

Executive Summary – Enforcement Matter – Case No. 61718
Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation
RN101459667
Docket No. 2022-0009-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Old Town WSC, 4410 Old Town Road near Marshall, Harrison County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: December 2, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$7,748

Total Paid to General Revenue: \$223

Total Due to General Revenue: \$7,525

Payment Plan: 35 payments of \$215 each

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: November 9, 2021

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

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RN101459667
Docket No. 2022-0009-PWS-E

Violation Information

1. Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for Drinking Water Treatment Chemicals [30 TEX. ADMIN. CODE § 290.42(j)].
2. Failed to provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away from the well head at not less than 0.25 inch per foot [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].
3. Failed to monitor the disinfection residual at representative locations throughout the distribution system at least once every seven days [30 TEX. ADMIN. CODE § 290.110(c)(4)(A)].
4. Failed to inspect the Facility's pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].
5. Failed to calibrate the Facility's well meter at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].
6. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
7. Failed to house the hypochlorination solution containers in a secure enclosure to protect them from adverse weather conditions and vandalism [30 TEX. ADMIN. CODE § 290.42(e)(5)].
8. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher groundwater license [30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a)].
9. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].
10. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(iii) and (f)(3)(A)(vi)].

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Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondents to:

- a. Within 30 days:
 - i. Begin using a disinfectant that is ANSI/NSF Standard 60 certified;
 - ii. Monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days;
 - iii. Conduct an inspection of the Facility's pressure tank;
 - iv. Calibrate the Facility's well meter;
 - v. House the hypochlorination solution in a secure enclosure;
 - vi. Begin operating the Facility under the direct supervision of a water works operator who holds a minimum of a Class "D" or higher groundwater license;
 - vii. Secure the Facility's electrical wiring in compliance with a local or national code; and
 - viii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation and the maintenance records for water system equipment and facilities.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 60 days, develop and maintain a chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.
- d. Within 75 days, submit written certification to demonstrate compliance with c.

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- e. Within 180 days, submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the Facility's well sealing block.
- f. Within 195 days, submit written certification to demonstrate compliance with e.
- g. Within 270 days, obtain approval of the as-built plans and specifications for the Facility's well sealing block from the Executive Director.
- h. Within 285 days, submit written certification to demonstrate compliance with g.
- i. Within 360 days, provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches, and sloped to drain away from the wellhead at not less than 0.25 inch per foot.
- j. Within 375 days, submit written certification to demonstrate compliance with i.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Miles Wehner, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-2813; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: David Hicks, Vice President, Old Town Water Supply Corporation, P.O. Box 195, Elysian Fields, Texas 75642

Ben Adams, President, Old Town Water Supply Corporation, P.O. Box 195, Elysian Fields, Texas 75642

Terry Adams, Secretary/Treasurer, Old Town Water Supply Corporation, P.O. Box 195, Elysian Fields, Texas 75642

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Nov-2021			
	PCW	9-Dec-2021	Screening	9-Dec-2021	EPA Due

RESPONDENT/FACILITY INFORMATION					
Respondent	Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation				
Reg. Ent. Ref. No.	RN101459667				
Facility/Site Region	5-Tyler	Major/Minor Source	Minor		

CASE INFORMATION					
Enf./Case ID No.	61718	No. of Violations	10		
Docket No.	2022-0009-PWS-E	Order Type	Findings		
Media Program(s)	Public Water Supply	Government/Non-Profit	No		
Multi-Media		Enf. Coordinator	Miles Wehner		
		EC's Team	Enforcement Team 8		
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000		

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$4,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	5.0%	Adjustment	Subtotals 2, 3, & 7	\$212
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Notes: Enhancement for one NOV with the same/similar violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$4,134
Estimated Cost of Compliance: \$7,537
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$4,462
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OTHER FACTORS AS JUSTICE MAY REQUIRE	73.6%	Adjustment	\$3,286
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided cost of compliance associated with the Economic Benefit Worksheets for Violation Nos. 3, 4, 5, and 8.

Final Penalty Amount	\$7,748
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,748
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$7,748
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Screening Date

9-Dec-2021

Docket No.

2022-0009-PWS-E

PCW

Respondent

Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No.

61718

Reg. Ent. Reference No.

RN101459667

Media

Public Water Supply

Enf. Coordinator

Miles Wehner

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Compliance History Worksheet				
>> Compliance History Site Enhancement (Subtotal 2)				
Component	Number of...	Number	Adjust.	
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%	
	Other written NOVs	0	0%	
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%	
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%	
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%	
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%	
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%	
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
Other	Environmental management systems in place for one year or more	No	0%	
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
Adjustment Percentage (Subtotal 2)			5%	
>> Repeat Violator (Subtotal 3)				
N/A		Adjustment Percentage (Subtotal 3)		0%
>> Compliance History Person Classification (Subtotal 7)				
N/A		Adjustment Percentage (Subtotal 7)		0%
>> Compliance History Summary				
Compliance History Notes	Enhancement for one NOV with the same/similar violations.			
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)			5%	
>> Final Compliance History Adjustment				
Final Adjustment Percentage *capped at 100%			5%	

Screening Date

9-Dec-2021

Docket No.

2022-0009-PWS-E

PCW

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Case ID No.

61718

Reg. Ent. Reference No.

RN101459667

Media

Public Water Supply

Enf. Coordinator

Miles Wehner

Violation Number

1

Rule Cite(s)

30 Tex. Admin. Code § 290.42(j)

Violation Description

Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for Drinking Water Treatment Chemicals. Specifically, the Respondents were using Great Value Bleach for disinfection, which does not conform to ANSI/NSF Standard 60.

Base Penalty

\$5,000

>> Environmental, Property and Human Health Matrix

OR

Release

Major

Moderate

Minor

Actual

Potential

x

Percent

3.0%

>>Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

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

Adjustment

\$4,850

\$150

Violation Events

Number of Violation Events

1

30

Number of violation days

daily

weekly

monthly

quarterly

semiannual

annual

single event

x

Violation Base Penalty

\$150

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Before NOE/NOV

NOE/NOV to EDP RP/Settlement Offer

Extraordinary

Ordinary

N/A

x

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal

\$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$14

Violation Final Penalty Total

\$273

This violation Final Assessed Penalty (adjusted for limits)

\$273

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$125	15-Oct-2019	24-Jan-2022	2.28	\$14	n/a	\$14

Notes for DELAYED costs

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

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$125

TOTAL \$14

Screening Date 9-Dec-2021		Docket No. 2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation			
Case ID No. 61718		<i>Policy Revision 5 (January 28, 2021)</i>			
Reg. Ent. Reference No. RN101459667		<i>PCW Revision February 11, 2021</i>			
Media Public Water Supply					
Enf. Coordinator Miles Wehner					
Violation Number		<input type="text" value="2"/>			
Rule Cite(s)		<input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(J)"/>			
Violation Description		<input type="text" value="Failed to provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away from the well head at not less than 0.25 inch per foot. Specifically, the well casing and concrete sealing block were unstable and did not provide a complete seal."/>			
				Base Penalty	<input type="text" value="\$5,000"/>
>> Environmental, Property and Human Health Matrix					
OR	Release		Harm		
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	Percent <input type="text" value="5.0%"/>
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>
Matrix Notes	<input type="text" value="Failure to to provide the well with a sealing block that extends a minimum of three feet from the well casing in all directions and slops to drain away from the wellhead at not less than 0.25 inch per foot could result in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels protective of human health."/>				
				Adjustment	<input type="text" value="\$4,750"/>
					<input type="text" value="\$250"/>
Violation Events					
Number of Violation Events		<input type="text" value="1"/>	<input type="text" value="30"/>	Number of violation days	
	daily	<input type="text"/>			
	weekly	<input type="text"/>			
	monthly	<input type="text"/>			
	quarterly	<input checked="" type="text" value="x"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
	single event	<input type="text"/>			
<input type="text" value="One quarterly event is recommended, calculated from the record review date, November 9, 2021, to the screening date, December 9, 2021."/>					
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>	Reduction		<input type="text" value="\$0"/>
	Extraordinary	<input type="text"/>	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		
	Ordinary	<input type="text"/>			
	N/A	<input checked="" type="text" value="x"/>			
Notes	<input type="text" value="The Respondents do not meet the good faith criteria for this violation."/>				
				Violation Subtotal	<input type="text" value="\$250"/>
Economic Benefit (EB) for this violation					
Statutory Limit Test					
Estimated EB Amount		<input type="text" value="\$774"/>	Violation Final Penalty Total		<input type="text" value="\$456"/>
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$456"/>	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718

Reg. Ent. Reference No. RN101459667

Media Public Water Supply

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$500	15-Oct-2019	20-Dec-2023	4.18	\$7	\$139	\$146
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)	\$3,000	15-Oct-2019	20-Dec-2023	4.18	\$628	n/a	\$628

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches, and sloped to drain away from the wellhead at not less than 0.25 inch per foot, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

The other delayed cost includes the estimated amount to notify and receive approval from the Executive Director for the modifications to the Facility's well sealing block, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$3,500

TOTAL \$774

Screening Date		9-Dec-2021		Docket No. 2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation					
Case ID No.		61718					
Reg. Ent. Reference No.		RN101459667					
Media		Public Water Supply					
Enf. Coordinator		Miles Wehner					
Violation Number		<input type="text" value="3"/>					
Rule Cite(s)		<input type="text" value="30 Tex. Admin. Code § 290.110(c)(4)(A)"/>					
Violation Description		<input type="text" value="Failed to monitor the disinfection residual at representative locations throughout the distribution system at least once every seven days."/>					
		Base Penalty				<input type="text" value="\$5,000"/>	
>> Environmental, Property and Human Health Matrix							
OR	Release		Harm				
			Major	Moderate	Minor		
	Actual						
	Potential		x			Percent	<input type="text" value="15.0%"/>
>> Programmatic Matrix							
		Falsification	Major	Moderate	Minor		
						Percent	<input type="text" value="0.0%"/>
	Matrix Notes	<input type="text" value="Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days could expose persons served by the Facility to contaminants which would exceed levels protective of human health."/>					
						Adjustment	<input type="text" value="\$4,250"/>
							<input type="text" value="\$750"/>
Violation Events							
Number of Violation Events		<input type="text" value="1"/>		<input type="text" value="30"/>		Number of violation days	
	daily						
	weekly						
	monthly	x					
	quarterly						
	semiannual						
	annual						
	single event						
		<input type="text" value="One monthly event is recommended, calculated from the record review date, November 9, 2021, to the screening date, December 9, 2021."/>					
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>		Reduction		<input type="text" value="\$0"/>	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary						
	Ordinary						
	N/A	x					
	Notes	<input type="text" value="The Respondents do not meet the good faith criteria for this violation."/>					
						Violation Subtotal	<input type="text" value="\$750"/>
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		<input type="text" value="\$12"/>		Violation Final Penalty Total		<input type="text" value="\$1,367"/>	
This violation Final Assessed Penalty (adjusted for limits)						<input type="text" value="\$1,367"/>	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667

Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10	15-Oct-2019	24-Jan-2022	2.28	\$1	n/a	\$1

Notes for DELAYED costs The delayed cost includes the estimated amount to monitor the disinfectant residual at least once every seven days (\$10 per week), calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$10	15-Oct-2019	9-Dec-2021	2.15	\$1	\$10	\$11
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs The avoided cost includes the estimated amount to monitor the disinfectant residual at least once every seven days (\$10 per week), calculated from the date of the investigation initially documenting the violation to the screening date.

Approx. Cost of Compliance	\$20	TOTAL	\$12
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Screening Date		9-Dec-2021		Docket No.		2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation							
Case ID No.		61718							
Reg. Ent. Reference No.		RN101459667							
Media		Public Water Supply							
Enf. Coordinator		Miles Wehner							
Violation Number		4							
Rule Cite(s)		30 Tex. Admin. Code § 290.46(m)(1)(B)							
Violation Description		Failed to inspect the Facility's pressure tank annually.							
		Base Penalty						\$5,000	
>> Environmental, Property and Human Health Matrix									
OR	Release		Major		Moderate		Minor		
	Actual								
	Potential		x						Percent 15.0%
>> Programmatic Matrix									
	Falsification		Major		Moderate		Minor		
									Percent 0.0%
Matrix Notes		Failure to inspect the pressure tank could result in non-detection of defects resulting in a loss of tank integrity and could expose persons served by the Facility to contaminants which would exceed levels protective of human health.							
Adjustment						\$4,250			
						\$750			
Violation Events									
Number of Violation Events		1		30		Number of violation days			
	daily								
	weekly								
	monthly								
	quarterly								
	semiannual								
	annual								
	single event	x				Violation Base Penalty \$750			
		One single event is recommended.							
Good Faith Efforts to Comply		0.0%		Reduction		\$0			
	Extraordinary	Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
	Ordinary								
	N/A	x							
	Notes	The Respondents do not meet the good faith criteria for this violation.							
Violation Subtotal						\$750			
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount		\$51		Violation Final Penalty Total		\$1,367			
This violation Final Assessed Penalty (adjusted for limits)						\$1,367			

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718

Reg. Ent. Reference No. RN101459667

Media Public Water Supply

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$41	15-Oct-2019	24-Jan-2022	2.28	\$5	n/a	\$5

Notes for DELAYED costs

The delayed cost includes the estimated amount to conduct annual pressure tank inspections (\$41 per tank x one tank), calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$41	15-Oct-2019	9-Dec-2021	2.15	\$5	\$41	\$46
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The delayed cost includes the estimated amount to conduct annual pressure tank inspections (\$41 per tank x one tank), calculated from the date of the investigation initially documenting the violation to the screening date.

Approx. Cost of Compliance \$82

TOTAL \$51

Screening Date		9-Dec-2021		Docket No.		2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation							
Case ID No.		61718							
Reg. Ent. Reference No.		RN101459667							
Media		Public Water Supply							
Enf. Coordinator		Miles Wehner							
Violation Number		<input type="text" value="5"/>							
Rule Cite(s)		<input type="text" value="30 Tex. Admin. Code § 290.46(s)(1)"/>							
Violation Description		<input type="text" value="Failed to calibrate the Facility's well meter at least once every three years. Specifically, well meter calibration was due on May 25, 2019, and was not performed."/>							
		Base Penalty						<input type="text" value="\$5,000"/>	
>> Environmental, Property and Human Health Matrix									
OR	Release		Harm						
		Major	Moderate	Minor					
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>					
	Potential	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent		<input type="text" value="3.0%"/>		
>> Programmatic Matrix									
	Falsification	Major	Moderate	Minor					
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent		<input type="text" value="0.0%"/>		
Matrix Notes	<input type="text" value="Failure to calibrate the Facility's well meter could result in inaccurate or unavailable water usage and production data, resulting in persons served by the Facility being exposed to an insignificant amount of contaminants which would not exceed levels protective of human health."/>								
						Adjustment		<input type="text" value="\$4,850"/>	
								<input type="text" value="\$150"/>	
Violation Events									
Number of Violation Events		<input type="text" value="1"/>		<input type="text" value="30"/>		Number of violation days			
	daily	<input type="text"/>							
	weekly	<input type="text"/>							
	monthly	<input type="text"/>							
	quarterly	<input type="text"/>							
	semiannual	<input type="text"/>							
	annual	<input type="text"/>							
	single event	<input type="text" value="x"/>							
<input type="text" value="One single event is recommended."/>									
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>		Reduction		<input type="text" value="\$0"/>			
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
	Extraordinary	<input type="text"/>		<input type="text"/>					
	Ordinary	<input type="text"/>		<input type="text"/>					
	N/A	<input type="text" value="x"/>		<input type="text"/>					
	Notes	<input type="text" value="The Respondents do not meet the good faith criteria for this violation."/>							
						Violation Subtotal		<input type="text" value="\$150"/>	
Economic Benefit (EB) for this violation					Statutory Limit Test				
Estimated EB Amount		<input type="text" value="\$39"/>			Violation Final Penalty Total		<input type="text" value="\$273"/>		
This violation Final Assessed Penalty (adjusted for limits)						<input type="text" value="\$273"/>			

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718

Reg. Ent. Reference No. RN101459667

Media Public Water Supply

Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$31	25-May-2019	24-Jan-2022	2.67	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to calibrate the Facility's well meter (\$31 per well meter), calculated from the date the calibration was due to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$31	25-May-2019	9-Dec-2021	2.55	\$4	\$31	\$35
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to calibrate the Facility's well meter (\$31 per well meter), calculated from the date the calibration was due to the date of screening.

Approx. Cost of Compliance \$62

TOTAL \$39

Screening Date		9-Dec-2021		Docket No. 2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation					
Case ID No.		61718					
Reg. Ent. Reference No.		RN101459667					
Media		Public Water Supply					
Enf. Coordinator		Miles Wehner					
Violation Number		6					
Rule Cite(s)		30 Tex. Admin. Code § 290.121(a) and (b)					
Violation Description		Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.					
Base Penalty						\$5,000	
>> Environmental, Property and Human Health Matrix							
OR	Release		Harm				
		Major	Moderate	Minor			
	Actual						
	Potential				Percent 0.0%		
>> Programmatic Matrix							
	Falsification	Major	Moderate	Minor			
		x			Percent 10.0%		
Matrix Notes		100% of the rule requirements were not met.					
Adjustment						\$4,500	
						\$500	
Violation Events							
Number of Violation Events		1		30		Number of violation days	
	daily						
	weekly						
	monthly						
	quarterly						
	semiannual						
	annual						
	single event	x		Violation Base Penalty \$500			
		One single event is recommended.					
Good Faith Efforts to Comply		0.0%		Reduction		\$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary						
	Ordinary						
	N/A	x					
	Notes	The Respondents do not meet the good faith criteria for this violation.					
Violation Subtotal						\$500	
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		\$30		Violation Final Penalty Total		\$912	
This violation Final Assessed Penalty (adjusted for limits)						\$912	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667

Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	15-Oct-2019	23-Feb-2023	3.36	\$30	n/a	\$30

Notes for DELAYED costs

The delayed cost includes the estimated amount to develop and maintain a chemical and microbiological monitoring plan, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$180

TOTAL \$30

Screening Date		9-Dec-2021		Docket No.		2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation							
Case ID No.		61718							
Reg. Ent. Reference No.		RN101459667							
Media		Public Water Supply							
Enf. Coordinator		Miles Wehner							
Violation Number		<div>7</div>							
Rule Cite(s)		<div>30 Tex. Admin. Code § 290.42(e)(5)</div>							
Violation Description		<div>Failed to house the hypochlorination solution containers in a secure enclosure to protect them from adverse weather conditions and vandalism. Specifically, the hypochlorination solution container top was not completely covered.</div>							
		Base Penalty						<div>\$5,000</div>	
>> Environmental, Property and Human Health Matrix									
OR		Release		Harm					
			Major	Moderate	Minor				
		Actual	<div></div>	<div></div>	<div></div>				
		Potential	<div></div>	<div></div>	<div>x</div>			Percent	<div>3.0%</div>
>> Programmatic Matrix									
		Falsification	Major	Moderate	Minor			Percent	<div>0.0%</div>
		<div></div>	<div></div>	<div></div>	<div></div>				
Matrix Notes		<div>Failure to house the hypochlorination solution containers in a secure enclosure could cause persons served by the Facility to be exposed to an insignificant amount of contaminants which would not exceed levels protective of human health.</div>							
						Adjustment		<div>\$4,850</div>	
								<div>\$150</div>	
Violation Events									
		Number of Violation Events		<div>1</div>			<div>30</div>	Number of violation days	
		daily	<div></div>						
		weekly	<div></div>						
		monthly	<div></div>						
		quarterly	<div></div>						
		semiannual	<div></div>						
		annual	<div></div>						
		single event	<div>x</div>					Violation Base Penalty	<div>\$150</div>
		<div>One single event is recommended.</div>							
Good Faith Efforts to Comply				<div>0.0%</div>		Reduction		<div>\$0</div>	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer					
		Extraordinary	<div></div>	<div></div>					
		Ordinary	<div></div>	<div></div>					
		N/A	<div>x</div>	<div></div>					
		Notes	<div>The Respondents do not meet the good faith criteria for this violation.</div>						
						Violation Subtotal		<div>\$150</div>	
Economic Benefit (EB) for this violation									
Statutory Limit Test									
		Estimated EB Amount		<div>\$6</div>		Violation Final Penalty Total		<div>\$273</div>	
						This violation Final Assessed Penalty (adjusted for limits)		<div>\$273</div>	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667

Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	15-Oct-2019	24-Jan-2022	2.28	\$6	n/a	\$6

Notes for DELAYED costs

The delayed cost includes the estimated amount to house the hypochlorination solution containers in a secure enclosure, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$50

TOTAL \$6

Screening Date		9-Dec-2021		Docket No. 2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation					
Case ID No.		61718					
Reg. Ent. Reference No.		RN101459667					
Media		Public Water Supply					
Enf. Coordinator		Miles Wehner					
Violation Number		8					
Rule Cite(s)		30 Tex. Admin. Code § 290.46(e)(4)(A) and Tex. Health & Safety Code § 341.033(a)					
Violation Description		Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher groundwater license.					
Base Penalty						\$5,000	
>> Environmental, Property and Human Health Matrix							
OR	Release		Harm				
		Major	Moderate	Minor			
	Actual						
	Potential	x			Percent	15.0%	
>> Programmatic Matrix							
	Falsification	Major	Moderate	Minor			
					Percent	0.0%	
Matrix Notes	Failure to operate the Facility under the direct supervision of an operator with the appropriate license may result in poor plant operation which could expose persons served by the Facility to contaminants which would exceed levels protective of human health.						
Adjustment						\$4,250	
						\$750	
Violation Events							
Number of Violation Events		1		30		Number of violation days	
	daily						
	weekly						
	monthly	x					
	quarterly						
	semiannual						
	annual						
	single event						
Violation Base Penalty \$750							
One monthly event is recommended, calculated from the record review date, November 9, 2021, to the screening date, December 9, 2021.							
Good Faith Efforts to Comply		0.0%		Reduction		\$0	
	Extraordinary			Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
	Ordinary						
	N/A	x					
Notes	The Respondents do not meet the good faith criteria for this violation.						
Violation Subtotal						\$750	
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		\$3,201		Violation Final Penalty Total		\$1,367	
This violation Final Assessed Penalty (adjusted for limits)						\$1,367	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718

Reg. Ent. Reference No. RN101459667

Media Public Water Supply

Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	3-Aug-2021	24-Jan-2023	1.48	\$7	n/a	\$7

Notes for DELAYED costs

The delayed cost includes the estimated amount to ensure that the Facility is operated under the direct supervision of a water works operator who holds an applicable, valid license, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel	\$9,048	3-Aug-2021	9-Dec-2021	0.35	\$21	\$3,173	\$3,194
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

The avoided cost includes the estimated amount to ensure that the Facility is operated under the direct supervision of a water works operator who holds a minimum of a Class "D" or higher groundwater license (\$17.40 per hour x 10 hours per week required, annualized), calculated from the date of the investigation initially documenting the violation to the screening date.

Approx. Cost of Compliance

\$3,273

TOTAL

\$3,201

Screening Date		9-Dec-2021		Docket No. 2022-0009-PWS-E		PCW	
Respondent		Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation					
Case ID No.		61718					
Reg. Ent. Reference No.		RN101459667					
Media		Public Water Supply					
Enf. Coordinator		Miles Wehner					
Violation Number		<input type="text" value="9"/>					
Rule Cite(s)		<input type="text" value="30 Tex. Admin. Code § 290.46(v)"/>					
Violation Description		<input type="text" value="Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring at the Facility's well was not securely installed in a mounted conduit."/>					
Base Penalty						<input type="text" value="\$5,000"/>	
>> Environmental, Property and Human Health Matrix							
OR	Release		Harm				
		Major	Moderate	Minor			
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>			
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="15.0%"/>		
>> Programmatic Matrix							
	Falsification	Major	Moderate	Minor	Percent <input type="text" value="0.0%"/>		
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Matrix Notes	<input type="text" value="Failure to ensure all electrical wiring is installed in compliance with a local or national code could cause equipment malfunctions resulting in low pressure or outages which could expose persons served by the Facility to contaminants which would exceed levels protective of human health."/>						
Adjustment						<input type="text" value="\$4,250"/>	
						<input type="text" value="\$750"/>	
Violation Events							
Number of Violation Events		<input type="text" value="1"/>		<input type="text" value="30"/>		Number of violation days	
	daily	<input type="text"/>					
	weekly	<input type="text"/>					
	monthly	<input type="text" value="x"/>					
	quarterly	<input type="text"/>					
	semiannual	<input type="text"/>					
	annual	<input type="text"/>					
	single event	<input type="text"/>					
Violation Base Penalty						<input type="text" value="\$750"/>	
<input type="text" value="One monthly event is recommended, calculated from the record review date, November 9, 2021, to the screening date, December 9, 2021."/>							
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>		Reduction		<input type="text" value="\$0"/>	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary	<input type="text"/>		<input type="text"/>			
	Ordinary	<input type="text"/>		<input type="text"/>			
	N/A	<input type="text" value="x"/>		<input type="text"/>			
	Notes	<input type="text" value="The Respondents do not meet the good faith criteria for this violation."/>					
Violation Subtotal						<input type="text" value="\$750"/>	
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		<input type="text" value="\$6"/>		Violation Final Penalty Total		<input type="text" value="\$1,367"/>	
This violation Final Assessed Penalty (adjusted for limits)						<input type="text" value="\$1,367"/>	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667

Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	3-Aug-2021	24-Jan-2022	0.48	\$0	\$6	\$6
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs The delayed cost includes the estimated amount to secure all electrical wiring in compliance with a local or national code, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$200	TOTAL	\$6
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Screening Date	9-Dec-2021	Docket No.	2022-0009-PWS-E	PCW	
Respondent	Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation				
Case ID No.	61718				
Reg. Ent. Reference No.	RN101459667				
Media	Public Water Supply				
Enf. Coordinator	Miles Wehner				
Violation Number	10				
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(iii) and (f)(3)(A)(vi)				
Violation Description	Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, records for the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation and the maintenance records for water system equipment and facilities were not maintained on-site for review.				
				Base Penalty	
				\$5,000	
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major Moderate Minor			
	Actual				Percent
	Potential				
				0.0%	
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	Percent
				x	
				1.0%	
Matrix Notes					
				Adjustment	
				\$4,950	
				\$50	
Violation Events					
Number of Violation Events		1	30	Number of violation days	
	daily weekly monthly quarterly semiannual annual single event			Violation Base Penalty	
			x		
				\$50	
One single event is recommended.					
Good Faith Efforts to Comply		0.0%		Reduction	
				\$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary				
	Ordinary				
	N/A	x			
	Notes				
				Violation Subtotal	
				\$50	
Economic Benefit (EB) for this violation		Statutory Limit Test			
Estimated EB Amount		\$1	Violation Final Penalty Total		
			\$91		
				This violation Final Assessed Penalty (adjusted for limits)	
				\$91	

Economic Benefit Worksheet

Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

Case ID No. 61718
Reg. Ent. Reference No. RN101459667

Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

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	3-Aug-2021	24-Jan-2022	0.48	\$1	n/a	\$1
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

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

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$45	TOTAL	\$1
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Compliance History Report

Compliance History Report for CN600654651, RN101459667, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN600654651, Old Town Water Supply Corporation	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN101459667, OLD TOWN WSC	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	4410 OLD TOWN ROAD NEAR MARSHALL, HARRISON COUNTY, TEXAS				
TCEQ Region:	REGION 05 - TYLER				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	1020067	WATER RIGHTS NON-PERMITTED ID NUMBER	R5101459667		
Compliance History Period:	September 01, 2016 to August 31, 2021	Rating Year:	2021	Rating Date:	09/01/2021
Date Compliance History Report Prepared:	June 06, 2022				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	June 03, 2017 to June 03, 2022				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Julianne Matthews		Phone:	(817) 588-5861	

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.

- | | | | | | |
|---|--------------|--|-----------|-----------------|----------|
| 1 | Date: | 06/11/2021 | (1723068) | | |
| | Self Report? | NO | | Classification: | Minor |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(f)(2) | | | |
| | | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv) | | | |
| | Description: | Failure to provide a flushing log for review during inspection. | | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.42(j) | | | |
| | Description: | Failure to verify chemicals used in treatment conform to ANSI / NSF Certification. | | | |
| | Self Report? | NO | | Classification: | Moderate |

Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)	
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)	
Description:	Failure to maintain the well casing and well block as required by AWWA Standards.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)	
Description:	Failure to maintain a record of the amount of each chemical used each week.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)	
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)	
Description:	Failure to have pressure tanks inspected annually.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)	
Description:	Failure to verify well meters calibrations once every three years.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)	
Description:	Failure to have a monitoring plan.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)	
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41)	
	30 TAC Chapter 290, SubChapter D 290.46(m)	
Description:	Failure to maintain intruder resistant fence.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)	
Description:	Failure to maintain sample cells in good condition.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 6/3/2017 and 6/3/2022

1	Date: 11/22/2019 (1605134)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(j)		
	Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.41(c)(1)		
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)		
	Description: Failure to maintain the well casing and well block as required by AWWA Standards.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)		
	Description: Failure to maintain a record of the amount of each chemical used each week.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(r)(1)		
	Description: Failure to have pressure tanks inspected annually.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
	Description: Failure to verify well meters calibrations once every three years.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.121(a)		
	Description: Failure to have a monitoring plan.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
	Description: Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.38(41)		
	30 TAC Chapter 290, SubChapter D 290.46(m)		
	Description: Failure to maintain intruder resistant fence.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
	Description: Failure to maintain sample cells in good condition.		
2	Date: 02/28/2020 (1629933)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
 Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to have pressure tanks inspected annually.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to verify well meters calibrations once every three years.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to have a monitoring plan.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)
 Description: Failure to have Hydrochlorination station container completely covered to prevent the entrance of dust, insects and other contaminants.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.38(41)
 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain intruder resistant fence.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)
 Description: Failure to maintain sample cells in good condition.

3*

Date: 06/11/2021 (1723068)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
 Description: Failure to provide a flushing log for review during inspection.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to have pressure tanks inspected annually.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
Description:	Failure to verify well meter calibrations once every three years.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to have a monitoring plan.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain intruder resistant fence.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
Description:	Failure to maintain sample cells in good condition.		

* NOV's applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

Appendix B All Investigations Conducted During Component Period June 03, 2017 and June 03, 2022

Item 1	November 18, 2019**	(1605134)
Item 2	February 28, 2020**	(629933)
Item 3	June 09, 2021**	(723068)
Item 4	September 07, 2021	(1772342)
Item 5	November 24, 2021	(1772342)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2016 and 08/31/2021.



Compliance History Report

Compliance History Report for CN604465112, RN101459667, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN604465112, David Hicks	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN101459667, OLD TOWN WSC	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	4410 OLD TOWN ROAD NEAR MARSHALL, HARRISON COUNTY, TEXAS				
TCEQ Region:	REGION 05 - TYLER				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	1020067	WATER RIGHTS NON-PERMITTED ID NUMBER	R5101459667		
Compliance History Period:	September 01, 2016 to August 31, 2021	Rating Year:	2021	Rating Date:	09/01/2021
Date Compliance History Report Prepared:	June 06, 2022				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	June 03, 2017 to June 03, 2022				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Julianne Matthews		Phone:	(817) 588-5861	

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.

- | | | | | |
|---|--------------|--|-----------|--------------------------|
| 1 | Date: | 06/11/2021 | (1723068) | |
| | Self Report? | NO | | Classification: Minor |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(f)(2) | | |
| | | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv) | | |
| | Description: | Failure to provide a flushing log for review during inspection. | | |
| | Self Report? | NO | | Classification: Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.42(j) | | |
| | Description: | Failure to verify chemicals used in treatment conform to ANSI / NSF Certification. | | |
| | Self Report? | NO | | Classification: Moderate |

Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)	
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)	
Description:	Failure to maintain the well casing and well block as required by AWWA Standards.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)	
Description:	Failure to maintain a record of the amount of each chemical used each week.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)	
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)	
Description:	Failure to have pressure tanks inspected annually.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)	
Description:	Failure to verify well meters calibrations once every three years.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)	
Description:	Failure to have a monitoring plan.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)	
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41)	
	30 TAC Chapter 290, SubChapter D 290.46(m)	
Description:	Failure to maintain intruder resistant fence.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)	
Description:	Failure to maintain sample cells in good condition.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 6/3/2017 and 6/3/2022

1	Date: 11/22/2019 (1605134)	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)	
	Description: Failure to provide a flushing log for review during inspection.	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.42(j)	
	Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.41(c)(1)	
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)	
	Description: Failure to maintain the well casing and well block as required by AWWA Standards.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)	
	Description: Failure to maintain a record of the amount of each chemical used each week.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)	
	Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.46(r)(1)	
	Description: Failure to have pressure tanks inspected annually.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.46(s)(1)	
	Description: Failure to verify well meters calibrations once every three years.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter F 290.121(a)	
	Description: Failure to have a monitoring plan.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.42(e)(5)	
	Description: Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.38(41)	
	30 TAC Chapter 290, SubChapter D 290.46(m)	
	Description: Failure to maintain intruder resistant fence.	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter F 290.110(d)(1)	
	Description: Failure to maintain sample cells in good condition.	
2	Date: 02/28/2020 (1629933)	
	Self Report? NO	Classification: Minor
	Citation:	
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)	
	Description: Failure to provide a flushing log for review during inspection.	
	Self Report? NO	Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
 Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to have pressure tanks inspected annually.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to verify well meters calibrations once every three years.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to have a monitoring plan.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)
 Description: Failure to have Hydrochlorination station container completely covered to prevent the entrance of dust, insects and other contaminants.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.38(41)
 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain intruder resistant fence.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)
 Description: Failure to maintain sample cells in good condition.

3*

Date: 06/11/2021 (1723068)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
 Description: Failure to provide a flushing log for review during inspection.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to have pressure tanks inspected annually.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
Description:	Failure to verify well meter calibrations once every three years.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to have a monitoring plan.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain intruder resistant fence.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
Description:	Failure to maintain sample cells in good condition.		

* NOV's applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

Appendix B All Investigations Conducted During Component Period June 03, 2017 and June 03, 2022

Item 1	November 18, 2019**	(1605134)
Item 2	February 28, 2020**	(629933)
Item 3	June 09, 2021**	(723068)
Item 4	September 07, 2021	(1772342)
Item 5	November 24, 2021	(1772342)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2016 and 08/31/2021.



Compliance History Report

Compliance History Report for CN605952654, RN101459667, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN605952654, Ben Adams	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN101459667, OLD TOWN WSC	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	4410 OLD TOWN ROAD NEAR MARSHALL, HARRISON COUNTY, TEXAS				
TCEQ Region:	REGION 05 - TYLER				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	1020067	WATER RIGHTS NON-PERMITTED ID NUMBER	R5101459667		
Compliance History Period:	September 01, 2016 to August 31, 2021	Rating Year:	2021	Rating Date:	09/01/2021
Date Compliance History Report Prepared:	June 06, 2022				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	June 03, 2017 to June 03, 2022				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Julianne Matthews		Phone:	(817) 588-5861	

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.

- | | | | | | |
|---|--------------|--|-----------|-----------------|----------|
| 1 | Date: | 06/11/2021 | (1723068) | | |
| | Self Report? | NO | | Classification: | Minor |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(f)(2) | | | |
| | | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv) | | | |
| | Description: | Failure to provide a flushing log for review during inspection. | | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.42(j) | | | |
| | Description: | Failure to verify chemicals used in treatment conform to ANSI / NSF Certification. | | | |
| | Self Report? | NO | | Classification: | Moderate |

Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)	
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)	
Description:	Failure to maintain the well casing and well block as required by AWWA Standards.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)	
Description:	Failure to maintain a record of the amount of each chemical used each week.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)	
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)	
Description:	Failure to have pressure tanks inspected annually.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)	
Description:	Failure to verify well meters calibrations once every three years.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)	
Description:	Failure to have a monitoring plan.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)	
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41)	
	30 TAC Chapter 290, SubChapter D 290.46(m)	
Description:	Failure to maintain intruder resistant fence.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)	
Description:	Failure to maintain sample cells in good condition.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 6/3/2017 and 6/3/2022

1	Date: 11/22/2019 (1605134)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	
	30 TAC Chapter 290, SubChapter D 290.42(j)		
	Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.41(c)(1)		
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)		
	Description: Failure to maintain the well casing and well block as required by AWWA Standards.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)		
	Description: Failure to maintain a record of the amount of each chemical used each week.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(r)(1)		
	Description: Failure to have pressure tanks inspected annually.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
	Description: Failure to verify well meters calibrations once every three years.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.121(a)		
	Description: Failure to have a monitoring plan.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
	Description: Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.38(41)		
	30 TAC Chapter 290, SubChapter D 290.46(m)		
	Description: Failure to maintain intruder resistant fence.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
	Description: Failure to maintain sample cells in good condition.		
2	Date: 02/28/2020 (1629933)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
 Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to have pressure tanks inspected annually.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to verify well meters calibrations once every three years.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to have a monitoring plan.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)
 Description: Failure to have Hydrochlorination station container completely covered to prevent the entrance of dust, insects and other contaminants.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.38(41)
 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain intruder resistant fence.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)
 Description: Failure to maintain sample cells in good condition.

3*

Date: 06/11/2021 (1723068)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
 Description: Failure to provide a flushing log for review during inspection.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to have pressure tanks inspected annually.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
Description:	Failure to verify well meter calibrations once every three years.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to have a monitoring plan.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain intruder resistant fence.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
Description:	Failure to maintain sample cells in good condition.		

* NOV's applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

Appendix B All Investigations Conducted During Component Period June 03, 2017 and June 03, 2022

Item 1	November 18, 2019**	(1605134)
Item 2	February 28, 2020**	(629933)
Item 3	June 09, 2021**	(723068)
Item 4	September 07, 2021	(1772342)
Item 5	November 24, 2021	(1772342)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2016 and 08/31/2021.



Compliance History Report

Compliance History Report for CN605952662, RN101459667, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN605952662, Terry Adams	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN101459667, OLD TOWN WSC	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	4410 OLD TOWN ROAD NEAR MARSHALL, HARRISON COUNTY, TEXAS				
TCEQ Region:	REGION 05 - TYLER				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	1020067	WATER RIGHTS NON-PERMITTED ID NUMBER	R5101459667		
Compliance History Period:	September 01, 2016 to August 31, 2021	Rating Year:	2021	Rating Date:	09/01/2021
Date Compliance History Report Prepared:	June 06, 2022				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	June 03, 2017 to June 03, 2022				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Julianne Matthews		Phone:	(817) 588-5861	

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.

- | | | | | | |
|---|--------------|--|-----------|-----------------|----------|
| 1 | Date: | 06/11/2021 | (1723068) | | |
| | Self Report? | NO | | Classification: | Minor |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(f)(2) | | | |
| | | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv) | | | |
| | Description: | Failure to provide a flushing log for review during inspection. | | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.42(j) | | | |
| | Description: | Failure to verify chemicals used in treatment conform to ANSI / NSF Certification. | | | |
| | Self Report? | NO | | Classification: | Moderate |

Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)	
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)	
Description:	Failure to maintain the well casing and well block as required by AWWA Standards.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)	
Description:	Failure to maintain a record of the amount of each chemical used each week.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)	
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)	
Description:	Failure to have pressure tanks inspected annually.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)	
Description:	Failure to verify well meters calibrations once every three years.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)	
Description:	Failure to have a monitoring plan.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)	
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41)	
	30 TAC Chapter 290, SubChapter D 290.46(m)	
Description:	Failure to maintain intruder resistant fence.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)	
Description:	Failure to maintain sample cells in good condition.	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 6/3/2017 and 6/3/2022

1	Date: 11/22/2019 (1605134)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	
	30 TAC Chapter 290, SubChapter D 290.42(j)		
	Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.41(c)(1)		
	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)		
	Description: Failure to maintain the well casing and well block as required by AWWA Standards.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)		
	Description: Failure to maintain a record of the amount of each chemical used each week.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(r)(1)		
	Description: Failure to have pressure tanks inspected annually.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
	Description: Failure to verify well meters calibrations once every three years.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.121(a)		
	Description: Failure to have a monitoring plan.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
	Description: Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.38(41)		
	30 TAC Chapter 290, SubChapter D 290.46(m)		
	Description: Failure to maintain intruder resistant fence.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
	Description: Failure to maintain sample cells in good condition.		
2	Date: 02/28/2020 (1629933)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)		
	Description: Failure to provide a flushing log for review during inspection.		
	Self Report? NO	Classification: Moderate	

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
 Description: Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)
 Description: Failure to have pressure tanks inspected annually.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to verify well meters calibrations once every three years.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to have a monitoring plan.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)
 Description: Failure to have Hydrochlorination station container completely covered to prevent the entrance of dust, insects and other contaminants.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.38(41)
 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain intruder resistant fence.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)
 Description: Failure to maintain sample cells in good condition.

3*

Date: 06/11/2021 (1723068)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
 Description: Failure to provide a flushing log for review during inspection.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(j)
 Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)
 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)
 Description: Failure to maintain the well casing and well block as required by AWWA Standards.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Description: Failure to maintain a record of the amount of each chemical used each week.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
Description:	Failure to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to have pressure tanks inspected annually.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(1)		
Description:	Failure to verify well meter calibrations once every three years.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)		
Description:	Failure to have a monitoring plan.		
Self Report?	N	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(5)		
Description:	Failure to have Hypochlorination solution container completely covered to prevent the entrance of dust, insects, and other contaminants.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain intruder resistant fence.		
Self Report?	N	Classification:	Mino
Citation:	30 TAC Chapter 290, SubChapter F 290.110(d)(1)		
Description:	Failure to maintain sample cells in good condition.		

* NOV's applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

Appendix B All Investigations Conducted During Component Period June 03, 2017 and June 03, 2022

Item 1	November 18, 2019**	(1605134)
Item 2	February 28, 2020**	(629933)
Item 3	June 09, 2021**	(723068)
Item 4	September 07, 2021	(1772342)
Item 5	November 24, 2021	(1772342)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2016 and 08/31/2021.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
OLD TOWN WATER SUPPLY	§	
CORPORATION, DAVID HICKS	§	
DBA OLD TOWN WATER SUPPLY	§	TEXAS COMMISSION ON
CORPORATION, BEN ADAMS	§	
DBA OLD TOWN WATER SUPPLY	§	
CORPORATION, AND TERRY	§	
ADAMS DBA OLD TOWN WATER	§	
SUPPLY CORPORATION	§	
RN101459667	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0009-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation (the "Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents presented this Order to the Commission.

The Respondents understand that they have certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondents agree to waive all notice and procedural rights.

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

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

I. FINDINGS OF FACT

1. The Respondents own and operate a public water supply located at 4410 Old Town Road near Marshall, Harrison County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 38 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).

2. During a record review for the Facility conducted on November 9, 2021, an investigator documented that:
 - a. The Respondents were using Great Value Bleach for disinfection, which does not conform to American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60.
 - b. The well casing and concrete sealing block were unstable and did not provide a complete seal.
 - c. The Respondents did not monitor the disinfection residual at representative locations throughout the distribution system at least once every seven days.
 - d. The Respondents did not inspect the Facility's pressure tank annually.
 - e. The Facility's well meter calibration was due on May 25, 2019, and was not performed.
 - f. The Respondents did not develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.
 - g. The hypochlorination solution container top was not completely covered.
 - h. The Respondents did not operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher groundwater license.
 - i. The electrical wiring at the Facility's well was not securely installed in a mounted conduit.
 - j. Records for the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation and the maintenance records for water system equipment and facilities were not maintained on-site for review.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondents failed to use an approved chemical or media for the disinfection of potable water that conforms to the ANSI/NSF Standard 60 for Drinking Water Treatment Chemicals, in violation of 30 TEX. ADMIN. CODE § 290.42(j).

3. As evidenced by Finding of Fact No. 2.b, the Respondents failed to provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away from the well head at not less than 0.25 inch per foot, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(J).
4. As evidenced by Finding of Fact No. 2.c, the Respondents failed to monitor the disinfection residual at representative locations throughout the distribution system at least once every seven days, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(4)(A).
5. As evidenced by Finding of Fact No. 2.d, the Respondents failed to inspect the Facility's pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
6. As evidenced by Finding of Fact No. 2.e, the Respondents failed to calibrate the Facility's well meter at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
7. As evidenced by Finding of Fact No. 2.f, the Respondents failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
8. As evidenced by Finding of Fact No. 2.g, the Respondents failed to house the hypochlorination solution containers in a secure enclosure to protect them from adverse weather conditions and vandalism, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(5).
9. As evidenced by Finding of Fact No. 2.h, the Respondents failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher groundwater license, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a).
10. As evidenced by Finding of Fact No. 2.i, the Respondents failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v).
11. As evidenced by Finding of Fact No. 2.j, the Respondents failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(iii) and (f)(3)(A)(vi).
12. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondents for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation

DOCKET NO. 2022-0009-PWS-E

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13. An administrative penalty in the amount of \$7,748 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondents paid \$223 of the penalty. The remaining amount of \$7,525 shall be paid in 35 monthly payments of \$215 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondents fail to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondents' failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondents to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

III. ORDERING PROVISIONS

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

1. The Respondents are assessed a penalty as set forth in Conclusion of Law No. 13 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondents' compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation, Docket No. 2022-0009-PWS-E" to:

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

2. The Respondents are jointly and severally liable for the violations documented in this Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Order.
3. The Respondents shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:

- i. Begin using a disinfectant that is ANSI/NSF Standard 60 certified, in accordance with 30 TEX. ADMIN. CODE § 290.42;
 - ii. Monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days, in accordance with 30 TEX. ADMIN. CODE § 290.110;
 - iii. Conduct an inspection of the Facility's pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iv. Calibrate the Facility's well meter, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - v. House the hypochlorination solution in a secure enclosure, in accordance with 30 TEX. ADMIN. CODE § 290.42;
 - vi. Begin operating the Facility under the direct supervision of a water works operator who holds a minimum of a Class "D" or higher groundwater license, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - vii. Secure the Facility's electrical wiring in compliance with a local or national code, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
 - viii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to the date, location, and nature of water quality, pressure or outage complaints received by the system and the results of any subsequent complaint investigation and the maintenance records for water system equipment and facilities, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j 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.viii.
 - c. Within 60 days after the effective date of this Order, develop and maintain a chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 TEX. ADMIN. CODE § 290.121.
 - d. Within 75 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.

- e. Within 180 days after the effective date of this Order, submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the Facility's well sealing block, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team
Water Supply Division, MC 159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

- f. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.e.
- g. Within 270 days after the effective date of this Order, obtain approval of the as-built plans and specifications for the Facility's well sealing block from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.
- h. Within 285 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.g.
- i. Within 360 days after the effective date of this Order, provide the Facility's well with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches, and sloped to drain away from the wellhead at not less than 0.25 inch per foot, in accordance with 30 TEX. ADMIN. CODE § 290.41.
- j. Within 375 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.i. The certification shall be signed by the Respondents and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals

immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

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

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
7. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondents have not complied with one or more of the terms in this Order.
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.

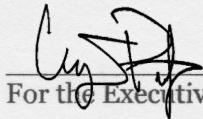
9. This Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



8/10/2023

For the Executive Director

Date

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

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

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

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



Signature

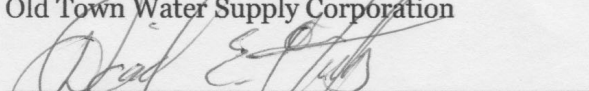
Date

7-25-23

Ben Adams
Name (Printed or typed)
Authorized Representative of
Old Town Water Supply Corporation

Title

President



Signature

Date

7-25-23

David Hicks
Name (Printed or typed)
Authorized Representative of
David Hicks dba Old Town Water Supply Corporation

Title

V. Pres.

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

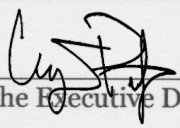
Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division,
Revenue Operations Section at the address in Ordering Provision 1 of this Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

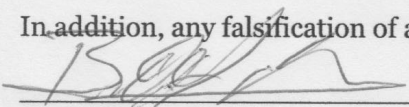
8/10/2023
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- TCEQ seeking other relief as authorized by law.

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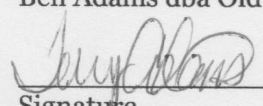
7-25-23
Date

Ben Adams
Name (Printed or typed)

President
Title

Authorized Representative of

Ben Adams dba Old Town Water Supply Corporation


Signature

7/25/23
Date

Terry Adams
Name (Printed or typed)

Sec Treasurer
Title

Authorized Representative of

Terry Adams dba Old Town Water Supply Corporation

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

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