bas	a Danaliu		\$100
		quarterly semiannual			Violation bas	e Penalty		\$100
		annual						
		single event	х					
		_						
			0 :					
			One single	event is recomm	ended.			
							Į.	
Good F	aith Efforts to Com	ply	0.0%			Reduction		\$0
			efore NOE/NOV	NOE/NOV to EDPRE	P/Settlement Offer			
		Extraordinary						
		Ordinary						
		N/A	Х		· · · · · · · · · · · · · · · · · · ·	ı		
			The Respon	dents do not me	et the good faith criteria for			
		Notes		this vio				
					Violation	Subtotal		\$100
								1
Econor	nic Benefit (EB) for	this violation	on		Statutory Limit	Test		
	Estimate	ed EB Amount		\$31	Violation Final Pen	alty Total		\$100
						•		·
			This vio	iation Final Ass	sessed Penalty (adjusted f	or limits)		\$100

	Economic Benefit Worksheet ondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No. 2)											
Respondent Case ID No.	_	s, LLC dba EJ Wat	er and David Mid	chael Ch	nandler dba EJ Wa	ter (PCW No. 2)						
	Public Water S	blic Water Supply										
Violation No.	3					5.0	<b>Depreciation</b> 15					
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount					
Item Description	20000	Dute Required	· mai bacc		2.11.0.000.000.00	COSES SUVCE	2D 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	28-Mar-2019	13-Sep-2022	3.47	\$31	n/a	\$31					
Notes for DELAYED costs	system so tha	at valves and mai investigation i	ns can be easily nitially documen	located ting the	during emergenci- violation to the da	<u>'</u>	the date of the					
Avoided Costs	ANNU	ALIZE avoided of	osts before en	tering		one-time avoided						
Disposal				0.00	\$0	\$0	\$0					
Personnel				0.00	\$0	\$0	\$0					
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0					
Supplies/Equipment				0.00	\$0	\$0	\$0					
Financial Assurance				0.00	\$0	\$0	\$0					
ONE-TIME avoided costs				0.00	\$0	\$0	\$0					
Other (as needed)				0.00	\$0	\$0	\$0					
Notes for AVOIDED costs												
Approx. Cost of Compliance		\$180			TOTAL		\$31					

	Screenin	g Date	23-Nov-2021			2021-1526-PWS-E		PCW
	Resno	ndent	Heritage Acres, Water (PCW No		Vater and David Michae	I Chandler dba EJ	Policy P	evision 5 (January 28, 2021)
		ID No.		,. <i>4</i> )				Revision February 11, 2021
Reg.	Ent. Referen							
			Public Water Su	apply				
	Enf. Coord	linator	Epifanio Villarre	eal				
	Violation		4					•
	Rule	Cite(s)		30 T	ex. Admin. Code § 290.	46(s)(1)		
						( )( )		
	Violation Des	cription	Failed to ca	alibrate the Fa	acility's well meters at le	east once every three y	ears.	
						Base	Penalty	\$1,000
>> Env	vironmental,	Proper	ty and Hum	nan Health	Matrix			
		_	_	Harm				
OR		Release	Major	Moderate	Minor			
OK		Actual Potential			X	Percent 3.0%		
		rocciiciai			^	3.0 70		
>>Pro	grammatic M	latrix						
	Fals	ification	Major	Moderate	Minor	_		
						Percent 0.0%		
		ige and p	roduction data v	which could ex	result in inaccurate wat kpose persons served by Id not exceed levels pro	y the Facility to an insig	nificant	6
					^	ujustiiiciit	φ370	
								\$30
Violatio	on Events							
						<b>=</b>		
	Nu	mber of V	iolation Events	2	62	Number of violation of	lays	
			daily weekly monthly quarterly semiannual annual			Violation Base	Penalty	\$60
			single event	Х				
				Two single e	vents are recommende	d.		
Good F	aith Efforts	to Com	ply	0.0%		F	Reduction	\$(
			В	sefore NOE/NOV	NOE/NOV to EDPRP/Settler			
			Extraordinary					
			Ordinary					
			N/A	X				
			Notes	The Respond	dents do not meet the o	good faith criteria for		
						Violation	Subtotal	\$60
Econon	nic Benefit (	EB) for	this violation	on		Statutory Limit	Test	
		Estimate	ed EB Amount		\$11	Violation Final Pena	Ity Total	\$60
				This vio	lation Final Assessed	Penalty (adjusted fo	or limits)	\$100

	Economic Benefit Worksheet										
Respondent Case ID No. Reg. Ent. Reference No.	RN101439875										
	Public Water S				Percent Interest	Years of Depreciation					
						5.0	15				
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Delayed Costs	1	1		1							
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 Training/Sampling		1		0.00	\$0 \$0	n/a n/a	\$0 \$0				
Remediation/Disposal		1		0.00	\$0	n/a	\$0				
Permit Costs		1		0.00	\$0	n/a	\$0				
Other (as needed)	\$62	28-Mar-2019	6-Sep-2022	3.45	\$11	n/a	\$11				
Notes for DELAYED costs	two meters),	calculated from t	he date of the ir	vestiga complia	ition initially docum	well meters (\$31 p	to the date of				
Avoided Costs	ANNU	ALIZE avoided C	osts before en			one-time avoided					
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0 #0	\$0				
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0				
ONE-TIME avoided costs		1		0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0 \$0	\$0				
Notes for AVOIDED costs				0.00	1 40	ΨΟ	30				

	Screening Date			2021-1526-PWS-E		PCW
	Desnondent	Heritage Acres, LLC dba EJ Water (PCW No. 2)	Water and David Michae	l Chandler dba EJ	Policy D	evision 5 (January 28, 2021)
	Case ID No.	Water (PCW No. 2)				Revision February 11, 2021
Rea.	Ent. Reference No.				PCW	Revision rebruary 11, 2021
ixeg.		Public Water Supply				
	Enf. Coordinator					
	Violation Number	5				
	Rule Cite(s)	30.3	Toy Admin Codo 5 200	46(n)(1)		
		30	Гех. Admin. Code § 290.	46(11)(1)		
	Violation Description			or each treatment plant		
				Base	Penalty	\$1,000
>> Env	vironmental, Proper	rty and Human Health	n Matrix			
		Harm				
OR	<b>Release</b> Actual	Major Moderate	Minor			
J.(	Potential			Percent 0.0%		
	i occinciai			0.070		
>>Prog	grammatic Matrix					
	Falsification	Major Moderate	Minor			
		Х		Percent 10.0%		
	Matrix Notes	100% of the rul	e requirements were no	t met.		
			A	djustment	\$900	
						+100
					L	\$100
Violatio	on Events					
Tiolatio				_		
	Number of \	/iolation Events 1	62	Number of violation d	ays	
	ı	4-9.	<b>=</b> 1			
		daily weekly				
		monthly				
		quarterly		Violation Base	Penalty	\$100
		semiannual				·
		annual				
		single event x				
		One single	e event is recommended.			
		Ĭ				
	' mcc		7	_		+0
Good F	aith Efforts to Com	Ply 0.0% Before NOE/NOV			leduction	\$0
		Extraordinary	NOL/NOV to EDI RI/Settlell			
		Ordinary				
		N/A x				
				and Cathle authority Con-		
		Notes The Respor	ndents do not meet the g this violation.	good faith criteria for		
			cins violacion.			
				Violation	Subtotal	\$100
Econon	nic Benefit (EB) for	this violation		Statutory Limit	Test	
	Estimate	ed EB Amount	\$31	Violation Final Pena	ity Total	\$100
	LJundu	·				·
		This vi	olation Final Assessed	Penalty (adjusted fo	r limits)	\$100

	E	conomic	Benefit	Woı	rksheet			
Respondent	Respondent Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No. 2)							
Case ID No.								
Reg. Ent. Reference No.	RN101439875							
	Public Water S					Percent Interest	Years of Depreciation	
						5.0	15	
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
·								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0	n/a	\$0	
Record Keeping System				0.00	\$0	n/a	\$0	
Training/Sampling				0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs	1.100	22.11		0.00	\$0	n/a	\$0	
Other (as needed)	\$180	28-Mar-2019		3.47	\$31	n/a	\$31	
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 initially documenting the violation to the 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		\$31	

	Scre	ening Date				et No. 2021-1526		PCW
	_				ater and David	Michael Chandler dba		
		ase ID No.	Water (PCW No	0. 2)				evision 5 (January 28, 2021)
Peg			RN101439875				PCW	Revision February 11, 2021
iteg.	Liit. Kei		Public Water St	ınnly				
	Enf. C		Epifanio Villarre					
		tion Number						
		Rule Cite(s)		20 T	Tay Admin Cas	o 5 200 46(m)		
				30 1	ex. Admin. Cod	e g 290.46(III)		
Violation Description		working condit	ion and genera	al appearance o	keeping practices to e f the system's facilitic puilding was dilapidate ras loose.	es and equipment.		
							Base Penalty	\$1,000
>> Fnv	/ironmei	ntal Prone	rty and Hum	an Health	Matriy			
// LIIV	, ii oiiiiiei	itai, Fropei	ity and man	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential			X	Percent	3.0%	
> > D		Lia Matuiss						
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor			
		1 alsilication	Major	Moderate	MINO	Percent	0.0%	
	L					. c. con	0.070	
	Matrix Notes	its equip	oment could exp	ose persons se	erved by the Fa	ppearance of the sys cility to an insignifica rotective of human h	nt amount of	
							1000	
						Adjustment	\$970	
							Г	\$30
								,
Violatio	on Event	s						
						<u> </u>		
		Number of V	/iolation Events	2		Number of	violation days	
			daily					
			weekly					
			monthly					
			quarterly			Violat	ion Base Penalty	\$60
			semiannual					
			annual					
			single event	Х				
		7	Two single event	ts are recomm	ended (one eve	nt per facility/equipm	nent).	
					•		ŕ	
Good F	aith Effo	rts to Com		0.0%			Reduction	\$0
			Extraordinary	serore NOE/NOV	NUE/NUV to EDPR	P/Settlement Offer		
			Ordinary					
			•	V				
			N/A	Х				
			Notes	The Respond	lents do not me this vio	et the good faith crite lation.	eria for	
						V	/iolation Subtotal	\$60
Econon	nic Bene	fit (ER) for	this violation	on			y Limit Test	<del>+</del> 00
_55.1611							_	
		Estimate	ed EB Amount		\$141	Violation Fi	nal Penalty Total	\$60
				This viol	ation Final As	sessed Penalty (ad	iusted for limits)	\$100
				5 4701	AS	cooca i charty (au	,	Ψ100

Economic Benefit Worksheet							
	ht Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water (PCW No. 2)						
Case ID No.							
Reg. Ent. Reference No.							V
Media Violation No.	Public Water 9	supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				7			
Equipment				0.00	\$0	\$0	\$0
Buildings	1500			0.00	<u>\$0</u>	\$0	\$0
Other (as needed)	\$500	28-Mar-2019	1-Apr-2023	4.01	\$7	\$134	\$141
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal		1		0.00	\$0	n/a	\$0
Permit Costs		1		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 chlorine dilapidated building and repair the loose fence barbed wire, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.  ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Avoided Costs	ANNU	ALIZE avoided c	osts before en				
Disposal				0.00	\$0	\$0	\$0
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Supplies/Equipment		1		0.00	\$0	\$0	\$0
Financial Assurance		1		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							7
Approx. Cost of Compliance		\$500			TOTAL		\$141

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# Compliance History Report

Compliance History Report for CN603579921, RN101439875, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or CN603579921, CHANDLER, DAVID MICHAEL Classification: NOT APPLICABLE Rating: N/A

Owner/Operator:

Regulated Entity: RN101439875, EJ WATER Classification: NOT APPLICABLE Rating: N/A

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

CH Group: 14 - Other

LOCATED 0.3 MI S OF HWY 31 AND SHELL ROAD NEAR GLADEWATER, IN GREGG COUNTY, TEXAS

TCEQ Region: REGION 05 - TYLER

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0920023

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

**Date Compliance History Report Prepared:** August 02, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 02, 2017 to August 02, 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? 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:

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

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 CN604164756, RN101439875, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or CN604164756, HERITAGE ACRES, LLC

Owner/Operator:

Regulated Entity: RN101439875, EJ WATER Classification: UNCLASSIFIED

Rating: -----

Classification: NOT APPLICABLE

Rating: N/A

**Complexity Points:** 

N/A

Repeat Violator:

N/A

CH Group:

14 - Other

Location:

LOCATED 0.3 MI S OF HWY 31 AND SHELL RD IN GREGG COUNTY GREGG, TX, GREGG COUNTY

TCEQ Region:

**REGION 05 - TYLER** 

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0920023

**Compliance History Period:** 

September 01, 2017 to August 31, 2022

Rating Year: 2022

**Rating Date:** 09/01/2022

**Date Compliance History Report Prepared:** 

September 12, 2022

**Agency Decision Requiring Compliance History:** 

Enforcement

**Component Period Selected:** 

September 12, 2017 to September 12, 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?

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:

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:

G. Type of environmental management systems (EMSs):

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
HERITAGE ACRES, LLC DBA EJ	§	TEXAS COMMISSION ON
WATER AND DAVID MICHAEL	§	
CHANDLER DBA EJ WATER	§	ENVIRONMENTAL QUALITY
RN101439875		

### AGREED ORDER DOCKET NO. 2021-1526-PWS-E

### I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCEQ"	) considered this agreement of the parties, resolving an enforcement
action regarding Heritag	e Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water
(the "Respondents") und	ler the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive
Director of the TCEQ, th	rough the Enforcement Division, and the Respondents together
stipulate that:	

- 1. The Respondents own and operate a public water supply located 0.3 miles south of Texas State Highway 31 and Shell Road near Gladewater, in Gregg County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 142 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 Tex. Admin. Code § 290.38(71).
- 2. The Executive Director and the Respondents 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 Respondents are 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 Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$11,024 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents paid \$245 of the penalty and \$2,204 is deferred contingent upon the Respondents' timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

The remaining amount of \$8,575 of the undeferred penalty shall be paid in 35 monthly payments of \$245 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondents fail to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondents' failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondents to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

- 5. The Executive Director and the Respondents 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 Respondents have 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 Respondents implemented the following corrected measures at the Facility:
  - a. By maintaining a disinfectant residual concentration of at least 0.2 milligram per liter ("mg/L") free chlorine throughout the distribution system by September 23, 2021;
  - b. By providing a concrete sealing block around the Facility's Well No. 2 that extends a minimum of three feet from the exterior well casing in all directions and has a thickness of six inches and sealing the cracks on the sealing block by January 5, 2022;
  - c. By sealing the Shell Plant's well casing by January 10, 2022;
  - d. By installing the well blow-off line on Well No. 2 by January 10, 2022;
  - e. By calibrating the Facility's well meters by September 6, 2022;

- f. By providing high level and floor level screened vents for all rooms where chlorine gas is fed by September 6, 2022;
- g. By compiling and maintaining properly completed water works operation and maintenance records, including but not limited to a daily record or a monthly summary of the work performed, and the number of hours worked by each of the part-time operators, and maintenance records for the water system equipment and facilities by September 13, 2022;
- h. By providing an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies by September 13, 2022;
- i. By providing accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank by September 13, 2022;
- j. By maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to repairing the service pump header leak at the Hill Plant by September 19, 2022;
- k. By initiating maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the wasp nests at the pump houses for the Shell Plant and the Garcia Plant by September 19, 2022;
- l. By providing facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use by September 20, 2022;
- m By refurbishing and repainting the pressure tank by October 18, 2022; and
- n. By maintaining 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 by January 3, 2023.

### II. ALLEGATIONS

During an investigation at the Facility conducted on September 22, 2021 through September 23, 2021, an investigator documented that the Respondents:

1. Failed to locate the Facility's well at least 150 feet away from septic tank perforated drainfields, areas irrigated by low dosage, low angle spray on-site sewage facilities, absorption beds, evapotranspiration beds, improperly constructed water wells, or underground petroleum and chemical storage tanks or liquid transmission pipelines, in violation of 30 Tex. Admin. Code § 290.41(c)(1)(A). Specifically, Well No. 2 at the Shell Plant was approximately 45 feet from a sewer main where sewage from the adjacent mobile homes is collected for transferring to the city sewer main.

- 2. Failed to provide a full-face self-contained breathing apparatus ("SCBA") or supplied air respirator that meets Occupational Safety and Health Administration ("OSHA") standards that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in violation of 30 Tex. ADMIN. CODE § 290.42(e)(4)(A).
- 3. Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use, in violation of 30 Tex. Admin. Code § 290.42(e)(3)(D). Specifically, the Respondents did not have any chlorine scales.
- 4. Failed to maintain a minimum disinfectant residual of 0.2 mg/L of free chlorine throughout the distribution system at all times, in violation of 30 Tex. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c). Specifically, free chlorine residual concentrations of 0.03 mg/L were measured on School Road and at the Garcia Plant Entry Point.
- 5. Failed to provide the wells with a concrete sealing block that extends a minimum of three feet from the exterior well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inch per foot, in violation of 30 Tex. Admin. Code § 290.41(c)(3)(J). Specifically, the concrete sealing block on Well No. 2 did not extend three feet in all directions around the well casing and had several cracks.
- 6. 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). Specifically, at the Hill Plant, the chlorine building was dilapidated, the fence barbed wire was loose, the coating on the pressure tank was chipping and peeling off, the pump building was flooded and had standing water under it, and the out of service storage tank was holding water. Additionally, the pump houses at the Shell Plant and the Garcia Plant had numerous wasp nests and the out of service elevated tank at the Shell Plant was overgrown in vegetation.
- 7. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed, in violation of 30 Tex. Admin. Code § 290.42(e)(4)(C). Specifically, there were no vents for the chlorine room at the Hill Plant.
- 8. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(4)(A). Specifically, on several occasions, samples were collected every 8 or 9 days. In addition, the disinfectant residual at the Garcia Pressure Plane was not being monitored.
- 9. Failed to conduct an inspection of the interior of the Facility's pressure tank with an inspection port at least once every five years, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(B).
- 10. Failed to provide a well blow-off line that terminates in a downward direction and at a point which will not be submerged by flood waters, in violation of 30 TEX. ADMIN. CODE

- § 290.41(c)(3)(L). Specifically, the blow-off line at Well No. 2 did not terminate in a downward direction.
- 11. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4). Specifically, the header for the service pump at the Hill Plant was leaking.
- 12. Failed to seal the wellhead by a gasket or sealing compound, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K). Specifically, the Shell Plant well casing metal plate had been sealed with silicone previously but had degraded over time leaving a gap.
- Failed to provide an elevated storage capacity of 100 gallons per connection or a 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, the Shell Plant Pressure Plane had 119 connections requiring a pressure tank capacity of 2,380 gallons. However, only 20 gallons of pressure tank capacity were provided, indicating a 99% deficiency.
- 14. 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, in violation of 30 Tex. Admin. Code § 290.42(j). Specifically, Online Pool Shock, Liquid Chlorinating Chemical for Swimming Pools was used for disinfection at the Garcia Plant, which does not conform to ANSI/NSF Standard 60.
- Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection at each pump station or pressure plane, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Hill Plant only had one service pump.
- 16. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(vi), and (f)(3)(A)(vii). Specifically, records of the amount of each chemical used each week, a daily record or a monthly summary of the work performed and the number of hours worked by each of the part-time operators, and maintenance records for the water system equipment and facilities, were not maintained on-site for review.
- 17. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements, in violation of 30 Tex. Admin. Code § 290.121(a) and (b). Specifically, the monitoring plan lacked information on entry point sampling and triggered source water monitoring.
- 18. 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).

- 19. Failed to calibrate the Facility's well meter at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
- 20. 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, in violation of 30 Tex. ADMIN. CODE § 290.46(n)(1).

#### III. DENIALS

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

### IV. ORDERING PROVISIONS

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

1. The Respondents are assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondents' 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: Heritage Acres, LLC dba EJ Water and David Michael Chandler dba EJ Water, Docket No. 2021-1526-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 Respondents are jointly and severally liable for the violations documented in this Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Order.
- 3. The Respondents shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Provide a full-face SCBA or supplied air respirator that meets OSHA standards and is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in accordance with 30 Tex. ADMIN. CODE § 290.42;
    - ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each week, in accordance with 30 Tex. ADMIN. CODE § 290.46;

- iii. Monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days, in accordance with 30 Tex. ADMIN. CODE § 290.110;
- iv. Conduct an inspection of the interior of the Facility's pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- v. Begin using a disinfectant that is ANSI/NSF Standard 60 certified, in accordance with 30 Tex. ADMIN. CODE § 290.42; and
- vi. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing the dilapidated chlorine building at the Hill Plant, repairing the loose barbed wire on the fence at the Hill Plant, remove the water at the pump building at the Hill Plant, remove the water from the out of service storage tank at the Hill Plant, remove the overgrown vegetation from the out of service elevated tank at the Shell Plant, in accordance with 30 Tex. Admin. Code § 290.46.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.d 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 180 days after the effective date of this Order:
  - i. Provide an elevated storage capacity of at least 100 gallons per connection or a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45;
  - ii. Provide two or more service pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane, in accordance with Tex. Admin. Code § 290.45; and
  - iii. Ensure that no well is located within 150 feet of a septic tank perforated drainfield, in accordance with 30 Tex. Admin. Code §290.41, or obtain Commission approval of an exception to the setback requirements pursuant to 30 Tex. Admin. Code §290.39. The exception 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

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

Nos. 3.c.i through 3.c.iii. The certification shall be signed by the Respondents 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:

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

with a copy to:

Water Section Manager Tyler Regional Office Texas Commission on Environmental Quality 2916 Teague Drive Tyler, Texas 75701-3734

- 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 Respondents. The Respondents are 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 Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive 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. This Order, issued by the Commission, shall not be admissible against the Respondents 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
	2/22/2024
For the Executive Director	Date
I, the undersigned, have read and understand the the attached Order, and I do agree to the terms an 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	Ordering Provisions, if any, in this Order nay result in:
<ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications s</li> <li>Referral of this case to the Attorney General' additional penalties, and/or attorney fees, or</li> <li>Increased penalties in any future enforcement Automatic referral to the Attorney General's</li> <li>TCEQ seeking other relief as authorized by later</li> </ul>	s Office for contempt, injunctive relief, r to a collection agency; nt actions; Office of any future enforcement actions; and
In addition, any falsification of any compliance do Signature	cuments may result in criminal prosecution.    1/-/5-23     Date
Name (Printed or typed) Authorized Representative of Heritage Acres, LLC dba EJ Water	Title
☐ If mailing address has changed, please check Signature	this box and provide the new address below:
Name (Printed or typed) Authorized Representative of David Michael Chandler dba EJ Water	Title
☐ If mailing address has changed, please chabelow	eck this box and provide the new address

**Instructions**: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.