Order Type:

1660 Agreed Order

**Findings Order Justification:** 

N/A **Media:** PWS

**Small Business:** 

No

Location(s) Where Violation(s) Occurred:

Zapata County San Ygnacio and Ramireno, 224 Houston Street, San Ygnacio, Zapata

County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2023-0883-PWS-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** August 4, 2023

Comments Received: No

**Penalty Information** 

**Total Penalty Assessed:** \$9,010

**Amount Deferred for Expedited Settlement:** \$1,802

Total Paid to General Revenue: \$0 Total Due to General Revenue: \$0

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$7,208

Name of SEP: San Ygnacio Water System Improvements (Compliance)

**Compliance History Classifications:** 

Person/CN - Satisfactory

Site/RN - N/A **Major Source:** No

Statutory Limit Adjustment: N/A

**Applicable Penalty Policy:** January 2021

**Investigation Information** 

Complaint Date(s): September 14, 2021 and September 20, 2021

**Complaint Information:** Alleged bad tap water odor.

**Date(s) of Investigation:** September 15, 2021 through October 27, 2021

Date(s) of NOE(s): November 30, 2021

#### Violation Information

- 1. Failed to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") of chloramine (measured as total chlorine) throughout the distribution system at all times. Specifically, on September 15, 2021, total chlorine residual concentrations of 0.13 mg/L, 0.14 mg/L, 0.11 mg/L, 0.11 mg/L, 0.18 mg/L, and 0.31 mg/L were measured at 103 Laurel Road, the flush valve at the end of Laurel Road, 4059 Highway 83, 106 Valle Verde Street, 506 Houston Street, and the entry point tap at the water plant, respectively. Additionally, on September 16, 2021, total chlorine residual concentrations of 0.03 mg/L and 0.00 mg/L were measured at the flush valve at the end of Laurel Road and 103 Laurel Road, respectively [30 Tex. ADMIN. CODE §§ 290.46(d)(2)(B) and 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c)].
- 2. Failed to properly complete the Surface Water Monthly Operating Reports ("SWMORs") submitted to the Commission. Specifically, the electronic individual filter effluent ("IFE") turbidity readings from 2020 and 2021 did not match the values reported on the SWMORs; three to six combined filter effluent ("CFE") grab sample values were reported on the SWMORs, but only one value was recorded on the operator logs for 2020 and January through June and October through December of 2021; and the disinfection process parameters from the November 4, 2016 concentration-time ("CT") study approval letter were used on the SWMORs instead of the current parameters listed in the September 22, 2019 CT study approval letter [30 Tex. ADMIN. CODE § 290.111(h)].
- 3. Failed to properly monitor the turbidity level of the CFE at least every four hours that the system serves water to the public. Specifically, only one CFE turbidity grab sample reading was noted on the operator log for each day when the plant was online all day [30 Tex. Admin. Code § 290.111(e)(3)(B)].
- 4. Failed to ensure that if the continuous turbidity monitoring equipment malfunctions, the system conducts grab sampling every four hours in lieu of continuous monitoring, but for no more than 14 working days following the failure of the equipment. Specifically, the continuous turbidity monitoring equipment system was offline and the system had been collecting grab samples for more than 14 working days in lieu of continuous monitoring [30 Tex. Admin. Code § 290.111(e)(5)(C)(iii)].
- 5. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, only one of two clarifiers and two of four filters were operational, and the automated sludge removal system was not working properly on the two clarifiers [30 Tex. Admin. Code § 290.46(m)].
- 6. Failed to ensure when chlorine and ammonia are added to distribution water that has a chloramine residual, that the ammonia is added first. Specifically, the chlorine injection point on the line to the ground storage tank was located approximately 18

inches upstream of the ammonia injection point [30 Tex. ADMIN. CODE § 290.42(e)(7)(A)(ii)].

- 7. Failed to verify the accuracy of the analyzer used to determine the effectiveness of chloramination [30 Tex. ADMIN. CODE § 290.46(s)(2)(D)].
- 8. Failed to verify the accuracy of the Facility's continuous disinfectant analyzer at least once every seven days with a chlorine solution of know concentration or by comparing the results from the on-line analyzer with the results of an approved benchtop method [30 Tex. Admin. Code § 290.46(s)(2)(C)(ii)].
- 9. Failed to check the calibration of the Facility's five on-line turbidimeters with primary standards at least once every 90 days, and check the calibration with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week. Specifically, the online turbidimeter on each of the four filters had not been calibrated since March 15, 2019, and the one on-line turbidimeter for CFE had not been calibrated since December 12, 2018 [30 Tex. Admin. Code § 290.46(s)(2)(B)(iii) and (s)(2)(B)(iv)].
- 10. Failed to maintain logs of all emergency power use and maintenance and keep on file for a period of not less than three years and make the logs available, upon request, for Executive Director review. Specifically, maintenance logs of the 80-kilowatt generator at the plant were not available for review [30 Tex. ADMIN. CODE § 290.45(b)(2)(H) and Tex. Health & Safety Code § 341.0315(c)].
- 11. Failed to meet the conditions for an issued exception. Specifically, the Respondent was not monitoring the pressure at the inlet of the cartridge assembly and the pressure differential across the cartridge assembly and was not recording the pressure and differential at least once each day [30 Tex. Admin. Code § 290.39(l)(5)].
- 12. Failed to collect and analyze weekly samples to ensure that chemical addition is effective and the proper chlorine to ammonia (as nitrogen) ratio is achieved or whenever the chemical dosage is changed. Specifically, the chemical dosage was changed on October 6, 2021, and again on October 27, 2021, and samples were not collected and analyzed [30 Tex. ADMIN. CODE § 290.110(c)(5)(C)].
- 13. Failed to take three grab samples a day to monitor the disinfectant residual of the water at each entry point. Specifically, only one grab sample per day was being collected at the Facility's one entry point [30 Tex. ADMIN. CODE § 290.110(c)(1)(B)(i)].
- 14. 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 day were not maintained on-site for review [30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(A)(ii)(I)].

15. Failed to monitor the total chlorine residual downstream of any chlorine and ammonia injection points in the distribution system weekly and whenever the chemical dose is changed. Specifically, the chemical dosage was changed on October 6, 2021, and again on October 27, 2021, and monitoring was not conducted downstream of the injection point [30 Tex. ADMIN. CODE § 290.110(c)(4)(E)].

#### Corrective Actions/Technical Requirements

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

The Respondent implemented the following corrective measures:

- a. By submitting documentation that the chlorine injection point on the line to the ground storage tank is now downstream of the ammonia injection point by January 7, 2022;
- b. By verifying the accuracy of the analyzer used to determine the effectiveness of chloramination by February 22, 2022;
- c. By verifying the accuracy of the Facility's continuous disinfectant analyzer at least once every seven days with a chlorine solution of know concentration or by comparing the results from the on-line analyzer with the results of an approved benchtop method by February 22, 2022; and
- d. By checking the calibration of the Facility's five on-line turbidimeters with primary standards at least once every 90 days, and checking the calibration with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week by February 22, 2022.

#### **Technical Requirements:**

- 1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
- 2. The Order will also require the Respondent to:
- a. Within 30 days:
- i. Determine the cause of noncompliance, make any necessary repairs or adjustments to the Facility, and maintain a disinfectant residual concentration of at least 0.5 mg/L total chlorine throughout the distribution system;

- ii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of properly completed, signed and certified SWMORs;
- iii. Properly monitor the turbidity level of the CFE at least every four hours that the system serves water to the public;
- iv. Return the automated continuous turbidity monitoring equipment to operation and cease conducting grab sampling every four hours in lieu of continuous monitoring;
- v. Maintain logs of all emergency power use and maintenance and keep on file for a period of not less than three years and make the logs available, upon request, for Executive Director review:
- vi. Begin complying with the site-specific requirements established by the Executive Director in a letter dated August 29, 2014, including but not limited to monitoring the pressure at the inlet of the cartridge assembly and recording the pressure at least once each day, and monitoring the pressure differential across the cartridge assembly and recording the differential at least once each day;
- vii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that weekly samples are collected and analyzed whenever the chemical dosage is changed to ensure that the chemical addition is effective and the proper chlorine to ammonia ratio is achieved;
- viii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that three grab samples per day are taken to monitor the disinfectant residual of the water at each entry point;
- ix. Compile and maintain completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each day; and
- x. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that the total chlorine residual is monitored downstream of any chlorine and ammonia injection points in the distribution system weekly and whenever the chemical dose is changed.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 60 days, initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including repairing or replacing the one clarifier and two filters that were not operational, and the automated sludge removal system for the clarifiers that was not working properly.
- d. Within 75 days, submit written certification to demonstrate compliance with c.

## **Contact Information**

TCEQ Attorney: N/A

**TCEQ Enforcement Coordinator:** Samantha Salas, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**TCEQ SEP Coordinator**: Adena Crider, SEP Coordinator, Litigation Division, MC 175, (512) 239-0648

**Respondent:** The Honorable Joe Rathmell, County Judge, Zapata County, 200 East 7th Avenue, Suite 115, Zapata, Texas 78076

Jose R. Trevino, Directory, Zapata County, 200 East 7th Avenue, Suite 115, Zapata, Texas 78076

Respondent's Attorney: N/A



Notes

**PAYABLE PENALTY** 

# Penalty Calculation Worksheet (PCW)

STATIONMENTAL OU	Policy Re	evision 5 (January 28,	, 2021)			•	PCW Revision I	ebruary 11, 2021
DATES	Assigned	6-Dec-2021						
	PCW		Screening 7-De	ec-2021	EPA Due			
RESPO		TY INFORMATI	ON					
		Zapata County						
	j. Ent. Ref. No.							
Facilit	ty/Site Region	16-Laredo			Major/M	inor Source	Minor	
	NFORMATION							
En	f./Case ID No.				No. o	of Violations		
		2021-1578-PWS				Order Type		
Med		Public Water Sup	pply		Government			
	Multi-Media				Enf.		Samantha Salas	_
				F		EC's Team	Enforcement Team	8
Adn	nin. Penalty \$ 1	Limit Minimum	\$50 Maxi	mum	\$5,000			
			Penalty C	alcula <sup>.</sup>	tion Section	on		
TOTAL	I DACE DENIA	LTV /Sum of	violation base				Subtotal 1	\$9,200
IUIAI	L DASE PENA	LIT (Suill OI	Violation base	репан	ies)		Subtotal 1	\$9,200
<b>AD1119</b>	STMENTS (+	/-) TO SUBT	ΩΤΔΙ 1					
AD30.	Subtotals 2-7 are of	otained by multiplying	g the Total Base Penalty	(Subtotal 1	) by the indicated r	ercentage.		
	<b>Compliance Hi</b>		,	0.0%	Adjustment		tals 2, 3, & 7	\$0
		•			•			·
	Notes		No adjustment for	Compliar	nce History.			
	Culmability	Na		0.00/			Cubbatal 4	<b>*</b> 0
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notos	The De	spondent does not	most the	culpability crita	ria		
	Notes	THE KE	spondent does not	meet the	cuipability crite	ııa.		
	Good Faith Fff	ort to Comply T	otal Adjustments				Subtotal 5	-\$190
	Good Falen En	ore to compry r	otal Aujustinents					Ψ130
	<b>Economic Ben</b>	efit		0.0%	Enhancement*		Subtotal 6	\$0
	E.P	Total EB Amounts	\$5,963	*Capped	d at the Total EB \$ /	Amount		
	Estimated	Cost of Compliance	\$51,935					
CUM C	SE CURTOTAL	1617				_		#0.010
SUM C	OF SUBTOTA	LS 1-/				F	inal Subtotal	\$9,010
			MAY REQUIRE		0.0%		Adjustment	\$0
Reduces c	or ennances the Fina	Subtotal by the indi	cated percentage.					
	Nistra							
	Notes							
						Final Dan	-14 4	¢0.010
						rınaı Pen	alty Amount	\$9,010
CT 4 T'	ITODY : TACE	CADILICATION	\I <del>T</del>					40.010
SIAIL	JIOKY LIMI	T ADJUSTMEN	N I			Final Asse	ssed Penalty	\$9,010
					_			
DEFE					20.0%	Reduction	Adjustment	-\$1,802
keduces t	ne Final Assessed Pe	enalty by the indicate	a percentage.					
		1						

Deferral offered for expedited settlement.

\$7,208

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

**PCW** 

**Respondent** Zapata County **Case ID No.** 61661

Reg. Ent. Reference No. RN101218949

**Media** Public Water Supply

**Enf. Coordinator** Samantha Salas

	Camandian as Iliah	Compliance History Worksheet							
<i>&gt;&gt;</i> (	Component	ory <i>Site</i> Enhancement (Subtotal 2)  Number of	Number	Adjust.					
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%					
		Other written NOVs	0	0%					
		Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%					
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%					
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%					
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%					
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%					
	Emissions	Chronic excessive emissions events (number of events)	0	0%					
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%					
	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	0%					
		1		1					
		Environmental management systems in place for one year or more	No	0%					
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%					
		Participation in a voluntary pollution reduction program	No	0%					
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%					
		Adjustment Per	centage (Sub	total 2) 0%					
>> I	Repeat Violator	(Subtotal 3)							
	N/A	Adjustment Per	centage (Sub	total 3) 0%					
>> (	Compliance Hist	ory Person Classification (Subtotal 7)							
Satisfactory Performer  Adjustment Percentage (Subtotal 7) 0%									
>> (	Compliance Hist	ory Summary							
	Compliance History Notes	No adjustment for Compliance History.							
\\ F	nal Compliance	Total Compliance History Adjustment Percentage (S	Subtotals 2,	<b>3, &amp; 7)</b> 0%					
/> FI	nai Compilance	History Adjustment Final Adjustment Percenta	age *capped	at <b>100%</b> 0%					
			·						

	Economic Benefit Worksheet								
Respondent	Zapata County	У							
Case ID No.	61661								
Reg. Ent. Reference No.	RN101218949	)							
_	Public Water S						Years of		
Violation No.		- ~ PP. /				Percent Interest	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)	\$100		19-Apr-2023	1.59	\$8	n/a	\$8		
	,					se of noncompliance	,		
Notes for DELAYED costs	necessary repairs or adjustments to the Facility, and maintain a disinfectant residual of at least 0.5 mg/L								
Notes for DELATED Costs	total chlori	ne throughout the	e distribution sys	stem, ca	alculated from the	date of the investig	ation to the		
			estimate	d date	of compliance.				
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	l costs)		
Disposal				0.00	\$0	\$0	\$0		
Personnel				0.00	\$0	\$0	\$0		
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0		
Supplies/Equipment				0.00	\$0	\$0	\$0		
Financial Assurance				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									
Annual Cost of Compliance		\$100			TOTAL		\$8		
Approx. Cost of Compliance		\$100			IUIAL		<b>ఫ</b> ర		

Respondent Zopato Country Reg. Ent. Reference No. Rk101213949  Ent. Coordinator Subscription Reg. Ent. Reference No. Rk10121395  Ent. Coordinator Subscription Rule Cite(s) Ru	Sci	reening Date	7-Dec-2021	Docket	<b>No.</b> 2021-1578-PWS-E	PCW
Reg. Ent. Reference No. RM.00213949 Media Public Water Supply Enf. Coordinator Violation Number Rule Cite(s)  Faled to properly complete the Surface Water Metably Operating Reports (FSW000F) submitted to the Communion. Specificity, the electronic individual fire effluent (FSF) fundably reading from 2020 and 2021 dat not match the values reported on the SWM00Rs; three to six combined filter effluent (FSF) grabs ample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values were reported on the WM0Rs; three to six combined filter effluent (FSF) grab sample values (FSF) g						Policy Revision 5 (January 28, 2021)
Media   Dublic Water Supply   Samantha Salas   Violation Number   Rule Cite(s)   30 Tex. Admin. Code § 290.112(h)   Samantha Salas   Violation Number   Rule Cite(s)   30 Tex. Admin. Code § 290.112(h)   Samantha Salas   Violation Property Complete the Surface Water Mouthly Operating Reports   City SWNOSP) uponthered to the Commission. Specificially, the electronic individual filter effuent ("TF") turbidity readings from 2020 and 2021 dd not match the values reported on the SWMOSP, but only one value was recorded on the SWMOSP, but only one value was recorded on the coperator logic for 2020 and annually through Journal and October through   Desemble of 2021; and the delified-don process permetters from the Nevermode   Sample values were reported on the SWMOSP, but only one value was recorded on the coperator logic for 2020 and annual through Journal and Corbor through   Desemble of 2021; and the delified-don process permetters from the Nevermode   Permetter   Permetter   Samantha Samanth						PCW Revision February 11, 2021
Samantha Salas   Violation Number   2   30 Tex. Admin. Code § 290.111(h)   Falled to properly complete the Surface Water Monthly Operating Reports ("SWMORs,") submitted to the Commission. Specifically, the electronic individual values reported on the Commission. Specifically, the electronic individual values reported on the Commission. Specifically, the electronic individual values reported on the SWMORs, three to six combined filter effluent ("CET") grab sample values were reported on the SWMORs, through June and October through December 02 2013; and the disinfection process parameters from the November 4, 2016 concentration-time ("C") study approval letter were used on the SWMORs, and study approval letter.    Samantha Swmort	Reg. Ent. R	eference No.	RN101218949			
Violation Number   2		Media	Public Water Supply			
Rule Cite(s)    30 Tex. Admin. Code § 290.111(h)			· ·			
Falled to properly complete the Surface Water Monthly Operating Reports ("SWMORS") submitted to the Commission. Specifically, the electronic individual filter effluent ("IFT") urbidity recomplished and 2021 did not match the values resported on the SWMORS; three to six combined little effluent ("OTE") grad the values resported on the SWMORS; three to six combined little effluent ("OTE") grad the values resported on the SWMORS; three to six combined little effluent ("OTE") grad the values resported on the SWMORS in the operator logs for 2020 and almary through June and October through December of 2021; and the disinfection process parameters from the November 4, 2016 concentration—time ("CI") Tayly approval letters were used on the SWMORS instead of the current parameters listed in the September 22, 2019 CT study approval letters.  **Base Penalty**  **Sometimes**  **Percent**  **Release**  **Major**  **Noderate**  **Noder	Vie					
Failed to properly complete the Surface Water Martelly Operation Reports  ("SWMPSR") solumited to the commission. Suscidinally the electrons including in the commission of the commission of the commission of the commission. Such and 2021 date on metch the values reported on the SWMORs, but only one value was recorded on the operator loss for 2020 and analyst through June and October through December of 2021; and the disirfection process parameters from the November 4, 2016 concentration-time ("C"1) study approval letter were used on the SSWMORs instead of the current parameters listed in the September 22, 2015 C1 study approval letter.  Sase Penalty  S-> Environmental, Property and Human Health Matrix  Release Major Moderate Minor  Actual Potential Percent Major Moderate Minor  Percent 1.0%  Notes  Less than 30% of the rule requirements were not met.  Adjustment 54,950  Violation Events  Number of Violation Events 1 83 Number of violation days  diality weekly w		Rule Cite(s)		30 Tex. Admin. Code 8	290.111(h)	
Number of Violation Events	Violat	ion Description	Failed to properly of ("SWMORs") submitted filter effluent ("IFE") to values reported on the Sample values were reported to the operator logs for December of 2021; and 2016 concentration-time	to the Commission. Spurblidity readings from 2 SWMORs; three to six control on the SWMORs, the 2020 and January through the disinfection process the ("CT") study approvator parameters listed in the	ater Monthly Operating Report pecifically, the electronic indiv 2020 and 2021 did not match ombined filter effluent ("CFE") but only one value was record ugh June and October through sparameters from the Novem I letter were used on the SWN ne September 22, 2019 CT sture.	ridual the ) grab ded on gh ber 4, MORs
Number of Violation Events						,
Release Major Moderate Minor Potential Potential Percent 0.0%  >>Programmatic Matrix Falsification Major Moderate Minor  Adjustment \$4,950   \$50  Violation Events  Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly semiannual annual single event x  One single event x  One single event is recommended.  Good Faith Efforts to Comply 0.0%  Extraordinary Ordinary NoE/NOV to EDPRE/Settlement Offer Extraordinary Ordinary Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal 550  Economic Benefit (EB) for this violation 5312 Violation Final Penalty Total 550	>> Environm	iental, Prope				
OR   Actual   Percent   0.0%		Release				
>>Programmatic Matrix Falsification Major Moderate Minor Foliation Major Foliation Major Foliation Major Foliation Major Foliation Major Foliation Minor Foliation Major Foliation Minor Foliation Major Foliation Minor Foliation Major Foliation Minor Foliation M	OR			.c PHHO		
>>Programmatic Matrix Falsification Major Moderate Minor Percent 1.0%  Matrix Notes  Less than 30% of the rule requirements were not met.  Adjustment \$4,950  \$50  Violation Events  Number of Violation Events  Number of Violation Events  One single event is recommended.  One single event is recommended.  Good Faith Efforts to Comply Extraordinary Ordinary Ordinary N/A Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50	O.K				Percent 0.0%	
Falsification Major Moderate Minor  Matrix Notes  Less than 30% of the rule requirements were not met.  Adjustment \$4,950  \$50  Violation Events  Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly semiannual single event x  One single event is recommended.  Good Faith Efforts to Comply 0.0% Extraordinary Ordinary Ordinary N/A X Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50					0.0,0	
Falsification Major Moderate Minor  Matrix Notes  Less than 30% of the rule requirements were not met.  Adjustment \$4,950   **S50  Violation Events  Number of Violation Events 1 83 Number of violation days  **daily weekly monthly quarterly semiannual annual single event x  One single event is recommended.  **Good Faith Efforts to Comply 0.0% Before MOE/MOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X Notes  **The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50	>>Programn	natic Matrix				
Matrix Notes  Less than 30% of the rule requirements were not met.  Adjustment \$4,950  \$50  Violation Events  Number of Violation Events  Number of Violation Events  Number of Violation Events  Number of Violation Events  One single event is recommended.  One single event is recommended.  Good Faith Efforts to Comply  Extraordinary  Ordinary  N/A  Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal  \$50  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount  \$50	, , , , , , , , , , , , , , , , , , ,		Major Moderat	te Minor	_	
Adjustment \$4,950  \$50  Violation Events  Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly 9 Violation Base Penalty \$50  Senimanual 9 Sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation \$12 Violation Final Penalty Total \$50				X	Percent 1.0%	
Adjustment \$4,950  \$50  Violation Events  Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly 9 Violation Base Penalty \$50  Senimanual 9 Sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation \$12 Violation Final Penalty Total \$50						
Violation Events  Number of Violation Events  1 83 Number of violation days  daily weekly monthly quarterly semiannual annual single event x  One single event is recommended.  Good Faith Efforts to Comply 0.0% Reduction \$0  Entraordinary Ordinary Ordinary NA X  Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			Less than 30% of	the rule requirements v		
Violation Events  Number of Violation Events 1 83 Number of violation days    daily   weekly   monthly   quarterly   semiannual annual single event   x   x   x   x   x   x   x   x   x					Adjustment	\$4,950
Violation Events  Number of Violation Events 1 83 Number of violation days    daily   weekly   monthly   quarterly   semiannual annual single event   x						\$50
Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly semiannual annual single event x  One single event is recommended.  Good Faith Efforts to Comply 0.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50						430
Number of Violation Events 1 83 Number of violation days  daily weekly monthly quarterly semiannual annual single event x  One single event is recommended.  Good Faith Efforts to Comply 0.0% Sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50	<b>Violation Eve</b>	ents				
Cood Faith Efforts to Comply   Complete						
Weekly		Number of \	Violation Events 1	83	Number of violation day	'S
Weekly					<del></del>	
monthly quarterly \$50  semiannual annual single event						
quarterly semiannual annual annual single event   x   Soo      Comparison   Compari						
Good Faith Efforts to Comply 0.0% Reduction \$0  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50						
Good Faith Efforts to Comply  0.0%  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A  Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal  \$50  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12  Violation Final Penalty Total \$50			' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '		Violation Base Pe	enaity \$50
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal  \$50  Economic Benefit (EB) for this violation  \$50  Statutory Limit Test  Estimated EB Amount  \$50						
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal  \$50  Economic Benefit (EB) for this violation  \$50  Statutory Limit Test  Estimated EB Amount  \$50						
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  \$50  Statutory Limit Test  Estimated EB Amount \$50			single event			
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  \$50  Statutory Limit Test  Estimated EB Amount \$50						
Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$12  Violation Final Penalty Total \$50			One sin	gle event is recommend	ded.	
Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$12  Violation Final Penalty Total \$50						
Extraordinary Ordinary N/A x Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12  Violation Final Penalty Total \$50						_
Extraordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal  \$50  Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$12 Violation Final Penalty Total \$50	Good Faith E	fforts to Com				uction \$0
Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$12 Violation Final Penalty Total \$50				IOV NOE/NOV to EDPRP/Set	ttiement Offer	
Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			· -			
Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			, <u> </u>			
This violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			N/A  X			
This violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			The Resp	ondent does not meet t	he good faith criteria for	
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50			ivotes		_	
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50						
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$12 Violation Final Penalty Total \$50					Violation Su	btotal \$50
Estimated EB Amount \$12 Violation Final Penalty Total \$50					1.51411011 54	\$50
Estimated EB Amount \$12 Violation Final Penalty Total \$50	<b>Economic Be</b>	nefit (EB) for	r this violation		Statutory Limit Te	est
This violation Final Assessed Penalty (adjusted for limits) \$50				1.10		
		Estimate	ed EB Amount	\$12	<b>Violation Final Penalty</b>	Total \$50

	Economic Benefit Worksheet							
Respondent		/						
Case ID No.								
Reg. Ent. Reference No.	RN101218949	)						
Media	Public Water 9	Supply				Percent Interest	Years of	
Violation No.	2					refeelt Interest	Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description			2 4 6 6			3333 34134		
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	15-Sep-2021	19-Apr-2023	1.59	\$4	n/a	\$4	
Training/Sampling	\$100	15-Sep-2021	19-Apr-2023	1.59	\$8	n/a	\$8	
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/ d	<b>\$</b> 0	
	The delayed	cost includes the e	estimated amou	nt to up	date the Facility's	operational guidance	ce and conduct	
Notes for DELAYED costs	employee	training to ensur	e that SWMORs	are pro	perly completed, o	calculated from the	date of the	
		inv	estigation to th	e estima	ated date of compl	iance.		
Avaided Coate	ANNII	ALTZE avoided c	osts boforo on	toring	itom (ovcont for	one-time avoide	d costs)	
Avoided Costs	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0	
Disposal Personnel				0.00	\$0 \$0	\$0 \$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		\$145			TOTAL		\$12	
	l	Ψ113			· · · · · · · ·	1	4-2	

	Screer	ning Date	7-Dec-2021		Doc	ket No.	2021-1578	3-PWS-E		P	CW
	Re	spondent	Zapata County						Policy F	Revision 5 (January 2	8, 2021)
	Cas	se ID No.	61661						PCV	V Revision February .	11, 2021
Reg.	Ent. Refei	rence No.	RN101218949								
_			Public Water Su	ipply							
	Enf. Co		Samantha Salas								
	Violati	on Number	3	<u> </u>						_	
	R	lule Cite(s)		30 Tev	Admin. Code §	s 200 111 <i>(</i>	(a)(3)(B)				
				30 TCX.	Admin. code s	3 250.111(					
					the turbidity lev						
	Violation I	Description	that the system		on the operato						
			Sample readi	ng was noted	online al	_	acii day wi	icii tiic pic	iiic was		
					5G G.	,.					
								Base	Penalty		\$5,000
>> Env	vironment	al, Prope	rty and Hum		Matrix						
		Release	Major	<b>Harm</b> Moderate	Minor						
OR		Actual	Major	Moderate	MILIOI						
O.K		Potential	Х				Percent	15.0%			
		rocerreiai	^				· crcciic _	15.0 /0			
>>Pro	grammati	c Matrix									
		Falsification	Major	Moderate	Minor						
			_				Percent	0.0%			
							_	<u> </u>			
	Matrice	Fail to		- d		عادات عدداتا م			مالد بدا ا		
	Matrix Notes		easure and recorust undetected cont								
	Notes	raciity to	undetected cont	arrificants with	cii would excee	eu ieveis p	rotective o	i ilulilali il	caitii.		
	_										
						Adj	ustment		\$4,250		
											\$750
											\$73U
Violatio	on Events										
			_								
		Number of \	iolation Events/	3		83	Number of	violation of	days		
					· · · · · · · · · · · · · · · · · · ·						
			daily								
			weekly								
			monthly	Х			Viole	tion Door	Danaltur		¢2.250
			quarterly semiannual				Viola	ition Base	Penalty		\$2,250
			annual								
			single event								
			Single event								
					1 1 1 1 6		C.I	6			
		hree monthly	events are reco		of screening, [			tigation, Se	eptember		
			13, 202.	1, to the date	or screening, L	Jecember	7, 2021.				
Good F	aith Effor	ts to Com		0.0%				F	Reduction		\$0
				efore NOE/NOV	NOE/NOV to EDPF	RP/Settlemen	nt Offer				
			Extraordinary								
			Ordinary								
			N/A	X							
				The Respond	ent does not m	eet the go	od faith cri	iteria for			
			Notes	·		olation.					
			L								
							,	Violation	Subtotal		\$2,250
											, _,_50
Econor	nic Benefi	t (EB) for	this violation	on			Statuto	ry Limit	Test		
					1.0						+2.252
		Estimate	ed EB Amount		\$40	V	iolation F	ınal Pena	ity Total		\$2,250
				This viol	lation Final As	ssessed P	enalty (a	diusted fo	r limits)		\$2,250
				5 1101		- Joseph F	y (at	.,			<sub>7</sub> = , = 30

	Е	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	61661						
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment		T I		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)	\$500	15-Sep-2021	19-Apr-2023	1.59	\$40	n/a	\$40
Notes for DELAYED costs			plant is in opera	tion, ca		oring the turbidity l date of the investiga	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				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		\$40

	Case ID No.	Zapata County 61661	Docket No. 2021-1578-PWS-E	PCW Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
Reg.		Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	30 1	Tex. Admin. Code § 290.111(e)(5)(C)(iii)	
	Violation Description	malfunctions, the so continuous monitoring of the equipment. S system was offline and	that if the continuous turbidity monitoring equipmenty ystem conducts grab sampling every four hours in lie , but for no more than 14 working days following the pecifically, the continuous turbidity monitoring equip the system had been collecting grab samples for mo rking days in lieu of continuous monitoring.	u of failure ment
			Base P	enalty \$5,000
>> Env	ironmental, Prope	rty and Human He	alth Matrix	
OR	<b>Release</b> Actua Potentia			
_				
>>Prog	grammatic Matrix Falsification	Major Moder	ate Minor	
	Taisiication	Major Moder	Percent 0.0%	
		"		
	Matrix adequately	monitoring the turbidity	he turbidity automatically could prevent operators from the properators from the properators from the properation of the protective from the protective human health.	eing eing
			Adjustment	\$4,750
			Adjustment	
Violatio	on Events			\$250
		Violation Events 1	83 Number of violation da	ys
		daily weekly monthly quarterly xemiannual annual single event	Violation Base P	enalty \$250
	One quarter		d, calculated from the date of the investigation, Septodate of screening, December 7, 2021.	ember
Good F	aith Efforts to Com	iply 0	.0% Rec	duction \$0
		Before NOE	/NOV NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary		
		N/A  <u>x</u>		
		Notes The Res	pondent does not meet the good faith criteria for this violation.	
			Violation Su	sbtotal \$250
Econon	nic Benefit (EB) fo	r this violation	Statutory Limit To	est
	Estimat	ed EB Amount	\$2,786 Violation Final Penalty	y Total \$250
		This	violation Final Assessed Penalty (adjusted for	limits) \$250
				, Ψ250

	Economic Benefit Worksheet							
Respondent	Zapata County	/						
Case ID No.								
Reg. Ent. Reference No.								
	Public Water S						Years of	
Violation No.		оирріу				<b>Percent Interest</b>	Depreciation	
violation No.	4							
						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)	\$25,000	15-Sep-2021	19-Apr-2023	1.59	\$133	\$2,653	\$2,786	
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	
	The delay	ed cost includes t	he estimated an	nount to	return the autom	ated monitoring eq	uinment to	
Notes for DELAYED costs	•					ieu of continuous m	•	
Notes for DELATED Costs						d date of compliance		
	C	alculated ITOIII the	e date of the life	estigati	on to the estimate	d date of compliant	e.	
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering	item (except for	one-time avoided	l costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				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								
Notes for AVOIDED costs								
<u>l</u>								
Approx. Cost of Compliance		\$25,000			TOTAL		\$2,786	
Approx. cost of compliance		Ψ25,000			IOIAL		Ψ2,700	

	Screening Date	7-Dec-2021	Docket No. 2021-1578-PWS-E	PCW
	Respondent	Zapata County		Policy Revision 5 (January 28, 2021)
	Case ID No.			PCW Revision February 11, 2022
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator			
	Violation Number Rule Cite(s)	5		
	Rule Cite(S)	30	Tex. Admin. Code § 290.46(m)	
			ance and housekeeping practices to ensure	
	Violation Description		ral appearance of the system's facilities and o clarifiers and two of four filters were opera	
	Violation Description		emoval system was not working properly on	
			clarifiers.	
			Ва	ase Penalty \$5,000
				-
>> Env	vironmental, Prope	rty and Human Health Harm	ı Matrix	
	Release	Major Moderate	Minor	
OR	Actual			
	Potential		x Percent 3.0%	<b>6</b>
>>Pro	grammatic Matrix			
	Falsification	Major Moderate	Minor	7
			Percent 0.09	<u>/o</u>
	Enilure to	maintain the good working o	andition and general appearance of the Eacil	ity could
	Matrix expose perso		ondition and general appearance of the Facil insignificant amounts of contaminants which	
	Notes		protective of human health.	Would not
			<u> </u>	
			Adjustment	\$4,850
				\$150
				\$150
Violati	on Events			
	Number of \	/iolation Events 3	83 Number of violation	on days
	ı	al e il e e	<b>a</b>	
		daily weekly		
		monthly	4	
		quarterly	Violation Ba	ase Penalty \$450
		semiannual		· · · · · · · · · · · · · · · · · · ·
		annual		
		single event x		
		Three single events ar	e recommended, one for each issue.	
		Three single events and	e recommended, one for each issue.	
			_	
Good F	aith Efforts to Com			Reduction \$0
		Before NOE/NOV Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
		Ordinary		
		N/A x	JL	<b>7</b>
		Notes The Respond	dent does not meet the good faith criteria fo	r
		110000	this violation.	
				<u></u>
			Violatio	on Subtotal \$450
Econor	mic Benefit (EB) for	this violation	Statutory Lim	it Test
	ine beliefit (Lb) for	ins violation	Statutory Emi	_
	Estimate	ed EB Amount	\$2,924 Violation Final Pe	enalty Total \$450
		This vis	plation Final Assessed Penalty (adjusted	l for limits) \$450
		i nis vic	nation rinal Assessed Penalty (adjusted	\$450

	Е	conomic	Benefit	Wor	ksheet		
Respondent	Zapata County	/					
Case ID No.	61661						
Reg. Ent. Reference No.	RN101218949						
	Public Water S					D 7	Years of
Violation No.		,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Thom Description	Item Cost	Date Required	Fillal Date	113	Tillerest Saveu	Costs Saveu	EB AIIIOUIIC
Item Description							
Delayed Costs							
Delayed Costs Equipment		11		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)	\$25,000	15-Sep-2021	18-May-2023	1.67	\$139	\$2,785	\$2,924
Engineering/Construction	\$25,000	15 SCP 2021	10 Huy 2025	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	sludge remov	al system, calcula	ited from the da	te of th	e investigation to	e clarifiers, filters, a the estimated date	of compliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	-
Disposal			<u> </u>	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)				0.00	1 \$0	\$0 1	<u>\$U</u>
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$25,000			TOTAL		\$2,924

	Screen	ing Date	7-Dec-2021	<b>Docket No.</b> 2021-1578-PWS-E	PCW
			Zapata County	Polic	y Revision 5 (January 28, 2021)
		se ID No.			CW Revision February 11, 2021
Reg.			RN101218949		, ,
			Public Water Supply		
	Enf. Cod		Samantha Salas		
	Violatio	on Number	6		
	R	ule Cite(s)	30 T	ex. Admin. Code § 290.42(e)(7)(A)(ii)	
			30 1	ex. Admin. Code 9 250.42(e)(7)(A)(ii)	
				hlorine and ammonia are added to distribution water that	
	Violation [	Description		dual, that the ammonia is added first. Specifically, the int on the line to the ground storage tank was located	
				8 inches upstream of the ammonia injection point.	
				Base Penalt	\$5,000
>> Env	vironment	al, Propei	ty and Human Heal		
		Release	<b>Harm</b> Major Moderat		
OR		Actual	Major Moderat	ie Pilitoi	
O.C		Potential	Х	Percent 5.0%	
		rocential	Α	3.070	
>>Pro	grammatio	c Matrix			
	_	alsification	Major Moderat	e Minor	
				Percent 0.0%	
	Matrix	Failure to ac	dd the ammonia to the dis	tribution water before the chlorine could expose persons	
	Matrix Notes	served by t		amount of contaminants which would not exceed levels	
	Notes		prote	ective of human health.	
				Adjustment \$4,75	50
					\$250
					\$230
Violatio	on Events				
				<u></u>	
		Number of V	iolation Events 1	83 Number of violation days	
			daily		
			weekly		
			monthly	Violation Base Bonels	#2F0
			quarterly <u>x</u> semiannual	Violation Base Penalt	<b>y</b> \$250
			annual		
			single event		
			omgre event		
		0		and a late of Control to the Control	
		One quarteri		calculated from the date of the investigation, September late of screening, December 7, 2021.	
			15, 2021, to the t	ate of screening, becchiber 7, 2021.	
					105
Good F	aith Effort	ts to Com			n \$25
			Before NOE/N Extraordinary	OV NOE/NOV to EDPRP/Settlement Offer	
			Ordinary	X	
			N/A		
			The Re	spondent achieved compliance on January 7,	
			Notes	2022.	
				Violation Subtota	si \$225
				T.O.G.C.O.II Subtoti	Ψ223
Econor	nic Benefi	t (EB) for	this violation	Statutory Limit Test	
		Ectimate	ed EB Amount	\$11 Violation Final Penalty Total	sal \$225
		Latinidt	A LD AIIIOUIIL	Ψ±±] Violation Final Felidity lot	φ22J
			This	violation Final Assessed Penalty (adjusted for limits	\$225

	E	conomic	Donofit	14/0-	drahaat		
			Dellelli	VVOI	KSHEEL		
Respondent		/					
Case ID No.	61661						
Reg. Ent. Reference No.	RN101218949	)					
Media	Public Water 9	Supply				D	Years of
Violation No.		,				Percent Interest	Depreciation
21010011111						5.0	- 15
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
		Date Required	rillai Date	115	Interest Saveu	Costs Saveu	EB Allioulit
Item Description							
Delayed Costs		11		1 0 00	1 +0	1 +0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings	±500	15 C 2021	7.1 2022	0.00	\$0	\$0	\$0
Other (as needed)	\$500	15-Sep-2021	7-Jan-2022	0.31	\$1	\$10	\$11
Engineering/Construction Land				0.00	\$0	\$0 n/n	\$0
				0.00	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0 \$0		\$0 \$0
Permit Costs				0.00	\$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0 \$0	n/a	\$0 \$0
Other (as needed)		<u>  </u>		0.00	<b>3</b> 0	II/a	<u> </u>
	The delaye	d cost includes th	e estimated am	ount to	ensure when chlo	rine and ammonia a	re added to
Notes for DELAYED costs	distribution w	ater that has a chl	loramine residu	al, that	the ammonia is ac	dded first, calculated	from the date
					he date of complia		
					11 ( 16	<del></del>	
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	<u>\$0</u>
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0 \$0
Supplies/Equipment				0.00	\$0 #0	\$0 #0	<u>\$0</u>
Financial Assurance				0.00	\$0 \$0	\$0 #0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		<u> </u>		0.00	\$0	\$0	<u>\$U</u>
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$500			TOTAL		\$11

	7-Dec-2021	<b>Docket No.</b> 2021-1578-PWS-E	PCW
Respondent	Zapata County	Policy R	Revision 5 (January 28, 2021)
Case ID No.	61661	PCV	W Revision February 11, 2021
Reg. Ent. Reference No.	RN101218949		
Media	Public Water Supply		
Enf. Coordinator	Samantha Salas		
Violation Number	7		,
Rule Cite(s)	30 Te	x. Admin. Code § 290.46(s)(2)(D)	
		3 (7,7,7,7	
		y of the analyzer used to determine the effectiveness of	
Violation Description	chloramination in accordan	ce with the manufacturer's recommendations every 90	
		days.	
		Base Penalty	¢E 000
		base reliaity	\$5,000
>> Environmental, Proper	rty and Human Health	Matrix	
	Harm		
OR Release	Major Moderate	Minor	
Potential		x Percent 3.0%	
Potential		X Percent 3.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0.0%	
Failure	to verify the accuracy of the	analyzer used to determine the effectiveness of	
Matrix		served by the Facility to an insignificant amount of	
		t exceed levels protective of human health.	
		Adjustment \$4,850	
			•
		·	
		]	\$150
Violation Events			\$150
Violation Events			\$150
	/iolation Events 1	83 Number of violation days	\$150
	/iolation Events 1	Number of violation days	\$150
	/iolation Events 1	Number of violation days	\$150
		83 Number of violation days	\$150
	daily weekly monthly		
	daily weekly monthly quarterly	83 Number of violation days  Violation Base Penalty	\$150 \$150
	daily weekly monthly quarterly semiannual		
	daily weekly monthly quarterly semiannual annual		
	daily weekly monthly quarterly semiannual		
	daily weekly monthly quarterly semiannual annual		
	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalty	
	daily weekly monthly quarterly semiannual annual single event		
Number of V	daily weekly monthly quarterly semiannual annual single event   One single	Violation Base Penalty  event is recommended.	\$150
	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%	Violation Base Penalty  event is recommended.  Reduction	
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV	Violation Base Penalty event is recommended.	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV Extraordinary	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV  Extraordinary Ordinary	Violation Base Penalty  event is recommended.  Reduction	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV Extraordinary	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV  Extraordinary Ordinary N/A  The Response	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply 10.0%  Extraordinary Ordinary N/A	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  X	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV  Extraordinary Ordinary N/A  The Response	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  x  Indent achieved compliance on February 22,	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Before NOE/NOV  Extraordinary Ordinary N/A  The Response	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  x  Indent achieved compliance on February 22, 2022.	\$150 \$15
Good Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Extraordinary Ordinary N/A Notes  The Respon	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  X  Indent achieved compliance on February 22, 2022.  Violation Subtotal	\$150
Number of V	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Extraordinary Ordinary N/A Notes  The Respon	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  x  Indent achieved compliance on February 22, 2022.	\$150 \$15
Good Faith Efforts to Com  Economic Benefit (EB) for	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Extraordinary Ordinary N/A Notes  The Response  this violation	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  X  Indent achieved compliance on February 22, 2022.  Violation Subtotal  Statutory Limit Test	\$150 \$150 \$15
Good Faith Efforts to Com  Economic Benefit (EB) for	daily weekly monthly quarterly semiannual annual single event   One single  ply  10.0%  Extraordinary Ordinary N/A Notes  The Respon	event is recommended.  Reduction  NOE/NOV to EDPRP/Settlement Offer  X  Indent achieved compliance on February 22, 2022.  Violation Subtotal	\$150 \$150

Economic Benefit Worksheet								
Respondent		У						
Case ID No.								
Reg. Ent. Reference No.	RN101218949	)						
	Public Water S	Supply				Percent Interest	Years of	
Violation No.	7						Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount	
Item Description		•						
zeem Beschipmen								
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)	\$5	15-Sep-2021	22-Feb-2022	0.44	\$0	n/a	\$0	
	The delayed	cost includes the	estimated amo	unt to n	ronerly verify the	accuracy of the ana	lyzer used to	
Notes for DELAYED costs	,				. , ,	s, calculated from	•	
Notes for DELATED Costs	determine the	e effective fless of			late of compliance		the date of 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)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs								
Notes for Avoid to costs								
•								
Approx. Cost of Compliance		\$5			TOTAL		\$0	

	Screening Date	7-Dec-2021	<b>Docket No.</b> 2021-1578-PWS-E	PCW
		Zapata County	Policy I	Revision 5 (January 28, 2021)
	Case ID No.		PC	W Revision February 11, 2021
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator			
	Violation Number Rule Cite(s)			1
	Rule Cite(s)	30 To	ex. Admin. Code § 290.46(s)(2)(C)(ii)	
	Violation Description	least once every seven	uracy of the Facility's continuous disinfectant analyzer at days with a chlorine solution of know concentration or by rom the on-line analyzer with the results of an approved benchtop method.	
			Base Penalty	\$5,000
>> Env	vironmental, Prope	rty and Human Heal	th Matrix	
	Release	<b>Harm</b> Major Moderat	e Minor	
OR	Actual		e Milio	
	Potential		Percent 5.0%	
		,		
>>Pro	grammatic Matrix	Mada Mada at	Min a	
	Falsification	Major Moderat	Percent 0.0%	
			Percent 0.0%	
	Failure to	verify the accuracy of the	continuous disinfectant residual analyzer could cause	1
			nt detection of treatment problems and expose persons	
	Notes served by t		amount of contaminants which would not exceed levels	
		prote	ective of human health.	
			# dinature and	1
			Adjustment \$4,750	1
				\$250
	_			
Violatio	on Events			
	Number of V	Violation Events 1	83 Number of violation days	
	rumber of	Violation Events 1	ivaliber of violation days	
		daily		
		weekly		
		monthly		1250
		quarterly	Violation Base Penalty	\$250
		semiannualannual		
		single event x		
			<del></del>	
		One sing	gle event is recommended.	
				1
Good F	aith Efforts to Com	ply 10.0	% Reduction	\$25
		Before NOE/N		
		Extraordinary		
		Ordinary	X	
		N/A		
		The Res	pondent achieved compliance on February 22,	
		Notes	2022.	
			Violation Subtotal	\$225
Econor	nic Benefit (EB) fo	r this violation	Statutory Limit Test	
	Estimat	ed EB Amount	\$0 Violation Final Penalty Total	\$225
		This	violation Final Assessed Bonalty (adjusted for limita)	\$225
		i nis v	riolation Final Assessed Penalty (adjusted for limits)	\$225

	E	conomic	<b>Benefit</b>	Wor	ksheet			
Respondent	Zapata County	/						
Case ID No.								
Reg. Ent. Reference No.								
Media	Public Water S	Supply				Percent Interest	Years of	
Violation No.	8					Percent Interest	Depreciation	
21010010111101						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				0.00	\$0	n/a	\$0	
Other (as needed)	\$5	15-Sep-2021	22-Feb-2022	0.44	\$0	n/a	\$0	
	The delave	d cost includes th	e estimated amo	ount to	verify the accurac	v of the continuous	disinfectant	
	The delayed cost includes the estimated amount to verify the accuracy of the continuous disinfectant analyzer at least once every seven days with a chlorine solution of known concentration or by comparing							
Notes for DELAYED costs	,	•	•			chtop method, calcu	,	
	line results in		•		the date of comp	•	natea from the	
					<u> </u>			
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	l costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				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								
·								
Annroy Cost of Compliance		\$5			TOTAL		\$0	
Approx. Cost of Compliance		\$5			IOIAL		<b>\$</b> υ	

Economic Benefit Worksheet								
Respondent	Zapata County	<i>'</i>						
Case ID No.	61661							
Reg. Ent. Reference No.	RN101218949							
Media	Public Water S	Supply				Percent Interest	Years of	
Violation No.	9					Percent Interest	Depreciation	
						5.0	15	
	<b>Item Cost</b>	<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 Other (as needed)	\$50	15-Sep-2021	22-Feb-2022	0.00	\$0 \$1	n/a n/a	\$0 \$1	
Notes for DELAYED costs	x five turbidin primary stand by comparing	neters) with a prinard, secondary stee the results from	mary standard a andard, or the n the on-line unit	t least on nanufact with the	once every 90 day turer's proprietary e results from a pi	-line turbidimeters ( s, and check the cal calibration confirm roperly calibrated be on to the date of con	ibration with a ation device or enchtop unit at	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	l costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				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	<u>\$0</u>	\$0	\$0	
Approx. Cost of Compliance		\$50		_	TOTAL		\$1	

	Scre	ening Date	7-Dec-2021		Docl	ket No. 2021-1578-PWS-E		PCW
			Zapata County				Policy R	Revision 5 (January 28, 2021)
	C	ase ID No.	61661					V Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN101218949					
		Media	Public Water Su	ıpply				
	Enf. C	coordinator	Samantha Sala	s				
	Viola	ation Number	10					
		Rule Cite(s)	30 Tex. A	dmin. Code §		H) and Tex. Health & Safety Co	de §	
					341.031	.5(c)		
	Violatio	n Description	file for a per request, for E	iod of not less Executive Dire	than three year ctor review. Sp	ower use and maintenance and ars and make the logs available becifically, maintenance logs of were not available for review.	e, upon	
						Base	Penalty	\$5,000
>> Env	/ironma	ntal Proper	rty and Hum	an Health	Matrix			
// LIIV	vii Oillile	iitai, Propei	ty and muni	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential				Percent 0.0%		
_								
>>Prog	gramma	tic Matrix	N4 - 1	Madada	Mina			
		Falsification	Major	Moderate	Minor	Porcent 10.00/		
			Х			Percent 10.0%		
	Matrix		100	0% of the rule	requirements	were not met		
	Notes		100	770 OF LITE TUTE	requirements	were not met.		
						Adjustment	\$4,500	
						Aujustinent	ψ1,500	
								\$500
	_							
Violatio	on Event	ts						
		Number of \	/iolation Events	1		83 Number of violation	davs	
		Number of V	Tolation Events	1		Number of Violation	uuys	
			daily					
			weekly					
			monthly					
			quarterly			Violation Base	Penalty	\$500
			semiannual					
			annual					
			single event	Х				
				One single	event is recomi	mended.		
								•
Good F	aith Effo	orts to Com		0.0%			Reduction	\$0
				sefore NOE/NOV	NOE/NOV to EDPF	RP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	X				
			Notes	The Respond		eet the good faith criteria for olation.		
			Ц					
						Violation	•	\$500
Econon	nic Bene	efit (EB) for	this violation	on		Statutory Limit	Test	
		Estimate	ed EB Amount		\$4	Violation Final Pena	ilty Total	\$500
			•					
				This vio	iation Final As	ssessed Penalty (adjusted fo	or limits)	\$500

Economic Benefit Worksheet								
Respondent		/						
Case ID No.								
Reg. Ent. Reference No.	RN101218949	1						
Media	Public Water S	Supply				Percent Interest	Years of	
Violation No.	10					Percent Interest	Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Thoma Donomination	Item Cost	Date Required	i illai Date	113	Titterest Saveu	costs Saveu	LD Amount	
Item Description								
Delayed Costs	1	1		1	1		1.0	
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 \$0	n/a	\$0 \$0	
Record Keeping System	\$45	15-Sep-2021	19-Apr-2023	1.59	\$0 \$4	n/a	\$4	
Training/Sampling	\$4J	13-3ep-2021	19-Api-2023	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	maintenance	and keep on file	for a period of r review, calcula	ot less	than three years and the date of the ir	all emergency pow nd make the logs a nvestigation to the o	vailable, upon	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs								
Approx. Cost of Compliance		\$45			TOTAL		\$4	

	Scree	ning Date	7-Dec-2021		Docket No.	2021-1578-PWS-E		PCW
		-	Zapata County				Policy R	evision 5 (January 28, 2021)
		ase ID No.					PCW	Revision February 11, 2021
Reg. E	int. Refe		RN101218949					
			Public Water Supp	ply				
			Samantha Salas					
		ion Number	11					
		Rule Cite(s)		30 Te	ex. Admin. Code § 290.	39(I)(5)		
	Violation	Description	was not monito pressure differ	oring the pro ential acros	essure at the inlet of the	n. Specifically, the Respectation and was not recording nice each day.	d the	
						Base F	enalty	\$5,000
>> Envi	ironman	tal Dropo	rty and Humar	n Haalth	Matrix			
// Elivi	ii oiiiilen	icai, Propei	cy and numar	n neaith Harm	riatiix			
		Release	Major I	Moderate	Minor			
OR		Actual						
		Potential		Х		Percent 5.0%		
_	_							
>>Prog	ırammat	ic Matrix	Maria	Madazaka	Min			
	i i	Falsification	Major I	Moderate	Minor	Doveent 0.00/		
	L					Percent 0.0%		
	F							
	Matrix	Failure to n	neet the exception	n requireme	nts could expose persor	ns served by the Facility	to a	
	Notes	significant a	mount of contamin	nants which	would not exceed level	s protective of human h	ealth.	
	L							
					Δd	justment	\$4,750	
					Au	justilient	ψ1,750	
								\$250
	_							
Violatio	n Events	S						
		Number of V	/iolation Events	1	83	Number of violation da	WC.	
		Number of v	noiation Events	1	83	INUITIBEL OF VIOLATION da	iys	
			daily					
			weekly					
			monthly					
			quarterly	Х		<b>Violation Base F</b>	enalty	\$250
			semiannual					
			annual					
			single event					
	l <del>e</del>							
		One quarterl	y event is recomm	nended, cald	culated from the date of	f the investigation, Sept	ember	
					of screening, Decembe			
	L							
Good Fa	aith Effo	rts to Com	ply	0.0%		Re	duction	\$0
					NOE/NOV to EDPRP/Settleme			
			Extraordinary					
			Ordinary					
			N/A	Х				
			Notes Th	ne Responde	ent does not meet the g this violation.	good faith criteria for		
						Violation S	ubtotal	\$250
Econom	nic Benef	fit (EB) for	this violation	)		Statutory Limit T	est	
		Estimate	ed EB Amount		\$8	Violation Final Penalt	y Total	\$250
					•			
				This viola	ation Final Assessed I	Penalty (adjusted for	limits)	\$250

	E	conomic	Benefit	10W	ksheet		
Respondent	Zanata County	1					
Case ID No.		<b>'</b>					
Reg. Ent. Reference No.							
	Public Water 9	Supply				Percent Interest	Years of
Violation No.	11					reiteilt Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
		Date Required	i iliai Date	113	Interest Saveu	Costs Saveu	LD Alliount
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	\$100	15-Sep-2021	19-Apr-2023	1.59	\$8	n/a	\$8
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	procedures,	guidance, training	g, and/or oversi	ght to e	nsure that the pre	ements to the Facil ssure at the inlet of lay and the pressure	the cartridge
Notes for DELATED Costs						at least once each	
	across the cal	,					day, calculated
		from the date	or the investig	ation to	the estimated dat	e or compliance.	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$100			TOTAL		\$8

Screening Date		<b>Docket No.</b> 2021-1578-PWS-E	PCW
-	t Zapata County	Policy	Revision 5 (January 28, 2021)
Case ID No		PC	W Revision February 11, 2021
Reg. Ent. Reference No			
	Public Water Supply		
Enf. Coordinato			
Violation Numbe			1
Rule Cite(s	<b>)</b> 30 Te:	c. Admin. Code § 290.110(c)(5)(C)	
		ze weekly samples to ensure that chemical addition is	
Violation Description		chlorine to ammonia (as nitrogen) ratio is achieved or sage is changed. Specifically, the chemical dosage was	
Violation Description		21, and again on October 27, 2021, and samples were	
	changed on october 5, 25	not collected and analyzed.	
		·	
		Base Penalty	\$5,000
>> Environmental, Prope		n Matrix	
Release	<b>Harm</b> <b>e</b> Major Moderate	Minor	
OR Actua			
Potentia	al x	Percent 5.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0.0%	
			1
		nenever the chemical dosage is changed to ensure that	
		oper chlorine to ammonia ratio is achieved could expose icant amount of contaminants which would not exceed	
Notes persons ser		tective of human health.	
	Tevels pro-	eccive of naman nearth.	
		Adjustment \$4,750	1
		Adjustillent \$4,750	1
			\$250
<b>Violation Events</b>			
Number of	Violation Events 2	83 Number of violation days	
	daily	7	
	weekly		
	monthly		
	quarterly	Violation Base Penalty	\$500
	semiannual		
	annualx	-	
	single event X	<u> </u>	
			1
	Two single events are reco	ommended, one for each missed sample.	
Cood Enith Effects to Co	amby 0.55°		40
Good Faith Efforts to Cor			\$0
Good Faith Efforts to Cor	Before NOE/NOV		\$0
Good Faith Efforts to Cor	Before NOE/NOV Extraordinary		\$0
Good Faith Efforts to Cor	Before NOE/NOV Extraordinary Ordinary		\$0
Good Faith Efforts to Cor	Extraordinary  Ordinary  N/A  x	NOE/NOV to EDPRP/Settlement Offer	\$0
Good Faith Efforts to Cor	Extraordinary  Ordinary  N/A  x	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for	\$0
Good Faith Efforts to Cor	Extraordinary  Ordinary  N/A  The Respon	NOE/NOV to EDPRP/Settlement Offer	\$0
Good Faith Efforts to Cor	Extraordinary  Ordinary  N/A  The Respon	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.	
Good Faith Efforts to Cor	Extraordinary  Ordinary  N/A  The Respon	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for	\$500
Good Faith Efforts to Cor	Extraordinary Ordinary N/A x Notes	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.	
Economic Benefit (EB) fo	Extraordinary Ordinary N/A x Notes The Respondent	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.  Violation Subtotal  Statutory Limit Test	\$500
Economic Benefit (EB) fo	Extraordinary Ordinary N/A x Notes The Respondent to this violation ted EB Amount	NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.  Violation Subtotal	\$500 \$500

	E	conomic	Benefit '	Wor	ksheet		
Respondent			<b>D G G G</b>		MONICOL .		
		/					
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	12					T CT CCTTC TITLET COT	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrs	Interest Saved	Costs Saved	EB Amount
Itam Decemention	Item cost	Date Required	i mai bate		Interest Suveu	costs savea	LD Amount
Item Description							
Dalassa d Carda							
Delayed Costs		1			+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	15-Sep-2021	19-Apr-2023	1.59	\$8	n/a	\$8
Remediation/Disposal	4=00			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	procedure whenever the	s, guidance, train chemical dosage	ing, and/or over is changed to e chieved, calculat	sight to nsure tl	ensure that samp nat the chemical a the date of the in	ements to the Facili ples are collected an ddition is effective a exestigation to the e	d analyzed and the proper
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance	+20	45.0 2024	7.0. 2024	0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$20	15-Sep-2021	7-Dec-2021	0.23	\$0 \$0	\$20 \$0	\$20 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	x two missed	samples) whene	ver the chemical chlorine to amm	dosage onia rat	e is changed to en	nalyzed samples (\$ sure that the chemi culated from the da	cal addition is
Approx. Cost of Compliance		\$120			TOTAL		\$28

	Screening	g Date	7-Dec-2021		Docket	<b>t No.</b> 2021-1578-PWS-E		PCW
	Respo	ndent	Zapata County				Policy R	evision 5 (January 28, 2021)
	Case 1	ID No.	61661				PCV	V Revision February 11, 2021
Reg.	Ent. Referen	ce No.	RN101218949					
		Media	Public Water Si	upply				
	Enf. Coord	inator	Samantha Sala	S				
	Violation N	Number	13					
	Rule	Cite(s)		30 Tex	Admin. Code § 29	0 110(c)(1)(B)(i)		
					7.4			
	Walatian Bass					onitor the disinfectant resi		
	Violation Desc	cription	water at each		Specifically, only ed at the Facility's	one grab sample per day	was being	
				Collecte	ed at the racility s	one entry point.		
		L						
						Bas	se Penalty	\$5,000
							_	, ,
>> En	vironmental,	Proper	ty and Hum		Matrix			
		D-1	Maiau	Harm	M:			
OR	ľ	<b>Release</b> Actual	Major	Moderate	Minor			
OK		Potential		Х		Percent 5.0%	7	
	'	occirciai		Χ		J.070	_	
>>Pro	grammatic M	atrix						
		fication	Major	Moderate	Minor			
						Percent 0.0%		
		"				<u>-</u>	_	
	Failur	e to take	three grab sar	nples a day t	o monitor the disir	nfectant residual of the wa	ter at each	
						ns and expose persons ser		
						uld not exceed levels prote		
				h	numan health.			
						Adjustment	\$4,750	
							ı	<b>#250</b>
								\$250
Violati	on Events							
	on Events							
		nber of V	iolation Events	1		Number of violation	n days	
		nber of V	iolation Events	1	]	Number of violation	n days	
		nber of V	daily	1		Number of violation	n days	
		nber of V	daily weekly	1		Number of violation	n days	
		nber of V	daily weekly monthly					4050
		nber of V	daily weekly monthly quarterly	1 x	<u> </u>	Number of violation  Violation Base		\$250
		nber of V	daily weekly monthly quarterly semiannual		<u> </u>			\$250
		nber of V	daily weekly monthly quarterly semiannual annual		] <u>E</u>			\$250
		nber of V	daily weekly monthly quarterly semiannual		<u> </u>			\$250
	Nun		daily weekly monthly quarterly semiannual annual single event	X		Violation Bas	se Penalty	\$250
	Nun		daily weekly monthly quarterly semiannual annual single event	x x	culated from the d	Violation Base	se Penalty	\$250
	Nun		daily weekly monthly quarterly semiannual annual single event	x x		Violation Base	se Penalty	\$250
	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event	x nmended, cal	culated from the decorate of screening, Dec	Violation Base	se Penalty	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202	x nmended, cal 1, to the date	culated from the decorate of screening, Dec	Violation Based at the investigation, Sciember 7, 2021.	se Penalty	\$250
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202	x nmended, cal 1, to the date	culated from the decorate of screening, Dec	Violation Based at the investigation, Sciember 7, 2021.	se Penalty	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202	x nmended, cal 1, to the date	culated from the decorate of screening, Dec	Violation Based at the investigation, Sciember 7, 2021.	se Penalty	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary	x nmended, cal 1, to the date	culated from the decorate of screening, Dec	Violation Based at the investigation, Sciember 7, 2021.	se Penalty	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202	x nmended, cal 1, to the date	culated from the decorate of screening, Dec	Violation Based at the investigation, Sciember 7, 2021.	se Penalty	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A	x nmended, cal 1, to the date  0.0% defore NOE/NOV	culated from the de of screening, Dec	Violation Basedate of the investigation, Scember 7, 2021.	se Penalty September Reduction	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary	x nmended, cal 1, to the date  0.0% defore NOE/NOV	culated from the de of screening, Dec	Violation Based atte of the investigation, Stember 7, 2021.	se Penalty September Reduction	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A	x nmended, cal 1, to the date  0.0% defore NOE/NOV	culated from the de of screening, Dec	Violation Based atte of the investigation, Stember 7, 2021.	se Penalty September Reduction	
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A	x nmended, cal 1, to the date  0.0% defore NOE/NOV	culated from the de of screening, Dec	Violation Based at the good faith criteria for tion.	September Reduction	\$0
Good F	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A	x nmended, cal 1, to the date  0.0% defore NOE/NOV	culated from the de of screening, Dec	Violation Based at the good faith criteria for tion.	se Penalty September Reduction	
	Nun	quarterly	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A Notes	x nmended, cal 1, to the date  0.0% sefore NOE/NOV  x The Respond	culated from the de of screening, Dec	Violation Based at the good faith criteria for tion.	See Penalty September Reduction	\$0
	One Faith Efforts t	quarterly to Comp	daily weekly monthly quarterly semiannual annual single event  vevent is recon 15, 202  ply  Extraordinary Ordinary N/A Notes  this violation	x nmended, cal 1, to the date  0.0% sefore NOE/NOV  x The Respond	NOE/NOV to EDPRP/S  ent does not meet this viola	Violation Based atte of the investigation, Stember 7, 2021.  Settlement Offer the good faith criteria fortion.  Violation Statutory Limit	Reduction  Subtotal	\$250
	One Faith Efforts t	quarterly to Comp	daily weekly monthly quarterly semiannual annual single event  event is recon 15, 202  ply  Extraordinary Ordinary N/A Notes	x nmended, cal 1, to the date  0.0% sefore NOE/NOV  x The Respond	culated from the de of screening, Dec	Violation Based date of the investigation, Stember 7, 2021.  Settlement Offer the good faith criteria for tion.  Violation	Reduction  Subtotal	\$0

Economic Benefit Worksheet								
Deenendent				••••				
Respondent		/						
Case ID No.								
Reg. Ent. Reference No.	RN101218949	)						
Media	Public Water S	Supply				Dawaant Internal	Years of	
Violation No.		,				Percent Interest	Depreciation	
21010010111101				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	\$100	15-Sep-2021	19-Apr-2023	1.59	\$8	n/a	\$8	
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	
	,					rements to the Facil	, .	
Notes for DELAYED costs		•		_		grab samples a day		
	monitor t				, , ,	alculated from the o	date of the	
		inv	estigation to the	e estima	ated date of compl	iance.		
Avoided Costs	ANNII	ALTZE avoided c	osts boforo on	toring	itom (ovcont for	one-time avoide	d costs)	
Avoided Costs  Disposal	ANIO	ALIZE avoided C	osts perore en	0.00	\$0	\$0	\$0	
Personnel				0.00	\$0 \$0	\$0	\$0 \$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs	\$100	15-Sep-2021	7-Dec-2021	0.23	\$1	\$100	\$101	
Other (as needed)	<u> </u>	15 00p 1011	, , , , , , , , , , , , , , , , , , , ,	0.00	\$0	\$0	\$0	
,		· <u>·</u>				<del> </del>	7.7	
	The avoid	ded cost includes	the estimated a	mount t	to take three grab	samples a day to n	nonitor the	
Notes for AVOIDED costs	ED costs disinfectant residual of the water at each entry point, calculated from the date of the investigation							
			dai	te of sc	reening.		J	
	4410 01 03 03 11119.							
•								
Approx. Cost of Compliance		\$200			TOTAL		\$109	
		,				ι		

	Screening D	<b>ite</b> 7-Dec-2021		Do	cket No.	2021-1578-PWS-E		PCW
		ent Zapata County					Policy R	Revision 5 (January 28, 2021)
	Case ID	<b>lo.</b> 61661					PCV	V Revision February 11, 2021
Reg.	<b>Ent. Reference</b>	<b>lo.</b> RN101218949						
		<b>dia</b> Public Water Supp	oly					
		or Samantha Salas						
	Violation Nun							
	Rule Cit	30 -	Tex. Admin.	. Code § 290	).46(f)(2) ar	nd (f)(3)(A)(ii)(I)		
		Failed to maintain	n water wor	ks operation	and mainte	enance records and r	nake them	
	Violation Descrip	readily available	for review	by the Exec	utive Directo	or upon request. Sp	ecifically,	
	Violation Descrip	records of the am	ount of eac			ay were not maintair	ed on-site	
				for r	eview.			
						Bas	e Penalty	\$5,000
>> Env	vironmental, Pro	perty and Humar	1 Health Harm	Matrix				
	Rele	<b>ase</b> Major M	Moderate	Minor				
OR		tual						
	Pote					Percent 0.0%		
		<u></u>	'					
>>Prog	grammatic Matı							
	Falsifica	on Major M	Moderate	Minor	1	_	1	
				Х		Percent 1.0%		
	Matrix	Loop than '	200/ of the	wla waaiwa		not mot		
	Notes	Less than .	30% OF LITE	rule require	ments were	not met.		
					Ad	justment	\$4,950	
							, ,	
								\$50
Violatio	on Events							
Violatio	on Events							
	Numbe	of Violation Events	1		83	Number of violation	days	
				•		_		
		daily						
		weekly monthly						
		quarterly				Violation Bas	e Penalty	\$50
		semiannual				Violation bus	c i charty	Ψ30
		annual						
		single event	Х					
								1
			One single	avantia maaa	bobacaaa.			
		(	one single e	event is reco	illillellueu.			
<b>Good F</b>	aith Efforts to C		0.0%				Reduction	\$0
			re NOE/NOV	NOE/NOV to E	DPRP/Settleme	nt Offer		
		Extraordinary						
		Ordinary						
		N/A	Х				1	
		Notes Th	ne Responde			ood faith criteria for		
		Notes		this	violation.			
		<u> </u>					<u>U</u>	
						Violation	Subtotal	\$50
Econor	nic Ronofit (ED)	for this violation				Statutony limi	t Tost	
conon	inc benefit (EB)	for this violation				Statutory Limi	t rest	
	Esti	nated EB Amount		\$4	,	Violation Final Pen	alty Total	\$50
			This vist	ation Final	Vecocod	Denalty (adimeted)	for limital	\$50
			i nis Viol	ation Final	ASSESSED I	Penalty (adjusted	or limits)	\$50

	E	conomic	Benefit	ıoW	ksheet		
Respondent		/					
Case ID No.	61661						
Reg. Ent. Reference No.	RN101218949	)					
_	Public Water S						Years of
Violation No.		. шрр. у				<b>Percent Interest</b>	Depreciation
Violation ito:						5.0	15
	71 6	Data Damilia d	Elmal Baka		T		
	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	\$45	15-Sep-2021	19-Apr-2023	1.59	\$4	n/a	\$4
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	l cost includes the	estimated amo	unt to r	maintain water sys	stem operation and	maintenance
Notes for DELAYED costs	•				•	quest by the Execut	
Notes for BELATED costs						ed date of compliance	
		alculated from the	date of the fire	Cotigati	on to the estimate	d date of compliant	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED sorts							
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$45			TOTAL		\$4
pproxi cost or compliance		\$ <del>+</del> 5			IOIAL		ΨΤ

	Screening Date	7-Dec-2021	<b>Docket No.</b> 2021-1578-PWS-E	PCW
	Respondent		Policy	Revision 5 (January 28, 2021)
	Case ID No.	61661	PC	W Revision February 11, 2021
Reg.	Ent. Reference No.	RN101218949		
_	Media	Public Water Supply		
	<b>Enf. Coordinator</b>	Samantha Salas		
	<b>Violation Number</b>	15		_
	Rule Cite(s)	30.7	Fex. Admin. Code § 290.110(c)(4)(E)	
		30	CX. Admin. Code 9 230.110(c)(+)(L)	
		Failed to monitor the	total chlorine residual downstream of any chlorine and	
			nts in the distribution system weekly and whenever the	
	<b>Violation Description</b>	chemical dose is chan	ged. Specifically, the chemical dosage was changed on	
			d again on October 27, 2021, and monitoring was not	
		condu	cted downstream of the injection point.	
				4
			Base Penalty	\$5,000
_				
>> Env	/ironmental, Propei	ty and Human Heal	th Matrix	
	Release	<b>Harm</b> Major Moderat	e Minor	
OR	Actual	Major Moderat	e Millor	
• · · ·	Potential	X	Percent 5.0%	
	rocential	X	3.070	
>>Proc	grammatic Matrix			
	Falsification	Major Moderat	e Minor	
			Percent 0.0%	
				_
	Failure to	monitor the total chloring	e residual downstream of the injection point when the	
	Matrix chemical dos		ose persons served by the Facility to a significant amount	
	Notoc		I not exceed levels protective of human health.	
				1
			Adjustment \$4,750	ī
			ψ 1,7 00	
				\$250
Violatio	on Events			
	Number of V	iolation Events 2	83 Number of violation days	
	Number of V	Toldtion Events Z	Number of violation days	
		daily		
		weekly		
		monthly		
		quarterly	Violation Base Penalty	\$500
		semiannual		
		annual		
		single event x		
				<b>a</b>
		I wo single events are re	ecommended, one for each missed sample.	
				_
Good F	aith Efforts to Com	ply 0.0	% Reduction	\$0
230a I		Before NOE/N		ΨO
		Extraordinary		
		Ordinary		
		N/A x		
		Notes The Respo	ondent does not meet the good faith criteria for	
			this violation.	
			Violation Subtotal	\$500
Fconon	nic Benefit (EB) for	this violation	Statutory Limit Test	
LCOHOL	inc benefit (LB) 101	tins violation	Statutory Limit rest	
	Estimate	ed EB Amount	\$28 Violation Final Penalty Total	\$500
			deletter Plus Lancacca Brown Dock 19 19 16 19 19 2	1500
		This v	iolation Final Assessed Penalty (adjusted for limits)	\$500

	Е	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	Zapata County 61661 RN101218949	/					
Media Violation No.	Public Water S 15	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	1100	15.0	10.1.000	0.00	\$0	n/a	\$0
Training/Sampling	\$100	15-Sep-2021	19-Apr-2023	1.59	\$8	n/a	\$8
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	The delayed cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that weekly samples are collected and analyzed whenever the chemical dosage is changed to ensure that the chemical addition is effective and the proper chlorine to ammonia ratio is achieved, calculated from the date of the investigation to the estimated date of compliance.						
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$20	15-Sep-2021	7-Dec-2021	0.23	\$0	\$20	\$20
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to have monitored the total chlorine residual downstream of the injection point (\$10 per sample x two missed samples) whenever the chemical dosage is changed, calculated from the date of the investigation to the date of screening.						
Approx. Cost of Compliance		\$120			TOTAL		\$28

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 CN600334429, RN101218949, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or CN600334429, Zapata County

Classification: SATISFACTORY

Rating: 1.89

Owner/Operator: Regulated Entity:

**Complexity Points:** 

RN101218949, ZAPATA COUNTY SAN

Classification: NOT APPLICABLE Rating: N/A

YGNACIO AND RAMIRENO

N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: 224 HOUSTON STREET IN SAN YGNACIO, ZAPATA COUNTY, TEXAS

TCEQ Region: REGION 16 - LAREDO

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2530003

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

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

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 02, 2017 to June 02, 2022

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

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

#### Site and Owner/Operator History:

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

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

N/A

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

п.	N/A
I.	Participation in a voluntary pollution reduction program: N/A
J.	Early compliance: N/A
Sit	es Outside of Texas: N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	<b>§</b>	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
ZAPATA COUNTY	§	
RN101218949	§	ENVIRONMENTAL QUALITY

# AGREED ORDER DOCKET NO. 2021-1578-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 Zapata	a County (the "Respondent") under the authority of TEX. HEALTH &
SAFETY CODE ch. 341.	he Executive Director of the TCEQ, through the Enforcement Division,
and the Respondent to	gether stipulate that:

- 1. The Respondent owns and operates a public water supply located at 224 Houston Street in San Ygnacio, Zapata County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 418 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 Tex. ADMIN. CODE § 290.38(71).
- The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code § 7.002 and Tex. Health & Safety Code § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 and Tex. Health & Safety Code § 341.031 because it alleges violations of Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$9,010 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of \$1,802 is deferred contingent upon the Respondent's 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. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to Tex. Water Code § 7.067, \$7,208 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - a. By submitting documentation that the chlorine injection point on the line to the ground storage tank is now downstream of the ammonia injection point by January 7, 2022.
  - b. By verifying the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days by February 22, 2022.
  - c. By verifying the accuracy of the Facility's continuous disinfectant analyzer at least once every seven days with a chlorine solution of know concentration or by comparing the results from the on-line analyzer with the results of an approved benchtop method by February 22, 2022.
  - d. By checking the calibration of the Facility's five on-line turbidimeters with primary standards at least once every 90 days, and checking the calibration with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week by February 22, 2022.

#### II. ALLEGATIONS

During an investigation at the Facility conducted on September 15, 2021 through October 27, 2021, an investigator documented that the Respondent:

- 1. Failed to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") of chloramine (measured as total chlorine) throughout the distribution system at all times, in violation of 30 Tex. Admin. Code §§ 290.46(d)(2)(B) and 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c). Specifically, on September 15, 2021, total chlorine residual concentrations of 0.13 mg/L, 0.14 mg/L, 0.11 mg/L, 0.11 mg/L, 0.18 mg/L, and 0.31 mg/L were measured at 103 Laurel Road, the flush valve at the end of Laurel Road, 4059 Highway 83, 106 Valle Verde Street, 506 Houston Street, and the entry point tap at the water plant, respectively. Additionally, on September 16, 2021, total chlorine residual concentrations of 0.03 mg/L and 0.00 mg/L were measured at the flush valve at the end of Laurel Road and 103 Laurel Road, respectively.
- 2. Failed to properly complete the Surface Water Monthly Operating Reports ("SWMORs") submitted to the Commission, in violation of 30 Tex. Admin. Code § 290.111(h). Specifically, the electronic individual filter effluent ("IFE") turbidity readings from 2020 and 2021 did not match the values reported on the SWMORs; three to six combined filter effluent ("CFE") grab sample values were reported on the SWMORs, but only one value was recorded on the operator logs for 2020 and January through June and October through December of 2021; and the disinfection process parameters from the November 4, 2016 concentration-time ("CT") study approval letter were used on the SWMORs instead of the current parameters listed in the September 22, 2019 CT study approval letter.
- 3. Failed to properly monitor the turbidity level of the CFE at least every four hours that the system serves water to the public, in violation of 30 Tex. ADMIN. CODE § 290.111(e)(3)(B). Specifically, only one CFE turbidity grab sample reading was noted on the operator log for each day when the plant was online all day.
- 4. Failed to ensure that if the continuous turbidity monitoring equipment malfunctions, the system conducts grab sampling every four hours in lieu of continuous monitoring, but for no more than 14 working days following the failure of the equipment, in violation of 30 Tex. Admin. Code § 290.111(e)(5)(C)(iii). Specifically, the continuous turbidity monitoring equipment system was offline and the system had been collecting grab samples for more than 14 working days in lieu of continuous monitoring.
- 5. 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, only one of two clarifiers and two of four filters were operational, and the automated sludge removal system was not working properly on the two clarifiers.
- 6. Failed to ensure when chlorine and ammonia are added to distribution water that has a chloramine residual, that the ammonia is added first, in violation of 30 Tex. ADMIN. CODE § 290.42(e)(7)(A)(ii). Specifically, the chlorine injection point on the line to the

- ground storage tank was located approximately 18 inches upstream of the ammonia injection point.
- 7. Failed to verify the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(2)(D).
- 8. Failed to verify the accuracy of the Facility's continuous disinfectant analyzer at least once every seven days with a chlorine solution of know concentration or by comparing the results from the on-line analyzer with the results of an approved benchtop method, in violation of 30 Tex. Admin. Code § 290.46(s)(2)(C)(ii).
- 9. Failed to check the calibration of the Facility's five on-line turbidimeters with primary standards at least once every 90 days, and check the calibration with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(2)(B)(iii) and (s)(2)(B)(iv). Specifically, the on-line turbidimeter on each of the four filters had not been calibrated since March 15, 2019, and the one on-line turbidimeter for CFE had not been calibrated since December 12, 2018.
- 10. Failed to maintain logs of all emergency power use and maintenance and keep on file for a period of not less than three years and make the logs available, upon request, for Executive Director review, in violation of 30 Tex. Admin. Code § 290.45(b)(2)(H) and Tex. Health & Safety Code § 341.0315(c). Specifically, maintenance logs of the 80-kilowatt generator at the plant were not available for review.
- 11. Failed to meet the conditions for an issued exception, in violation of 30 TEX. ADMIN. CODE § 290.39(l)(5). Specifically, the Respondent was not monitoring the pressure at the inlet of the cartridge assembly and the pressure differential across the cartridge assembly and was not recording the pressure and differential at least once each day.
- Failed to collect and analyze weekly samples to ensure that chemical addition is effective and the proper chlorine to ammonia (as nitrogen) ratio is achieved or whenever the chemical dosage is changed, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(5)(C). Specifically, the chemical dosage was changed on October 6, 2021, and again on October 27, 2021, and samples were not collected and analyzed.
- 13. Failed to take three grab samples a day to monitor the disinfectant residual of the water at each entry point, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(1)(B)(i). Specifically, only one grab sample per day was being collected at the Facility's one entry point.
- 14. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(ii)(I). Specifically, records of the amount of each chemical used each day were not maintained on-site for review.
- 15. Failed to monitor the total chlorine residual downstream of any chlorine and ammonia injection points in the distribution system weekly and whenever the chemical dose is

changed, in violation of 30 Tex. Admin. Code § 290.110(c)(4)(E). Specifically, the chemical dosage was changed on October 6, 2021, and again on October 27, 2021, and monitoring was not conducted downstream of the injection point.

## III. DENIALS

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

#### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Zapata County, Docket No. 2021-1578-PWS-E" to:

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

- 2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$7,208 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
- 3. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Determine the cause of noncompliance, make any necessary repairs or adjustments to the Facility, and maintain a disinfectant residual concentration of at least 0.5 mg/L total chlorine throughout the distribution system, in accordance with 30 Tex. ADMIN. CODE §§ 290.46 and 290.110;
    - ii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of properly completed, signed and certified SWMORs, in accordance with 30 Tex. ADMIN. CODE § 290.111;

- iii. Properly monitor the turbidity level of the CFE at least every four hours that the system serves water to the public, in accordance with 30 Tex. ADMIN. CODE § 290.111;
- iv. Return the automated continuous turbidity monitoring equipment to operation and cease conducting grab sampling every four hours in lieu of continuous monitoring, in accordance with 30 Tex. ADMIN. CODE § 290.111;
- v. Maintain logs of all emergency power use and maintenance and keep on file for a period of not less than three years and make the logs available, upon request, for Executive Director review, in accordance with 30 TEX. ADMIN. CODE § 290.45;
- vi. Begin complying with the site-specific requirements established by the Executive Director in a letter dated August 29, 2014, including but not limited to monitoring the pressure at the inlet of the cartridge assembly and recording the pressure at least once each day, and monitoring the pressure differential across the cartridge assembly and recording the differential at least once each day, in accordance with 30 Tex. ADMIN. CODE § 290.39;
- vii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that weekly samples are collected and analyzed whenever the chemical dosage is changed to ensure that the chemical addition is effective and the proper chlorine to ammonia ratio is achieved, in accordance with 30 Tex. Addin. Code § 290.110;
- viii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that three grab samples per day are taken to monitor the disinfectant residual of the water at each entry point, in accordance with 30 TEX. ADMIN. CODE § 290.110;
- ix. Compile and maintain completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each day, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
- x. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that the total chlorine residual is monitored downstream of any chlorine and ammonia injection points in the distribution system weekly and whenever the chemical dose is changed, in accordance with 30 Tex. Admin. Code § 290.110.
- 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.x.

- c. Within 60 days after the effective date of this Order, initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including repairing or replacing the one clarifier and two filters that were not operational, and the automated sludge removal system for the clarifiers that was not working properly, in accordance with 30 Tex. Admin. Code § 290.46.
- d. Within 75 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager Laredo Regional Office Texas Commission on Environmental Quality 707 East Calton Road, Suite 304 Laredo, Texas 78041-3887

- 4. All relief not expressly granted in this Order is denied.
- 5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination

Zapata County DOCKET NO. 2021-1578-PWS-E Page 8

- 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 Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Order may be executed in separate and multiple counterparts, which together shall 8. 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.

Zapata County DOCKET NO. 2021-1578-PWS-E Page 9

# SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
	8/21/2023
For the Executive Director	Date
I, the undersigned, have read and understand the the attached Order, and I do agree to the terms a acknowledge that the TCEQ, in accepting payment on such representation.	nd conditions specified therein. I further
I also understand that failure to comply with the and/or failure to timely pay the penalty amount,	
<ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications</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 of the Attorney General automatic referral to the Attorney General automatic referral to the Attorney General authorized by</li> </ul>	l's Office for contempt, injunctive relief, or to a collection agency; ent actions; s Office of any future enforcement actions; and
In addition, any falsification of any compliance d	ocuments may result in criminal prosecution.  6/29/2023  Date
Name (Printed or typed) Authorized Representative of Zapata County	Title
$\supset$ If mailing address has changed, please check	this box and provide the new address below:

#### Attachment A

#### Docket Number: 2021-1578-PWS-E

# SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Zapata County
Penalty Amount:	\$7,208
SEP Offset Amount:	\$7,208
Type of SEP:	Compliance
Project Name:	San Ygnacio Water System Improvements
Location of SEP:	Zapata County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order in exchange for Respondent's performance of a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its public water supply (the "Facility") which are described in this Agreed Order. This Agreed Order cites violations at Respondent's Facility.

#### 1. Project Description

#### A. Project

Respondent shall hire a contractor to purchase and install a chemical injection pump system at the Facility. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for the installation of the chemical injection pump system in the existing standpipe by a contractor (the "Project"). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement, including publication, related to the SEP must include the enforcement statement as stated below in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP. The Commission's approval and issuance of this Agreed Order shall not itself be construed to authorize any activity for which Respondent is required by statute or rule to obtain authorization from the Commission.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed below in Subsection C. Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

Zapata County Docket No. 2021-1578-PWS-E Attachment A

#### B. Environmental Benefit

This SEP will provide access to safe drinking water. Safe, reliable drinking water is necessary for human health and household sanitation. Untreated water may harbor bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis to lifethreatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Safe water is also necessary in the home for bathing, flushing toilets, washing hands, and cooking.

# C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described above in Section 1, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project. Costs in excess of the SEP Offset Amount shall not be grounds to relieve Respondent of its obligations to perform this SEP.

# ItemQuantityCostTotalChemical Injection Pump1\$10,000\$10,000Total\$10,000\$10,000

**Estimated Cost Schedule** 

#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 75 days after the effective date of this Agreed Order.

Executive Director ("ED") staff may grant an extension to any deadline for Respondent's performance of the SEP described herein, upon a written and substantiated showing of good cause. All requests for extensions must be made by Respondent and shall be made in writing to ED staff. Extensions are not effective until Respondent receives written approval from ED staff. The determination of what constitutes good cause rests solely with ED staff. Extension requests shall be sent to the SEP Coordinator by first class mail and electronic mail, at:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087 Email: sepreports@tceq.texas.gov

#### 3. Records and Reporting

#### A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to TCEQ describing actions performed to date to implement the Project. Within 75 days, Respondent shall submit a Final Report to the TCEQ containing detailed information on all actions completed on the project.

#### Reporting Schedule

Days from Effective Order Date	Information Required	
30	Notice of Commencement describing actions taken to begin project	
75	Notice of SEP completion	

## B. Final Report

Within 75 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to TCEQ, which shall include the following:

- 1. An itemized list of expenditures and total cost of the Project;
- 2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
- 3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
- 4. Copies of proof of advertisement of invitation for bids, if applicable;
- 5. A certified statement of SEP completion and document authentication;
- 6. A detailed map showing the specific location of the project site(s);
- 7. Copies of all engineering plans related to work performed pursuant to the Project, if applicable;
- 8. Equipment logs showing the hours the equipment was utilized on the project;
- 9. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
- 10. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.

#### C. Submittals

Respondent shall submit all SEP reports and any additional information as requested to the SEP Coordinator at the address provided above.

#### 4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

# 5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described above in Sections 2 through 4, the ED may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

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In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP Coordinator at the address provided above.

#### 6. Publicity

Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by TCEQ**. Such statements include advertising, public relations, and press releases.

#### 7. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

#### 8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.