## 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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#### **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  $\S$  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.

# 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

- 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



Reduces the Final Assessed Penalty by the indicated percentage.

Notes

**PAYABLE PENALTY** 

## Penalty Calculation Worksheet (PCW)

| SHI DONMENTAL QU | Policy Re            | vision 5 (January 28,  | 2021)            |                  |  | •             | PCW Revision      | on February 11, 2021 |
|------------------|----------------------|------------------------|------------------|------------------|--|---------------|-------------------|----------------------|
| DATES            | Assigned             | 29-Nov-2021            |                  |                  |  |               |                   |                      |
|                  |                      | 9-Dec-2021             | Screening        | 9-Dec-2021       | EPA Due                                |               |                   |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
| RESPO            | NDENT/FACIL          | ITY INFORMAT           | ON               |                  |  |               |                   |                      |
|                  | Respondent           | Old Town Water         | Supply Corp      | oration, David I | Hicks dba Old To                       | own Water Su  | pply Corporation, | Ben                  |
|                  | -                    | Adams dba Old          | Town Water       | Supply Corpora   | tion, and Terry                        | Adams dba O   | ld Town Water Su  | pply                 |
|                  |                      | Corporation            |                  |                  | •                                      |               |                   |                      |
|                  | j. Ent. Ref. No.     | RN101459667            |                  |                  |  |               |                   |                      |
| Facilit          | ty/Site Region       | 5-Tyler                |                  |                  | Major/M                                | linor Source  | Minor             |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  | NFORMATION           |                        |                  |                  |  |               |                   |                      |
| En               | f./Case ID No.       |                        |                  |                  | No. c                                  | of Violations |                   |                      |
| _                |                      | 2022-0009-PWS          |                  |                  |  | Order Type    |                   |                      |
| Med              |                      | Public Water Su        | pply             |                  | Government                             |               |                   |                      |
|                  | Multi-Media          |                        |                  |                  | Enf.                                   |               | Miles Wehner      | _                    |
|                  |                      |                        |                  |                  |  | EC's Team     | Enforcement Tea   | ım 8                 |
| Adn              | nin. Penalty \$      | Limit Minimum          | \$50             | Maximum          | \$5,000                                |               |                   |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  |                      |                        | Penal            | lty Calcula      | tion Section                           | on            |                   |                      |
| TOTAL            | DACE DEN             | 11 TV (C4              |                  | •                |  |               |                   | +4.000               |
| IOIAI            | L BASE PEN           | ALTY (Sum of           | violation        | i base penai     | ties)                                  |               | Subtotal 1        | \$4,250              |
| 4 D 3114         | CTMENTO ( :          | /                      | OTAL 4           |                  |  |               |                   |                      |
| ADJUS            | SIMENIS (+           | /-) TO SUBT            | OTAL 1           | D                | 4                                      |               |                   |                      |
|                  |                      | btained by multiplyin  | g the Total Base |                  |  |               | tala 2 2 9 7      | \$212                |
|                  | Compliance H         | istory                 |                  | 5.0%             | Adjustment                             | Subto         | tals 2, 3, & 7    | \$212                |
|                  | Notos                | Enhancer               | nont for one     | NOV with the c   | ame/similar viol                       | ations        |                   |                      |
|                  | Notes                | Lillancei              | Herit for one    | NOV WILL LIFE S  | arrie/Sirrillar viol                   | ations.       |                   |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  | Culpability          | No                     |                  | 0.0%             | Enhancement                            |               | Subtotal 4        | \$0                  |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  | Notes                | The R                  | espondents (     | do not meet the  | culpability crite                      | ria.          |                   |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  | Good Faith Ef        | fort to Comply 1       | Total Adjust     | tments           |  |               | Subtotal 5        | \$0                  |
|                  |                      |                        |                  |                  |  |               |                   |                      |
|                  | <b>Economic Ben</b>  | ofit                   |                  | 0.00/            | Enhancement*                           |               | Subtotal 6        | \$0                  |
|                  | Economic Ben         | Total EB Amounts       | \$4,134          |                  | Ennancement*<br>d at the Total EB \$ / | Δmount        | Subtotal 6        | <u> </u>             |
|                  | Estimate             | d Cost of Compliance   | \$7,537          |                  | a at the rotal LD \$7                  | Amount        |                   |                      |
|                  |                      |                        |                  | _                |  |               |                   |                      |
| SUM C            | OF SUBTOTA           | LS 1-7                 |                  |                  |  | F             | inal Subtotal     | \$4,462              |
|                  |                      |                        |                  |                  |  |               |                   | . , -                |
| OTHE             | D FACTORS            | AS JUSTICE N           | AAV DEOL         | ITDF             | 73.6%                                  |               | Adjustment        | \$3,286              |
|                  |                      | al Subtotal by the ind |                  |                  | 75.0%                                  |               | Aujustillelit     | <b>\$3,200</b>       |
| reduces e        | or enhances the rink |                        |                  |                  |  |               | 1                 |                      |
|                  | Notes                | Enhancement to         | o capture the    | e avoided cost o | f compliance ass                       | sociated with |                   |                      |
|                  | Mores                | the Economi            | c Benefit Wo     | rksheets for Vio | lation Nos. 3, 4,                      | 5, and 8.     |                   |                      |
|                  |                      |                        |                  |                  |  | Einal Dar     | ]                 | ¢7 740               |
|                  |                      |                        |                  |                  |  | rınaı Pen     | nalty Amount      | \$7,748              |
| CTATI            | ITODY I TATE         | TADILICTATI            | NIT.             |                  |  |               |                   | ±= = 40              |
| SIAIL            | JIOKY LIMI           | T ADJUSTME             | N I              |                  |  | Final Asse    | ssed Penalty      | \$7,748              |
|                  |                      |                        |                  |                  |  |               |                   |                      |
| DEFER            | RRAL                 |                        |                  |                  | 0.0%                                   | Reduction     | Adiustment        | \$0                  |

No deferral is recommended for Findings Orders.

\$7,748

**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...

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

| 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)

>> 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%

|           |             | ening Date    |   |  |                  | <b>t No.</b> 2022-0009-PWS-E   |   | PCW                       |
|-----------|-------------|---------------|---|--|------------------|--|---|---------------------------|
|           | F           | Respondent    |   |  |                  | Hicks dba Old Town Water   |   |                           |
|           |             |               |   | •  | ams dba Old Tov  | ,  |   |                           |
|           |             |               | Corporation, a  | nd Terry Adar                                    | ns dba Old Town  | Water Supply Corporation   | Policy Povi                                   | sion 5 (January 28, 2021) |
|           | (           | Case ID No.   | 61718   |  |                  |  |   | evision February 11, 2021 |
| Dea       |             |               | RN101459667   |  |                  |  | FCW Re  | evision rebruary 11, 2021 |
| Keg.      | LIIL. KEI   |               |   |  |                  |  |   |                           |
|           | Fref (      |               | Public Water S  | ouppry   |                  |  |   |                           |
|           |             | Coordinator   |   | <b>7</b>   |                  |  |   |                           |
|           | Viola       | ation Number  | 1   |  |                  |  |   |                           |
|           |             | Rule Cite(s)  |   | 30   | Tex. Admin. Cod  | o S 200 42(i)  |   |                           |
|           |             |               |   | 30   | rex. Admin. Cod  | e g 290.42(j)  |   |                           |
|           |             |               | Failed to use   | an approved o                                    | chamical or madi | a for the disinfection of potal  | olo water                                     |                           |
|           |             |               |   |  |                  | andards Institute/National Sa  |   |                           |
|           | Violatio    | n Description |   |  |                  | Prinking Water Treatment Ch  |   |                           |
|           |             |               |   |  |                  | Great Value Bleach for disinfo   |   |                           |
|           |             |               |   |  |                  | NSI/NSF Standard 60.   | ·   |                           |
|           |             |               |   |  |                  |  |   |                           |
|           |             |               |   |  |                  | Base   | Penalty                                       | \$5,000                   |
| >> Fnv    | vironme     | ntal Prone    | rty and Hun   | nan Health                                       | Matrix           |  |   |                           |
| // LIIV   | VII OIIIIIE | iitai, Piope  | ity and man   | Harm   | Hatrix           |  |   |                           |
|           |             | Release       | Major   | Moderate   | Minor            |  |   |                           |
| OR        |             | Actual        |   |  |                  |  |   |                           |
|           |             | Potential     |   |  | Х                | Percent 3.0%   |   |                           |
|           |             |               |   |  |                  |  |   |                           |
| >>Pro     | gramma      | itic Matrix   |   |  |                  |  |   |                           |
|           |             | Falsification | Major   | Moderate   | Minor            |  |   |                           |
|           |             |               |   |  |                  | Percent 0.0%   |   |                           |
|           |             |               |   |  |                  |  |   |                           |
|           | Matrix      | Failure to    | use approved  | disinfectants                                    | could expose pe  | rsons served by the Facility t   | o an  |                           |
|           |             |               |   |  |                  | eed levels protective of huma  |   |                           |
|           |             |               |   |  |                  | ·  |   |                           |
|           |             |               |   |  |                  |  |   |                           |
|           |             |               |   |  |                  | Adjustment   | ¢4 950  |                           |
|           |             |               |   |  |                  | Adjustment   | \$4,850                                       |                           |
|           |             |               |   |  |                  | Adjustment   | \$4,850                                       | \$150                     |
|           |             |               |   |  |                  | Adjustment   | \$4,850                                       | \$150                     |
| Violatio  | on Even     | ts            |   |  |                  | Adjustment   | \$4,850                                       | \$150                     |
| Violatio  | on Even     |               | /iolation Events  |  |                  |  |   | \$150                     |
| Violatio  | on Even     |               | /iolation Events  | s <u> </u>                                       |                  | Adjustment  30 Number of violation of  |   | \$150                     |
| Violatio  | on Even     |               |   | 1  |                  |  |   | \$150                     |
| Violatio  | on Even     |               | daily   | 1  |                  |  |   | \$150                     |
| Violatio  | on Even     |               | daily<br>weekly   | 1  |                  |  |   | \$150                     |
| Violatio  | on Even     |               | daily   |  |                  |  | days  | ·                         |
| Violatio  | on Even     |               | daily<br>weekly<br>monthly  |  |                  | Number of violation o  | days  | ·                         |
| Violation | on Even     |               | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                 |  |                  | Number of violation o  | days  | \$150<br>\$150            |
| Violatio  | on Even     |               | daily<br>weekly<br>monthly<br>quarterly<br>semiannual   | 5 1  |                  | Number of violation o  | days  | ·                         |
| Violatio  | on Even     |               | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                 |  |                  | Number of violation o  | days  | ·                         |
| Violatio  | on Even     |               | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                 | X  |                  | Number of violation of Violation of Violation Base   | days  | ·                         |
| Violatio  | on Even     |               | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                 | X  | event is recomm  | Number of violation of Violation of Violation Base   | days  |                           |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | x One single                                     | 7                | Number of violation of violation of violation of violation decrees the violation between the violation of v | days  | \$150                     |
|           |             |               | daily weekly monthly quarterly semiannual annual single event                                   | X One single                                     |                  | 30 Number of violation of Violation of Violation Base ended.   | days  | ·                         |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | X One single  0.0% Before NOE/NOV                | 7                | 30 Number of violation of Violation of Violation Base ended.   | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | One single  0.0% Before NOE/NOV                  |                  | 30 Number of violation of Violation of Violation Base ended.   | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | One single  O.0% Before NOE/NOV                  |                  | 30 Number of violation of Violation of Violation Base ended.   | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | One single  O.0% Before NOE/NOV                  |                  | 30 Number of violation of Violation of Violation Base ended.   | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary           | One single  O.0% Before NOE/NOV                  | NOE/NOV to EDPRI | Violation Base  ended.  R P/Settlement Offer  t the good faith criteria for  | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event                                   | One single  O.0% Before NOE/NOV                  | NOE/NOV to EDPRE | Violation Base  ended.  R P/Settlement Offer  t the good faith criteria for  | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary           | One single  O.0% Before NOE/NOV                  | NOE/NOV to EDPRI | Violation Base  ended.  R P/Settlement Offer  t the good faith criteria for  | days  | \$150                     |
|           |             | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary           | One single  O.0% Before NOE/NOV                  | NOE/NOV to EDPRI | Violation Base  ended.  R P/Settlement Offer  t the good faith criteria for  | days  Penalty  Reduction                      | \$150                     |
| Good F    | aith Eff    | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A       | One single  O.0%  Before NOE/NOV  X  The Respond | NOE/NOV to EDPRI | Violation of Violation of Violation of Violation of Violation Base ended.  P/Settlement Offer  It the good faith criteria for ation.  Violation S  | days  Penalty  Reduction                      | \$150                     |
| Good F    | aith Eff    | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes | One single  O.0% Before NOE/NOV  X  The Respond  | NOE/NOV to EDPRI | Violation Base  ended.  PySettlement Offer  at the good faith criteria for ation.  Violation Statutory Limit   | Penalty  Reduction  Subtotal  Test            | \$150<br>\$0<br>\$150     |
| Good F    | aith Eff    | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A       | One single  O.0% Before NOE/NOV  X  The Respond  | NOE/NOV to EDPRI | Violation of Violation of Violation of Violation of Violation Base ended.  P/Settlement Offer  It the good faith criteria for ation.  Violation S  | Penalty  Reduction  Subtotal  Test            | \$150<br>\$0<br>\$150     |
| Good F    | aith Eff    | Number of \   | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes | One single  O.0% Before NOE/NOV  X  The Respond  | NOE/NOV to EDPRI | Violation Base  ended.  PySettlement Offer  at the good faith criteria for ation.  Violation Statutory Limit   | Penalty  Reduction  Subtotal  Test  Ity Total | \$150                     |

| Economic Benefit Worksheet  Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|--|----------------|-------------------|---------------------------|--------|------------------|-------------------------|---------------|--|--|--|--|--|
| <b>.</b>   |                |                   |                           |        |                  | naly Composition D      | on Adama dha  |  |  |  |  |  |
| Respondent   |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  | Old Town Wate  | er Supply Corpora | ition, and Terry <i>i</i> | Adams  | dba Old Town Wat | er Supply Corporati     | on            |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
| Case ID No.  | 61718          |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
| Reg. Ent. Reference No.  |                |                   |                           |        |                  |                         | V             |  |  |  |  |  |
|  | Public Water S | upply             |                           |        |                  | <b>Percent Interest</b> | Years of      |  |  |  |  |  |
| Violation No.  | 1              |                   |                           |        |                  |                         | Depreciation  |  |  |  |  |  |
|  |                |                   |                           |        |                  | 5.0                     | 15            |  |  |  |  |  |
|  | Thoma Cook     | Data Damiliand    | Final Date                | V      | Interest Saved   |                         |               |  |  |  |  |  |
|  |                | Date Required     | rinai Date                | Yrs    | Interest Saved   | Costs Saved             | EB Amount     |  |  |  |  |  |
| Item Description   |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
| Delayed Costs  |                |                   |                           | _      |                  |                         |               |  |  |  |  |  |
| Equipment  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Buildings  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Other (as needed)  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| <b>Engineering/Construction</b>  |                |                   |                           | 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          |  |  |  |  |  |
| •  |                |                   |                           |        |                  | nicals used in treatr   | ment of water |  |  |  |  |  |
|  | •              |                   |                           |        |                  | for Drinking Water      |               |  |  |  |  |  |
| Notes for DELAYED costs  |                |                   |                           |        |                  | _                       |               |  |  |  |  |  |
|  | Chemicais, cai | culated from the  |                           | _      | •                | nting the violation to  | the estimated |  |  |  |  |  |
|  |                |                   |                           |        | npliance.        |                         |               |  |  |  |  |  |
| Avoided Costs  | ANNU           | ALIZE avoided c   | osts before en            | tering | item (except for | one-time avoided        | l costs)      |  |  |  |  |  |
| Disposal   |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Personnel  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Inspection/Reporting/Sampling  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Supplies/Equipment   |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Financial Assurance  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| ONE-TIME avoided costs   |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
| Other (as needed)  |                |                   |                           | 0.00   | \$0              | \$0                     | \$0           |  |  |  |  |  |
|  |                |                   |                           |        | ·                | ·                       |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
| Notes for AVOIDED costs  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |
| Approx. Cost of Compliance   |                | \$125             |                           |        | TOTAL            |                         | \$14          |  |  |  |  |  |
|  |                |                   |                           |        |                  |                         |               |  |  |  |  |  |

| Screeni            | ng Date 9-Dec-   | -2021  | Docket No. 2  | 022-0009-PW3-L   | PCW   |
|--------------------|--|--|---|--|---|
| Resp               | ondent Old To  | wn Water Supply Corpo  | ration, David Hicks dba O   | ld Town Water  |   |
| •                  | Supply   | Corporation, Ben Adan  | ns dba Old Town Water Si  | upply  |   |
|                    | Corpor   | ration, and Terry Adams  | dba Old Town Water Sup  | ply Corporation  |   |
| Coo                | TD No. 61710   |  |   |  | Policy Revision 5 (January 28, 2021)  |
|                    | <b>ID No.</b> 61718  |  |   |  | PCW Revision February 11, 2021  |
| Reg. Ent. Refere   | nce No. RN101  | 459667   |   |  |   |
|                    | <b>Media</b> Public  | Water Supply   |   |  |   |
| Enf. Coor          | rdinator Miles V   | Wehner   |   |  |   |
| Violation          | Number   | 2  |   |  |   |
|                    | le Cite(s)   |  |   |  |   |
| T.G.               | ic citc(s)   | 30 Tex.  | Admin. Code § 290.41(c  | )(3)(J)  |   |
| Violation De       | minescription thickness  | nimum of three feet from<br>ess of six inches and slo<br>inch per foot. Specific   | y's well with a concrete se<br>m the well casing in all di<br>oped to drain away from t<br>ally, the well casing and c<br>nd did not provide a comp | rections, with a minim<br>he well head at not les<br>concrete sealing block  | um<br>ss than   |
|                    |  |  |   | Base P   | enalty \$5,000  |
| >> Environmental   | , Property and   | d Human Health M   | latrix  |  |   |
|                    |  | Harm   |   |  |   |
|                    | Release Ma   | ajor Moderate  | Minor   |  |   |
| OR                 | Actual   |  |   |  |   |
|                    | Potential  | Х  | P   | ercent 5.0%  |   |
|                    |  | Α  |   | 310 70   |   |
| >>Programmatic I   | Matrix   |  |   |  |   |
|                    |  | ajor Moderate  | Minor   |  |   |
| 101                | isincación in  | ajoi Hoderate  |   | Percent 0.0%   |   |
|                    |  |  |   | 0.070  |   |
|                    |  |  |   |  |   |
| Matrix we          | ell casing in all dir<br>er foot could resu  | rections and slops to dra<br>It in persons served by   | block that extends a min<br>in away from the wellhea<br>the Facility being exposed<br>exceed levels protective o                                    | d at not less than 0.25<br>I to a significant amou   | 5 inch  |
|                    |  |  |   |  |   |
|                    |  |  | Adio  | stmont   | ¢4.750  |
|                    |  |  | Adju  | stment   | \$4,750   |
|                    |  |  | Adju  | stment   |   |
|                    |  |  | Adju  | stment   | \$4,750<br>\$250  |
| Violation Events   |  |  | Adju  | stment   |   |
| Violation Events   |  |  | Adju  | stment   |   |
|                    | umber of Violation   | n Events 1   |   |  | \$250   |
|                    | umber of Violation   | n Events 1   |   | stment  lumber of violation day  | \$250   |
|                    | da<br>we<br>mo<br>qua<br>semi<br>an  | aily eekly nthly rterly annual nual  |   |  | \$250<br>ys   |
|                    | da<br>we<br>mo<br>qua<br>semi<br>an  | aily eekly nthly x annual  |   | lumber of violation day  | \$250<br>ys   |
| N                  | da<br>we<br>mo<br>qua<br>semi<br>an<br>single  | aily eekly inthly arterly annual nual e event is recommended, calcul   |   | lumber of violation day  Violation Base P  ew date, November 9,  | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi<br>an<br>single<br>e quarterly event                         | aily eekly inthly arterly annual nual e event is recommended, calcul   | 30 N<br>ated from the record revi   | lumber of violation day  Violation Base P  ew date, November 9,  | \$250<br>ys<br>enalty \$250   |
| N                  | da<br>we<br>mo<br>qua<br>semi<br>an<br>single<br>e quarterly event                         | aily eekly inthly arterly annual nual e event is recommended, calcul   | 30 N<br>ated from the record revi   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi<br>an<br>single<br>e quarterly event                         | aily eekly nthly irterly annual nual e event is recommended, calcul to the screening   | 30 N<br>ated from the record revi   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi<br>an<br>single<br>e quarterly event                         | aily eekly nthly irterly annual nual e event is recommended, calcul to the screening   | ated from the record revi<br>date, December 9, 2021   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply           | aily eekly nthly ntterly annual nual e event  is recommended, calcul to the screening   0.0%  Before NOE/NOV ordinary  | ated from the record revi<br>date, December 9, 2021   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply           | aily eekly inthly arterly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV  Ordinary  Ordinary                                     | ated from the record revi<br>date, December 9, 2021   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply           | aily eekly nthly ntterly annual nual e event  is recommended, calcul to the screening   0.0%  Before NOE/NOV ordinary  | ated from the record revi<br>date, December 9, 2021   | Violation Base P  ew date, November 9,   | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply           | aily eekly inthly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV ordinary Ordinary N/A X   | ated from the record revi<br>date, December 9, 2021   | Violation Base P  ew date, November 9,  Rec  | \$250<br>ys<br>enalty \$250   |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply           | aily eekly nthly interly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV  ordinary Ordinary N/A X  The Responder                  | ated from the record revidate, December 9, 2021.  NOE/NOV to EDPRP/Settlement ents do not meet the good   | Violation Base P  ew date, November 9,  Rec  | \$250    Senalty  |
| One                | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply<br>Extra- | aily eekly nthly interly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV ordinary Ordinary N/A X  The Responde                    | ated from the record reviewdate, December 9, 2021.  NOE/NOV to EDPRP/Settlement ents do not meet the good this violation.                           | Violation Base P  ew date, November 9,  Rec  | \$250    Senalty  |
| Good Faith Efforts | da we mo qua semil an single  e quarterly event  to Comply  Extra  (CEB) for this v        | aily eekly inthly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV ordinary Ordinary N/A x  The Responde                           | ated from the record review date, December 9, 2021.  NOE/NOV to EDPRP/Settlement ents do not meet the good this violation.                          | Violation Base P  ew date, November 9,  Reconfer  Violation Survivolation Survivolatio | \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250 |
| Good Faith Efforts | da<br>we<br>mo<br>qua<br>semi-<br>an<br>single<br>e quarterly event<br>to Comply<br>Extra- | aily eekly inthly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV ordinary Ordinary N/A x  The Responde                           | ated from the record review date, December 9, 2021.  NOE/NOV to EDPRP/Settlement ents do not meet the good this violation.                          | Violation Base P  ew date, November 9,  Reconfer  Violation Su   | \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250   \$250 |
| Good Faith Efforts | da we mo qua semil an single  e quarterly event  to Comply  Extra  (CEB) for this v        | aily eekly inthly interly annual nual e event  is recommended, calcul to the screening  O.0%  Before NOE/NOV ordinary Ordinary N/A X The Responde  Violation  Amount | ated from the record review date, December 9, 2021.  NOE/NOV to EDPRP/Settlement ents do not meet the good this violation.                          | Violation Base P  ew date, November 9,  Reconfer  Violation Survivolation Survivolation Survivolation Final Penalty  | \$250    Penalty  |

#### **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 Years of **Percent Interest Depreciation** Violation No. 2 5.0 15 **Item Cost** Date Required **Final Date** Yrs Interest Saved **Costs Saved EB Amount Item Description Delayed Costs** Equipment 0.00 \$0 \$0 \$0 **Buildings** 0.00 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 \$500 15-Oct-2019 20-Dec-2023 **Engineering/Construction** 4.18 \$7 <u> \$139</u> \$146 Land 0.00 n/a **Record Keeping System** 0.00 \$0 \$0 n/a **Training/Sampling** 0.00 n/a \$0 Remediation/Disposal 0.00 n/a \$0 **Permit Costs** 0.00 \$0 n/a \$0 Other (as needed) \$3,000 15-Oct-2019 20-Dec-2023 \$628 n/a \$628 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. **Notes for DELAYED costs** 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. ANNUALIZE avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** 0.00 \$0 \$0 Disposal \$0 Personnel 0.00 <u>\$0</u> \$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

\$3,500

TOTAL

\$774

**Notes for AVOIDED costs** 

Approx. Cost of Compliance

|         |           | ening Date    |                         |                |                  |               | 2022-0009-PWS-E                           |             | PCW                          |
|---------|-----------|---------------|-------------------------|----------------|------------------|---------------|---|-------------|------------------------------|
|         | R         | Respondent    |                         |                |                  |               | a Old Town Water                          |             |                              |
|         |           |               | Supply Corpora          | •              |                  |               | ,   |             |                              |
|         |           |               | Corporation, ar         | nd Terry Adar  | ms dba Old Tov   | vn Water S    | Supply Corporation                        | Policy P    | evision 5 (January 28, 2021) |
|         | (         | Case ID No.   | 61718                   |                |                  |               |   |             | Revision February 11, 2021   |
| Dog     |           |               | RN101459667             |                |                  |               |   | revi        | Revision rebruary 11, 2021   |
| Keg.    | EIIL. KEI |               |                         |                |                  |               |   |             |                              |
|         |           |               | Public Water Su         | upply          |                  |               |   |             |                              |
|         |           | Coordinator   |                         | •              |                  |               |   |             |                              |
|         | Viola     | ation Number  |                         |                |                  |               |   |             |                              |
|         |           | Rule Cite(s)  |                         | 30 Tex         | . Admin. Code    | § 290.110     | (c)(4)(A)                                 |             |                              |
|         |           |               |                         |                |                  | 5             | (-)(-)(-)                                 |             |                              |
|         |           |               |                         |                |                  |               |   |             |                              |
|         |           |               | Failed to man           | itar tha dicin | faction residua  | l at range    | antativa lacations th                     | roughout    |                              |
|         | Violatio  | n Description |                         |                |                  | •             | entative locations th<br>very seven days. | roughout    |                              |
|         |           |               | ر                       | ne distributio | ni system at led | ast office ev | very sever days.                          |             |                              |
|         |           |               |                         |                |                  |               |   |             |                              |
|         |           |               |                         |                |                  |               |   |             |                              |
|         |           |               |                         |                |                  |               | Bas                                       | e Penalty   | \$5,000                      |
|         |           |               |                         |                |                  |               |   |             | 70,000                       |
| >> Env  | vironme   | ntal, Prope   | rty and Hum             | ian Health     | n Matrix         |               |   |             |                              |
|         |           |               |                         | Harm           |                  |               |   |             |                              |
| 0.0     |           | Release       |                         | Moderate       | Minor            |               |   |             |                              |
| OR      |           | Actual        |                         |                |                  |               |   |             |                              |
|         |           | Potential     | X                       |                |                  |               | <b>Percent</b> 15.0%                      |             |                              |
| _       |           |               |                         |                |                  |               |   |             |                              |
| >>Pro   | gramma    | itic Matrix   |                         |                |                  |               |   |             |                              |
|         |           | Falsification | Major                   | Moderate       | Minor            |               | <b>D</b>                                  | 1           |                              |
|         |           |               |                         |                |                  |               | Percent 0.0%                              |             |                              |
|         |           |               |                         |                |                  |               |   |             |                              |
|         | Matrix    |               |                         |                | •                |               | ons throughout the c                      |             |                              |
|         | Notes     | system        |                         |                |                  |               | served by the Facili                      | ty to       |                              |
|         |           |               | contaminants v          | vnich would e  | exceed levels p  | rotective o   | f human health.                           |             |                              |
|         |           |               |                         |                |                  | ال. A         |   | ±4.2F0      |                              |
|         |           |               |                         |                |                  | Auj           | justment                                  | \$4,250     |                              |
|         |           |               |                         |                |                  |               |   |             | \$750                        |
|         |           |               |                         |                |                  |               |   |             |                              |
| Violati | on Even   | ts            |                         |                |                  |               |   |             |                              |
|         |           |               |                         |                | a (=             |               | la  |             |                              |
|         |           | Number of V   | iolation Events/        | 1              |                  | 30            | Number of violatior                       | ı days      |                              |
|         |           |               | d=:1                    |                | 7                |               |   |             |                              |
|         |           |               | daily                   |                | -                |               |   |             |                              |
|         |           |               | weekly                  |                |                  |               |   |             |                              |
|         |           |               | monthly                 | X              |                  |               | Violation Bas                             | o Bonalty   | \$750                        |
|         |           |               | quarterly<br>semiannual |                | -                |               | Violation bas                             | e Penaity   | \$750                        |
|         |           |               | annual                  |                | -                |               |   |             |                              |
|         |           |               | single event            |                | -                |               |   |             |                              |
|         |           |               | Single event            |                | 4                |               |   |             |                              |
|         |           |               |                         |                |                  |               |   | 0. 2024     |                              |
|         |           | One monthly   |                         |                |                  |               | view date, Novembe                        | er 9, 2021, |                              |
|         |           |               | LC.                     | the screening  | ng date, Decem   | iber 9, 202   | <b>11.</b>                                |             |                              |
|         |           |               | _                       |                | 7                |               |   |             |                              |
| Good F  | aith Eff  | orts to Com   |                         | 0.0%           |                  |               |   | Reduction   | \$0                          |
|         |           |               |                         | Before NOE/NOV | NOE/NOV to EDP   | RP/Settlemer  | nt Offer<br>1                             |             |                              |
|         |           |               | Extraordinary           |                |                  |               |   |             |                              |
|         |           |               | Ordinary                |                |                  |               |   |             |                              |
|         |           |               | N/A                     | Х              |                  |               |   | 1           |                              |
|         |           |               |                         | The Pesnon     | dents do not m   | eet the an    | od faith criteria for                     |             |                              |
|         |           |               | Notes                   | The Respond    |                  | iolation.     | od faith Criteria for                     |             |                              |
|         |           |               |                         |                | cino v           | ioideioiii    |   |             |                              |
|         |           |               | •                       |                |                  |               | 121                                       | . Carles    | 1950                         |
|         |           |               |                         |                |                  |               | Violation                                 | Subtotal    | \$750                        |
| Econor  | nic Ben   | efit (EB) for | this violation          | on             |                  |               | Statutory Limi                            | t Test      |                              |
|         |           | Ectimate      | ed EB Amount            |                | \$12             | 1             | /iolation Final Pen                       | alty Total  | \$1,367                      |
| 1       |           | _5011140      | /Juiit                  |                | 414              | •             | J   |             | Ψ1,507                       |
|         |           |               |                         |                |                  |               |   |             |                              |
|         |           |               |                         | This vio       | lation Final A   | ssessed P     | enalty (adjusted f                        | or limits)  | \$1,367                      |

| Economic Benefit Worksheet  Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
|--|----------------|----------------------|-----------------|----------|-----------------------|-------------------------|------------------|--|--|--|--|--|
|  |                |                      |                 |          |                       | and Commonstice D       | A -lll           |  |  |  |  |  |
| Respondent   |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
|  | Old Town Wate  | er Supply Corpora    | tion, and Terry | Adams    | dba Old Town Wat      | er Supply Corporati     | on               |  |  |  |  |  |
| Const TD No  | 64740          |                      |                 |          |                       |                         |                  |  |  |  |  |  |
| Case ID No.  |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
| Reg. Ent. Reference No.  |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
|  | Public Water S | Supply               |                 |          |                       | <b>Percent Interest</b> | Years of         |  |  |  |  |  |
| Violation No.  | 3              |                      |                 |          |                       | . C. Come Interior      | Depreciation     |  |  |  |  |  |
|  |                |                      | 5.0             | 15       |                       |                         |                  |  |  |  |  |  |
|  | Item Cost      | <b>Date Required</b> | Final Date      | Yrs      | <b>Interest Saved</b> | Costs Saved             | EB Amount        |  |  |  |  |  |
| Item Description   |                | 2000 110401100       |                 |          |                       |                         |                  |  |  |  |  |  |
| Item Description   |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
| Dolayed Costs  |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |
| Delayed Costs  |                | <del></del>          |                 | 0.00     | ±0                    | <b>Φ</b> Ω              | \$0              |  |  |  |  |  |
| Equipment<br>Buildings   |                |                      |                 | 0.00     | \$0<br>\$0            | \$0<br>\$0              | \$0<br>\$0       |  |  |  |  |  |
| Other (as needed)  |                |                      |                 | 0.00     | \$0                   | \$0<br>\$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              |  |  |  |  |  |
|  | The delayed    | cost includes the    | actimated amou  | int to m | anitar the disinfer   | stant recidual at lea   | st once overv    |  |  |  |  |  |
| Notes to BELAYER   |                |                      |                 |          |                       | ctant residual at lea   |                  |  |  |  |  |  |
| Notes for DELAYED costs  | seven days (\$ | To per week), cal    |                 |          | •                     | initially documenting   | ig the violation |  |  |  |  |  |
|  |                |                      | to the estim    | ated da  | te of compliance.     |                         |                  |  |  |  |  |  |
| Avoided Costs  | ANNU           | ALIZE avoided c      | osts before en  | tering   | 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              |  |  |  |  |  |
|  | The avoided    | cost includes the    | estimated amou  | int to m | nonitor the disinfer  | ctant residual at lea   | st once every    |  |  |  |  |  |
| Notes for AVOIDED costs  |                |                      |                 |          |                       | initially documentin    | ,                |  |  |  |  |  |
| Notes for Avoided costs  | Seven days (\$ | 10 per week), car    |                 |          | _                     | initially documenti     | ig the violation |  |  |  |  |  |
|  |                |                      | to th           | e scree  | ning date.            |                         |                  |  |  |  |  |  |
|  |                | <del></del>          |                 |          |                       | <del></del>             |                  |  |  |  |  |  |
| Approx. Cost of Compliance   |                | \$20                 |                 |          | TOTAL                 |                         | \$12             |  |  |  |  |  |
|  |                | 720                  |                 |          |                       |                         | 7                |  |  |  |  |  |
|  |                |                      |                 |          |                       |                         |                  |  |  |  |  |  |

|               |             | _             | 9-Dec-2021  |                                       |                                       | 2022-0009-PWS-E  |                    | PCW                           |          |
|---------------|-------------|---------------|---|---------------------------------------|---------------------------------------|--|--------------------|-------------------------------|----------|
|               | Re          | spondent      |   |                                       | oration, David Hicks d                |  |                    |                               |          |
|               |             |               |   | •                                     | ms dba Old Town Wat                   |  |                    |                               |          |
|               |             |               | Corporation, ar   | id Terry Adams                        | s dba Old Town Water                  | Supply Corporation   | Dell'ess I         | 2                             |          |
|               | <b>C</b> -  | se ID No.     | 61710   |                                       |                                       |  |                    | Revision 5 (January 28, 2021) |          |
| _             |             |               |   |                                       |                                       |  | PC                 | W Revision February 11, 2021  | !        |
| кед.          | Ent. Refei  |               | RN101459667   |                                       |                                       |  |                    |                               |          |
|               |             |               | Public Water Su   | ypply                                 |                                       |  |                    |                               |          |
|               | Enf. Co     | ordinator     | Miles Wehner  | _                                     |                                       |  |                    |                               |          |
|               | Violati     | on Number     | 4   |                                       |                                       |  |                    |                               |          |
|               | R           | lule Cite(s)  |   | 20 Toy                                | Admin Codo S 200 4                    | 6(m)(1)(P)   |                    |                               |          |
|               |             |               |   | 30 Tex.                               | Admin. Code § 290.4                   | 3(111)(1)(0)   |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               | Violation I | Description   | 1   | Failed to inspe                       | ct the Facility's pressu              | are tank annually.   |                    |                               |          |
|               |             | -             |   | ·                                     | , ,                                   | ,  |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               |             |               |   |                                       |                                       | Bas  | e Penalty          | \$5,000                       | )        |
|               |             |               |   |                                       |                                       |  | C : C,             | 45/555                        |          |
| >> Env        | /ironment   | al, Prope     | rty and Hum   | an Health                             | Matrix                                |  |                    |                               |          |
|               |             |               | _   | Harm                                  |                                       |  |                    |                               |          |
| 0.0           |             | Release       | Major   | Moderate                              | Minor                                 |  |                    |                               |          |
| OR            |             | Actual        |   |                                       |                                       |  |                    |                               |          |
|               |             | Potential     | Х   |                                       |                                       | <b>Percent</b> 15.0%   |                    |                               |          |
| _             |             |               |   |                                       |                                       |  |                    |                               |          |
| >>Prog        | grammati    |               |   |                                       |                                       |  |                    |                               |          |
|               |             | Falsification | Major   | Moderate                              | Minor                                 | -  |                    |                               |          |
|               |             |               |   |                                       |                                       | Percent 0.0%   |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               | Matrix F    |               | •   |                                       |                                       | of defects resulting in                                      |                    |                               |          |
|               | Notes       |               |   |                                       |                                       | to contaminants which  | n would            |                               |          |
|               |             |               | е   | kceed levels pr                       | otective of human he                  | aith.  |                    |                               |          |
|               |             |               |   |                                       | ٨                                     | djustment  | \$4,250            |                               |          |
|               |             |               |   |                                       | ^                                     | ujustillelit   | <b>Φ4,230</b>      |                               |          |
|               |             |               |   |                                       |                                       |  |                    | \$750                         | )        |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
| Violatio      | on Events   |               |   |                                       |                                       |  |                    |                               |          |
|               |             | Ni            |   |                                       |                                       | Normala are a footial attian                                 | 4                  |                               |          |
|               |             | number of v   | iolation Events   | 1                                     | 30                                    | Number of violation  | days               |                               |          |
|               |             |               | daily   |                                       |                                       |  |                    |                               |          |
|               |             |               |   |                                       |                                       |  |                    |                               |          |
|               |             |               | daily   |                                       |                                       |  |                    |                               |          |
|               |             |               | weekly  |                                       |                                       |  |                    |                               |          |
|               |             |               | weekly<br>monthly   |                                       |                                       | Violation Rac  | o Ponalty          | ¢750                          | 7        |
|               |             |               | weekly<br>monthly<br>quarterly  |                                       |                                       | Violation Bas  | e Penalty          | \$750                         | <u>)</u> |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual  |                                       |                                       | Violation Bas  | e Penalty          | \$750                         | )        |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual<br>annual  |                                       |                                       | Violation Bas  | e Penalty          | \$750                         | <u>)</u> |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual  | X                                     |                                       | Violation Bas  | e Penalty          | \$750                         | <u>)</u> |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual<br>annual  | X                                     |                                       | Violation Bas  | e Penalty          | \$750                         | )        |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual<br>annual  | x One single e                        | vent is recommended                   |  | e Penalty          | \$750                         | 0        |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual<br>annual  | X One single e                        | vent is recommended                   |  | e Penalty          | \$750                         | 0        |
|               |             |               | weekly<br>monthly<br>quarterly<br>semiannual<br>annual<br>single event                          |                                       | vent is recommended                   |  |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | 0.0%                                  |                                       |  | e Penalty          | \$750<br>\$0                  |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | 0.0%<br>Before NOE/NOV                | vent is recommended                   |  |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | 0.0%<br>Before NOE/NOV                |                                       |  |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | 0.0% Before NOE/NOV                   |                                       |  |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | 0.0% Before NOE/NOV                   |                                       |  |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | O.0% Before NOE/NOV                   | NOE/NOV to EDPRP/Settlen              | nent Offer   |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | O.0%  Before NOE/NOV  X  The Responde | NOE/NOV to EDPRP/Settlen              | nent Offer   |                    |                               |          |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | O.0%  Before NOE/NOV  X  The Responde | NOE/NOV to EDPRP/Settlen              | nent Offer   |                    |                               |          |
| <b>Good F</b> | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | O.0%  Before NOE/NOV  X  The Responde | NOE/NOV to EDPRP/Settlen              | nent Offer good faith criteria for                           | Reduction          | \$0                           | 0        |
| Good F        | aith Effor  | ts to Com     | weekly monthly quarterly semiannual annual single event   | O.0%  Before NOE/NOV  X  The Responde | NOE/NOV to EDPRP/Settlen              | nent Offer good faith criteria for                           |                    |                               | 0        |
|               |             |               | weekly monthly quarterly semiannual annual single event   | O.0% Before NOE/NOV  X The Responde   | NOE/NOV to EDPRP/Settlen              | ent Offer  good faith criteria for  Violation                | Reduction          | \$0                           | 0        |
|               |             | it (EB) for   | weekly monthly quarterly semiannual annual single event   Ply  Extraordinary Ordinary N/A Notes | O.0% Before NOE/NOV  X  The Responde  | ents do not meet the o                | nent Offer good faith criteria for Violation Statutory Limit | Reduction Subtotal | \$750                         | 0        |
|               |             | it (EB) for   | weekly monthly quarterly semiannual annual single event   | O.0% Before NOE/NOV  X  The Responde  | NOE/NOV to EDPRP/Settlen              | ent Offer  good faith criteria for  Violation                | Reduction Subtotal | \$750                         | 0        |
|               |             | it (EB) for   | weekly monthly quarterly semiannual annual single event   Ply  Extraordinary Ordinary N/A Notes | O.0% Before NOE/NOV  X  The Responde  | ents do not meet the other violation. | nent Offer good faith criteria for Violation Statutory Limit | Reduction Subtotal | \$750<br>\$1,367              | 0        |

| Economic Benefit Worksheet  Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
|--|----------------|----------------------|-------------------|----------|-----------------------|-------------------------|------------------|--|--|--|--|--|--|--|
| Posnondont   | Old Town Wate  | er Supply Corpora    | tion David Hick   | s dha C  | old Town Water Su     | nnly Cornoration B      | en Adams dha     |  |  |  |  |  |  |  |
| Kespondent   |                |                      |                   |          |                       | er Supply Corporati     |                  |  |  |  |  |  |  |  |
|  | Old TOWIT Wat  | ci Supply Corpora    | icion, and reny   | Additis  | aba Ola Town Wat      | ci Supply Corporati     | OH               |  |  |  |  |  |  |  |
| Case ID No.  | 61718          |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
| Reg. Ent. Reference No.  |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
|  | Public Water S | unnly                |                   |          |                       |                         | Years of         |  |  |  |  |  |  |  |
|  |                | пирріу               |                   |          |                       | <b>Percent Interest</b> | Depreciation     |  |  |  |  |  |  |  |
| Violation No.  | 4              |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
|  |                |                      |                   |          |                       | 5.0                     | 15               |  |  |  |  |  |  |  |
|  | Item Cost      | <b>Date Required</b> | Final Date        | Yrs      | <b>Interest Saved</b> | Costs Saved             | <b>EB Amount</b> |  |  |  |  |  |  |  |
| Item Description   |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
| •  |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
| Delayed Costs  |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
| Equipment  |                |                      |                   | 0.00     | \$0                   | \$0                     | \$0              |  |  |  |  |  |  |  |
| Buildings  |                |                      |                   | 0.00     | \$0                   | \$0                     | \$0              |  |  |  |  |  |  |  |
| Other (as needed)  |                |                      |                   | 0.00     | \$0                   | \$0                     | \$0              |  |  |  |  |  |  |  |
| Engineering/Construction   |                |                      |                   | 0.00     | \$0                   | \$0                     | \$0              |  |  |  |  |  |  |  |
| Land   |                |                      |                   | 0.00     | \$0                   | n/a                     | \$0              |  |  |  |  |  |  |  |
| Record Keeping System  |                |                      |                   | 0.00     | \$0                   | n/a                     | \$0              |  |  |  |  |  |  |  |
| Training/Sampling  |                |                      |                   | 0.00     | \$0<br>\$0            | n/a<br>n/a              | \$0<br>\$0       |  |  |  |  |  |  |  |
| Remediation/Disposal<br>Permit Costs   |                |                      |                   | 0.00     | \$0<br>\$0            | n/a                     | \$0              |  |  |  |  |  |  |  |
| Other (as needed)  | \$41           | 15-Oct-2019          | 24-Jan-2022       | 2.28     | \$5<br>\$5            | n/a                     | \$5              |  |  |  |  |  |  |  |
| other (as needed)  | <b>Ф</b> Т1    | 13-0ct-2019          | 24-Jan-2022       | 2.20     | Φ3                    | TI/ a                   | \$5              |  |  |  |  |  |  |  |
|  | The delayed c  | ost includes the e   | stimated amoun    | t to cor | duct annual press     | ure tank inspections    | s (\$41 per tank |  |  |  |  |  |  |  |
| Notes for DELAYED costs  | x one tan      | k), calculated fror  | m the date of the | e invest | igation initially do  | cumenting the viola     | tion to the      |  |  |  |  |  |  |  |
|  |                |                      | estimate          | d date o | of compliance.        |                         |                  |  |  |  |  |  |  |  |
| Associated Contro  | ANINII         | AL T75               | aata bafaya ay    | ha wi ma | itama (avaamt fau     | ana tima avaida         | L cocto)         |  |  |  |  |  |  |  |
| Avoided Costs  | ANNU           | ALIZE avoided C      | osts before en    |          |                       | one-time avoided        |                  |  |  |  |  |  |  |  |
| Disposal<br>Personnel  |                |                      |                   | 0.00     | \$0<br>\$0            | \$0<br>\$0              | \$0<br>\$0       |  |  |  |  |  |  |  |
| Inspection/Reporting/Sampling  |                |                      |                   | 0.00     | \$0<br>\$0            | \$0<br>\$0              | \$0<br>\$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              |  |  |  |  |  |  |  |
|  | The delayed o  | ost includes the e   | ctimated amoun    | t to cor | duct appual proce     | ure tank inspections    | c (\$41 per tank |  |  |  |  |  |  |  |
| Nata a fact AVOIDED as at a  | ,              |                      |                   |          | •                     | •                       | • • •            |  |  |  |  |  |  |  |
| Notes for AVOIDED costs  | x one tan      | k), calculated from  |                   |          | •                     | cumenting the viola     | tion to the      |  |  |  |  |  |  |  |
|  |                |                      | So                | creening | g date.               |                         |                  |  |  |  |  |  |  |  |
|  |                |                      |                   |          |                       |                         |                  |  |  |  |  |  |  |  |
| Approx. Cost of Compliance   |                | \$82                 |                   |          | TOTAL                 |                         | \$51             |  |  |  |  |  |  |  |
| ,, : :::::::::::::::::::::::::::::::::   |                | 432                  |                   |          | IOIAL                 |                         | 401              |  |  |  |  |  |  |  |

|         |          |                          | 9-Dec-2021   |   |   | <b>t No.</b> 2022-0009-PWS-E  |                                      | PCW                          |
|---------|----------|--------------------------|--|---|---|---|--------------------------------------|------------------------------|
|         | F        | Respondent               | Old Town Wate  | er Supply Corp                                    | oration, David H  | cks dba Old Town Water  |                                      |                              |
|         |          |                          |  |   | ams dba Old Towi  |   |                                      |                              |
|         |          |                          | Corporation, an  | nd Terry Adan                                     | ns dba Old Town   | Water Supply Corporation  |                                      |                              |
|         | _        |                          |  |   |   |   | Policy R                             | evision 5 (January 28, 2021) |
|         | (        | Case ID No.              | 61718  |   |   |   | PCW                                  | / Revision February 11, 2021 |
| Reg.    | Ent. Ref | ference No.              | RN101459667  |   |   |   |                                      |                              |
|         |          | Media                    | Public Water S   | upply   |   |   |                                      |                              |
|         | Enf. (   | Coordinator              |  | ,   |   |   |                                      |                              |
|         |          | ation Number             |  | 1   |   |   |                                      |                              |
|         | VIOI     |                          | J  |   |   |   |                                      |                              |
|         |          | Rule Cite(s)             |  | 30 T  | ex. Admin. Code   | § 290.46(s)(1)  |                                      |                              |
|         |          |                          |  |   |   |   |                                      |                              |
|         |          |                          |  |   |   |   |                                      |                              |
|         |          |                          | Failed to c  | alibrate the F                                    | acility's well mete   | r at least once every three   | years.                               |                              |
|         | Violatio | n Description            |  |   | •   | ue on May 25, 2019, and w   |                                      |                              |
|         |          | -                        | ·  |   | performe  | •   |                                      |                              |
|         |          |                          |  |   | ·   |   |                                      |                              |
|         |          |                          |  |   |   |   |                                      |                              |
|         |          |                          |  |   |   | _   |                                      | +5.000                       |
|         |          |                          |  |   |   | Bas   | e Penalty                            | \$5,000                      |
| > > Em: |          | ntal Drane               | du and Ulia  | an Haalth   | Matrix  |   |                                      |                              |
| >> En   | vironme  | ntai, Prope              | rty and Hum  |   | матгіх  |   |                                      |                              |
|         |          | Polonco                  | Major  | Harm<br>Moderate                                  | Minor   |   |                                      |                              |
| OR      |          | <b>Release</b><br>Actual | Major  | Moderate  | Minor   |   |                                      |                              |
| OK      |          |                          |  |   |   | Downsont 3.00/  | 1                                    |                              |
|         |          | Potential                |  |   | X   | Percent 3.0%  |                                      |                              |
| > > D## |          | tie Matrix               |  |   |   |   |                                      |                              |
| >>Pro   | gramma   | tic Matrix               | N4   | <b>N</b> 4 - 1 1 -                                | N4.   |   |                                      |                              |
|         |          | Falsification            | Major  | Moderate  | Minor   | Barrage 1   | 1                                    |                              |
|         |          |                          |  |   |   | Percent 0.0%  |                                      |                              |
|         |          |                          |  |   |   |   |                                      |                              |
|         | Matrix   |                          |  | •   |   | naccurate or unavailable wa   | _                                    |                              |
|         | Notes    |                          |  |   | -   | lity being exposed to an in   | _                                    |                              |
|         | 110100   | amoun                    | t of contaminan  | its which wou                                     | d not exceed leve   | els protective of human hea   | lth.                                 |                              |
|         |          |                          |  |   |   |   |                                      |                              |
|         |          |                          |  |   |   | Adjustment  | \$4,850                              |                              |
|         |          |                          |  |   |   |   | -                                    | \$150                        |
|         |          |                          |  |   |   |   |                                      | \$1501                       |
| Violati | _        |                          |  |   |   |   | L                                    | Ψ150                         |
| violati | on Even  | te                       |  |   |   |   |                                      | <b>\$130</b>                 |
|         | on Even  | ts                       |  |   |   |   |                                      | <b>\$130</b>                 |
|         | on Even  |                          | iolation Events  | 1   |   | Number of violation   | days                                 | <b>\$130</b>                 |
|         | on Even  |                          | iolation Events  | 1   |   | Number of violation   | days                                 | <b>\$130</b>                 |
|         | on Even  |                          |  | 1   |   | Number of violation   | days                                 | <b>\$130</b>                 |
|         | on Even  |                          | daily  | 1   |   | 30 Number of violation  | days                                 | <b>\$130</b>                 |
|         | on Even  |                          | daily<br>weekly  | 1   |   | 30 Number of violation  | days                                 | <b>\$150</b>                 |
|         | on Even  |                          | daily<br>weekly<br>monthly   | 1   |   |   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly  |   |   | Number of violation  Violation Bas  | ·<br>                                | \$150                        |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual  |   |   |   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                  |   |   |   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual  | 1 1 X   |   |   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                  |   |   |   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                  | X   |   | Violation Bas   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                  | X   | event is recomme  | Violation Bas   | ·<br>                                |                              |
|         | on Even  |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual                                  | X   |   | Violation Bas   | ·<br>                                |                              |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | e Penalty                            | \$150                        |
| Good F  |          |                          | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | ·<br>                                |                              |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | e Penalty                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | e Penalty                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | e Penalty                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | x One single                                      | event is recomme  | Violation Bas   | e Penalty                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | X One single  0.0%  Before NOE/NOV                | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer   | Reduction                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | X One single  0.0%  Before NOE/NOV                | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer the good faith criteria for                                     | Reduction                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | X One single  0.0%  Before NOE/NOV                | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer the good faith criteria for                                     | Reduction                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | X One single  0.0%  Before NOE/NOV                | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer  the good faith criteria for action.                            | Reduction                            | \$150                        |
| Good F  |          | Number of V              | daily weekly monthly quarterly semiannual annual single event                                    | X One single  0.0%  Before NOE/NOV                | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer  the good faith criteria for action.                            | Reduction                            | \$150                        |
|         | aith Eff | Number of V              | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes  | X One single  0.0%  Before NOE/NOV  X The Respond | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer the good faith criteria for option.  Violation                  | Reduction                            | \$150                        |
|         | aith Eff | Number of Voorts to Com  | daily weekly monthly quarterly semiannual annual single event   Extraordinary Ordinary N/A Notes | One single  O.0%  Before NOE/NOV  X  The Respond  | NOE/NOV to EDPRP/   | Violation Basended.  Settlement Offer  the good faith criteria for stion.  Violation  Statutory Limit | Reduction Subtotal                   | \$150<br>\$150               |
|         | aith Eff | Number of Voorts to Com  | daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes  | One single  O.0%  Before NOE/NOV  X  The Respond  | event is recomme  NOE/NOV to EDPRP/                               | Violation Basended.  Settlement Offer the good faith criteria for option.  Violation                  | Reduction Subtotal                   | \$150                        |
|         | aith Eff | Number of Voorts to Com  | daily weekly monthly quarterly semiannual annual single event   Extraordinary Ordinary N/A Notes | One single  O.0%  Before NOE/NOV  X  The Respond  | event is recomme  NOE/NOV to EDPRP/  Jents do not meet this viola | Violation Basended.  Settlement Offer  the good faith criteria for stion.  Violation  Statutory Limit | Reduction  Subtotal  Test alty Total | \$150<br>\$150               |

| Economic Benefit Worksheet  Respondent Old Town Water Supply Corporation, David Hicks dba Old Town Water Supply Corporation, Ben Adams dba |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|--|--|-----------------------------|-------------------|-----------|------------------------------------|---|--|--|--|--|--|--|--|
| Dosnandant   | Old Town Wate                                  | er Supply Cornora           | tion David Hick   | e dha C   | Ild Town Water Su                  | nnly Cornoration B                      | an Adams dha                           |  |  |  |  |  |  |
| Respondent   |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|  | Old Town Wate                                  | er Supply Corpora           | tion, and Terry   | Adams     | aba Old Town Wat                   | er Supply Corporati                     | on                                     |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Case ID No.  | 61718  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Reg. Ent. Reference No.  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Media  | Public Water Supply Percent Interest Penreciat |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Violation No.  | Percent Interest                               |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   | 15                                     |  |  |  |  |  |  |
|  | Item Cost                                      | <b>Date Required</b>        | Final Date        | Yrs       | <b>Interest Saved</b>              | Costs Saved                             | EB Amount                              |  |  |  |  |  |  |
| Item Description   |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| •  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Delayed Costs  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Equipment  |  |                             |                   | 0.00      | \$0                                | \$0                                     | \$0                                    |  |  |  |  |  |  |
| Buildings  |  |                             |                   | 0.00      | \$0                                | \$0                                     | \$0                                    |  |  |  |  |  |  |
| Other (as needed)  |  |                             |                   | 0.00      | \$0                                | \$0                                     | \$0                                    |  |  |  |  |  |  |
| Engineering/Construction   |  |                             |                   | 0.00      | \$0                                | \$0                                     | \$0                                    |  |  |  |  |  |  |
| Land   |  |                             |                   | 0.00      | \$0                                | n/a                                     | \$0                                    |  |  |  |  |  |  |
| Record Keeping System  |  |                             |                   | 0.00      | \$0                                | n/a                                     | \$0                                    |  |  |  |  |  |  |
| Training/Sampling  | \$31   | 25-May-2019                 | 24-Jan-2022       | 2.67      | \$4                                | n/a                                     | \$4                                    |  |  |  |  |  |  |
| Remediation/Disposal   | Ψ51  | 25 May 2015                 | Z+ Juli ZUZZ      | 0.00      | \$0                                | n/a                                     | \$0                                    |  |  |  |  |  |  |
| Permit Costs   |  |                             |                   | 0.00      | \$0                                | n/a                                     | \$0                                    |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Other (as needed)  |  |                             |                   | 0.00      | \$0                                | n/a                                     | \$0                                    |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| No. 1 AND STANCES  | The delayed c                                  | ost includes the e          | stimated amour    | it to cal | ibrate the Facility'               | s well meter (\$31 p                    | er well meter),                        |  |  |  |  |  |  |
| Notes for DELAYED costs  | cald   | culated from the o          | late the calibrat | ion was   | due to the estima                  | ted date of complia                     | nce.                                   |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Avoided Costs  | ANNU   | ALIZE avoided c             | osts before en    | tering    | 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)  | 431  | 23 11dy 2013                | J DCC 2021        | 0.00      | \$0                                | \$0                                     | \$0                                    |  |  |  |  |  |  |
| other (as needed)  |  | <u> </u>                    |                   | 0.00      | ΨΟ                                 | \$0                                     | Ψ0                                     |  |  |  |  |  |  |
|  | The second dead of                             | and the street and a second | - ki k d          |           | de come e de la como de la como de | - · · · · · · · · · · · · · · · · · · · | - · · · · · - 11 · · - · - + - · · · · |  |  |  |  |  |  |
| Notes for AVOIDED costs  | The avoided c                                  |                             |                   |           | •                                  | s well meter (\$31 p                    | er well meter),                        |  |  |  |  |  |  |
|  |  | calculated from             | n the date the ca | alibratio | on was due to the                  | date of screening.                      |  |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |
| Approx. Cost of Compliance   |  | \$62                        |                   |           | TOTAL                              |   | \$39                                   |  |  |  |  |  |  |
| Approx. Cost of Compilance   |  | \$02                        |                   |           | IUIAL                              |   | ₽J9                                    |  |  |  |  |  |  |
|  |  |                             |                   |           |                                    |   |  |  |  |  |  |  |  |

|           | Screening Date        |  |  | 2022-0009-PWS-E  | PCW                                  |
|-----------|-----------------------|--|--|--|--------------------------------------|
|           | Respondent            |  | Corporation, David Hicks d   |  |                                      |
|           | •                     | ,  | Adams dba Old Town Wat   | ,  |                                      |
|           |                       | Corporation, and Terry A                           | dams dba Old Town Water  | Supply Corporation                                     | Policy Revision 5 (January 28, 2021) |
|           | Case ID No.           | 61718  |  |  | PCW Revision February 11, 2021       |
| Rea       | Ent. Reference No.    |  |  |  | Tew Revision February 11, 2021       |
| ixeg.     |                       | Public Water Supply                                |  |  |                                      |
|           | Enf. Coordinator      |  |  |  |                                      |
|           |                       |  |  |  |                                      |
|           | Violation Number      |  |  |  |                                      |
|           | Rule Cite(s)          | 30 Te  | ex. Admin. Code § 290.12   | 1(a) and (b)   |                                      |
|           | Violation Description | monitoring plan that i<br>frequency, and specifies | d maintain an up-to-date of<br>dentifies all sampling loca<br>the analytical procedures of<br>comply with the monitori | tions, describes the samp<br>and laboratories that the | oling                                |
|           |                       |  |  | Base F   | Penalty \$5,000                      |
| >> Env    | ironmental, Prope     | rty and Human Heal                                 | Ith Matrix   |  |                                      |
|           |                       | Harm   |  |  |                                      |
| ΔD        | Release               | Major Moderat                                      | e Minor  |  |                                      |
| OR        | Actual                |  |  | Dawaant 0.00/  |                                      |
|           | Potential             |  |  | Percent 0.0%   |                                      |
| >> Dro    | grammatic Matrix      |  |  |  |                                      |
| //P10     | Falsification         | Major Moderat                                      | e Minor  |  |                                      |
|           | Taisincation          | X Moderate   | .e Millor  | Percent 10.0%  |                                      |
|           |                       | Λ  |  | 10.070   |                                      |
|           |                       |  |  |  |                                      |
|           | Matrix<br>Notes       | 100% of the I                                      | rule requirements were no  | t met.   |                                      |
|           |                       |  | A  | djustment  | \$4,500                              |
|           |                       |  | •  |  | <u> </u>                             |
|           |                       |  |  |  | \$500                                |
| \/:- -+:. |                       |  |  |  |                                      |
| violatio  | on Events             |  |  |  |                                      |
|           | Number of \           | /iolation Events 1                                 | 30   | Number of violation da                                 | ave                                  |
|           | Number of V           | Totation Events 1                                  |  | Number of violation de                                 | 195                                  |
|           |                       | daily  |  |  |                                      |
|           |                       | weekly   |  |  |                                      |
|           |                       | monthly  |  |  |                                      |
|           |                       | quarterly  |  | <b>Violation Base F</b>                                | Penalty \$500                        |
|           |                       | semiannual   |  |  |                                      |
|           |                       | annual   |  |  |                                      |
|           |                       | single event x                                     |  |  |                                      |
|           |                       |  |  |  |                                      |
|           |                       | One sind   | gle event is recommended   |  |                                      |
|           |                       | one sing   | gie event is recommended   | •  |                                      |
|           |                       |  |  |  |                                      |
| Good F    | aith Efforts to Com   | ply 0.0  | <b>)%</b>  | Re   | duction \$0                          |
|           |                       |  | OV NOE/NOV to EDPRP/Settlem  | nent Offer   |                                      |
|           |                       | Extraordinary                                      |  |  |                                      |
|           |                       | Ordinary   |  |  |                                      |
|           |                       | N/A x  |  |  |                                      |
|           |                       | The Deep   |  | read faith suitauis for                                |                                      |
|           |                       | Notes The Resp                                     | ondents do not meet the only this violation.   | Jood Taith Criteria for                                |                                      |
|           |                       |  | uns violation.   |  |                                      |
|           |                       |  |  |  |                                      |
|           |                       |  |  | Violation S  | ubtotal \$500                        |
| Fconor    | nic Benefit (EB) for  | this violation                                     |  | Statutory Limit T                                      | est                                  |
|           | e Delicite (ED) ioi   | ans mounting                                       |  | Statutory Ellint 1                                     |                                      |
|           | Estimate              | ed EB Amount                                       | \$30   | <b>Violation Final Penalt</b>                          | y Total \$912                        |
|           |                       |  |  | Barrella ( !! : : : :                                  |                                      |
|           |                       | This v   | violation Final Assessed   | Penalty (adjusted for                                  | limits) \$912                        |
|           |                       |  |  |  |                                      |

|                               | _              | _  |                  |          |                         |                         |                |  |
|-------------------------------|----------------|--|------------------|----------|-------------------------|-------------------------|----------------|--|
|                               | E              | conomic  | Benefit '        | 10W      | 'ksheet                 |                         |                |  |
| Daamandank                    |                |  |                  |          |                         | nnly Corporation B      | on Adams dha   |  |
| Kespondent                    |                |  |                  |          |                         | pply Corporation, B     |                |  |
|                               | Old Town Wate  | Old Town Water Supply Corporation, and Terry Adams dba Old Town Water Supply Corporation |                  |          |                         |                         |                |  |
|                               |                |  |                  |          |                         |                         |                |  |
| Case ID No.                   | 61718          |  |                  |          |                         |                         |                |  |
| Reg. Ent. Reference No.       | RN101459667    |  |                  |          |                         |                         |                |  |
| _                             | Public Water S | unnly  |                  |          |                         |                         | Years of       |  |
| Violation No.                 |                | аррту  |                  |          |                         | <b>Percent Interest</b> | Depreciation   |  |
| violation No.                 | Ь              |  |                  |          |                         |                         | -              |  |
|                               |                |  |                  |          |                         | 5.0                     | 15             |  |
|                               | Item Cost      | <b>Date Required</b>   | Final Date       | Yrs      | <b>Interest Saved</b>   | Costs Saved             | EB Amount      |  |
| Item Description              |                |  |                  |          |                         |                         |                |  |
| Item Description              |                |  |                  |          |                         |                         |                |  |
|                               |                |  |                  |          |                         |                         |                |  |
| Delayed Costs                 |                |  |                  | 1        |                         |                         |                |  |
| Equipment                     |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Buildings                     |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Other (as needed)             |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Engineering/Construction      |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Land                          |                |  |                  | 0.00     | \$0                     | n/a                     | \$0            |  |
| Record Keeping System         |                |  |                  | 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           |  |
|                               | <b>-</b>       |  |                  |          |                         |                         |                |  |
|                               | •              |  |                  |          | •                       | in a chemical and m     | _              |  |
| Notes for DELAYED costs       | monitoring     | plan, calculated fr  | om the date of t | the inve | estigation initially of | documenting the vio     | plation to the |  |
|                               |                |  | estimate         | d date o | of compliance.          |                         |                |  |
|                               | A 3 1 3 1 1    | 41 T7F!-   |                  |          | !h /                    |                         |                |  |
| Avoided Costs                 | ANNU           | ALIZE avoided c  | osts before en   |          |                         | one-time avoided        |                |  |
| Disposal                      |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Personnel                     |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Inspection/Reporting/Sampling |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Supplies/Equipment            |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Financial Assurance           |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| ONE-TIME avoided costs        |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
| Other (as needed)             |                |  |                  | 0.00     | \$0                     | \$0                     | \$0            |  |
|                               |                |  |                  |          |                         |                         |                |  |
| Notes for AVOIDED costs       |                |  |                  |          |                         |                         |                |  |
| Notes for AVOIDED costs       |                |  |                  |          |                         |                         |                |  |
|                               |                |  |                  |          |                         |                         |                |  |
|                               |                |  |                  |          |                         |                         |                |  |
| Ammune Cost of Committee      |                | +400   |                  |          | TOTAL                   |                         | +20            |  |
| Approx. Cost of Compliance    |                | \$180  |                  |          | TOTAL                   |                         | \$30           |  |

|           |           | ening Date    |                 |                |                |               | 2022-0009-PWS-E                           |            | PCW                          |
|-----------|-----------|---------------|-----------------|----------------|----------------|---------------|---|------------|------------------------------|
|           | R         | espondent     |                 |                |                |               | a Old Town Water                          |            |                              |
|           |           | -             | Supply Corpora  | •              |                |               | ,   |            |                              |
|           |           |               | Corporation, ar | ıd Terry Adan  | ns dba Old To  | own Water S   | Supply Corporation                        | Policy P   | evision 5 (January 28, 2021) |
|           | C         | ase ID No.    | 61718           |                |                |               |   |            | / Revision February 11, 2021 |
| Rea       |           |               | RN101459667     |                |                |               |   | 700        | Revision restaury 11, 2021   |
| iteg.     | Liiti Kei |               | Public Water Su | ınnlıy         |                |               |   |            |                              |
|           | Enf C     | oordinator    |                 | yppiy          |                |               |   |            |                              |
|           |           |               |                 | 1              |                |               |   |            |                              |
|           | Viola     | tion Number   | /               |                |                |               |   |            |                              |
|           |           | Rule Cite(s)  |                 | 30 Te          | ex. Admin. C   | ode § 290.4   | 2(e)(5)                                   |            |                              |
|           |           |               |                 |                |                |               |   |            |                              |
|           |           |               | E. H. J. L. L.  |                | 1              |               | • •                                       |            |                              |
|           | Violetio  | - December    |                 |                |                |               | iners in a secure encl                    |            |                              |
|           | Violatioi | n Description |                 |                |                |               | vandalism. Specific not completely covere | * *        |                              |
|           |           |               | Пурост          | ormation soit  | acion contain  | er top was n  | iot completely covere                     | su.        |                              |
|           |           |               |                 |                |                |               |   |            |                              |
|           |           |               |                 |                |                |               | D   | - D        | <b>#F 000</b>                |
|           |           |               |                 |                |                |               | Base                                      | e Penalty  | \$5,000                      |
| >> Fnv    | ,ironma   | ntal Drone    | rty and Hum     | an Haalth      | Matriy         |               |   |            |                              |
| // LIIV   |           | iitai, Propei | ty and main     | Harm           | Matrix         |               |   |            |                              |
|           |           | Release       | Major           | Moderate       | Minor          |               |   |            |                              |
| OR        |           | Actual        |                 |                |                |               |   |            |                              |
|           |           | Potential     |                 |                | Х              |               | Percent 3.0%                              |            |                              |
|           |           | <u>'</u>      |                 |                |                |               |   |            |                              |
| >>Pro     | gramma    | tic Matrix    |                 |                |                |               |   |            |                              |
|           |           | Falsification | Major           | Moderate       | Minor          | 1             |   |            |                              |
|           |           |               |                 |                |                |               | Percent 0.0%                              |            |                              |
|           |           |               |                 |                |                |               |   |            |                              |
|           | Matrix    |               |                 |                |                |               | cure enclosure could                      |            |                              |
|           | Notes     | persons serv  | •               |                |                | -             | mount of contaminan                       | ts which   |                              |
|           |           |               | would           | not exceed le  | veis protectiv | e of numan    | nealth.                                   |            |                              |
|           |           |               |                 |                |                | A al i        | ivetment                                  | ¢4.0E0     |                              |
|           |           |               |                 |                |                | Auj           | justment                                  | \$4,850    |                              |
|           |           |               |                 |                |                |               |   |            | \$150                        |
|           |           |               |                 |                |                |               |   |            |                              |
| Violation | on Event  | ts            |                 |                |                |               |   |            |                              |
|           |           | Ni            |                 |                |                | 22            | No  | 4          |                              |
|           |           | Number of V   | iolation Events | 1              | <u> </u>       | 30            | Number of violation                       | days       |                              |
|           |           |               | daily           |                | 1              |               |   |            |                              |
|           |           |               | weekly          |                |                |               |   |            |                              |
|           |           |               | monthly         |                |                |               |   |            |                              |
|           |           |               | quarterly       |                |                |               | <b>Violation Base</b>                     | e Penalty  | \$150                        |
|           |           |               | semiannual      |                |                |               |   | -          |                              |
|           |           |               | annual          |                |                |               |   |            |                              |
|           |           |               | single event    | X              |                |               |   |            |                              |
|           |           |               |                 |                |                |               |   |            |                              |
|           |           |               |                 | 0              |                |               |   |            |                              |
|           |           |               |                 | One single     | event is reco  | mmenaea.      |   |            |                              |
|           |           |               |                 |                |                |               |   |            |                              |
| Good F    | aith Eff  | orts to Com   | ply             | 0.0%           |                |               |   | Reduction  | \$0                          |
|           |           |               |                 | Before NOE/NOV |                | DPRP/Settleme |   |            | Ψ0                           |
|           |           |               | Extraordinary   | ·              | -              |               |   |            |                              |
|           |           |               | Ordinary        |                |                |               |   |            |                              |
|           |           |               | N/A             | Х              |                |               | 4   |            |                              |
|           |           |               | ĺ               |                |                |               |   |            |                              |
|           |           |               | Notes           | The Respond    | dents do not   | meet the go   | ood faith criteria for                    |            |                              |
|           |           |               |                 |                | tnis           | violation.    |   |            |                              |
|           |           |               | L               |                |                |               |   | _          |                              |
|           |           |               |                 |                |                |               | Violation                                 | Subtotal   | \$150                        |
| Econom    | nic Pana  | fit (ED) for  | thic violeti    | on             |                |               | Statutory Limit                           | Toch       |                              |
| LCOHOL    | inc belie | iii (EB) iur  | this violation  | <b>711</b>     |                |               | Statutory Limit                           | I ESL      |                              |
|           |           | Estimate      | ed EB Amount    |                | \$6            | •             | Violation Final Pena                      | alty Total | \$273                        |
|           |           |               |                 |                |                | A             | Samalko (a. 11. a. 15.                    |            |                              |
|           |           |               |                 | inis viol      | iation Final   | Assessed F    | Penalty (adjusted for                     | or iimits) | \$273                        |
|           |           |               |                 |                |                |               |   |            |                              |

| Respondent                             | Old Town Wate        |                      | ition, David Hick                       | s dba C           | old Town Water Su                   | pply Corporation, B<br>er Supply Corporati  |                |
|--|----------------------|----------------------|---|-------------------|-------------------------------------|---|----------------|
| Case ID No.<br>Reg. Ent. Reference No. | 61718<br>RN101459667 | ,                    | , |                   |                                     |   | Years of       |
| Media<br>Violation No.                 | Public Water S       | ьирріу               |   |                   |                                     | <b>Percent Interest</b>                     | Depreciation   |
| 2.5.2.5.1                              |                      |                      |   |                   |                                     | 5.0   | 15             |
|  | <b>Item Cost</b>     | <b>Date Required</b> | Final Date                              | Yrs               | <b>Interest Saved</b>               | Costs Saved                                 | EB Amount      |
| Item Description                       |                      |                      |   |                   |                                     |   |                |
|  |                      |                      |   |                   |                                     |   |                |
| Delayed Costs                          |                      |                      |   | _                 |                                     |   |                |
| Equipment                              |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Buildings                              |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Other (as needed)                      |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Engineering/Construction               |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Land                                   |                      |                      |   | 0.00              | \$0                                 | n/a   | \$0            |
| Record Keeping System                  |                      |                      |   | 0.00              | \$0                                 | n/a   | \$0            |
| Training/Sampling                      |                      |                      |   | 0.00              | \$0                                 | n/a   | \$0            |
| Remediation/Disposal                   |                      |                      |   | 0.00              | \$0                                 | n/a   | \$0            |
| Permit Costs                           |                      |                      |   | 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                | secure enclo         | sure, calculated f   | rom the date of<br>estimate             | the inv<br>d date | estigation initially of compliance. | orination solution co<br>documenting the vi | olation to the |
| Avoided Costs                          | ANNU                 | ALIZE avoided c      | osts before en                          |                   |                                     | one-time avoided                            | _              |
| Disposal                               |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Personnel                              |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Inspection/Reporting/Sampling          |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Supplies/Equipment                     |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Financial Assurance                    |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| ONE-TIME avoided costs                 |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Other (as needed)                      |                      |                      |   | 0.00              | \$0                                 | \$0   | \$0            |
| Notes for AVOIDED costs                |                      |                      |   |                   |                                     |   |                |
| Approx. Cost of Compliance             |                      | \$50                 |   |                   | TOTAL                               |   | \$6            |
| · · · · · · · · · · · · · · · · · ·    |                      | 7.50                 |   |                   |                                     |   | T -            |

|          |           | ening Date               |  |  |   | 2022-0009-PWS-E   |                                | PCW                           |
|----------|-----------|--------------------------|--|--|---|---|--------------------------------|-------------------------------|
|          | R         | Respondent               | Old Town Wate  | er Supply Corpo  | ration, David Hicks db  | a Old Town Water  |                                |                               |
|          |           | •                        |  |  | ns dba Old Town Wate  |   |                                |                               |
|          |           |                          | Corporation, a   | nd Terry Adams   | dba Old Town Water  | Supply Corporation  |                                |                               |
|          |           |                          |  |  |   |   | Policy F                       | Revision 5 (January 28, 2021) |
|          |           | Case ID No.              | 61718  |  |   |   | PCV                            | W Revision February 11, 2021  |
| Reg.     | Ent. Ref  | erence No.               | RN101459667  |  |   |   |                                |                               |
|          |           |                          | Public Water S   | unnly  |   |   |                                |                               |
|          | Enf (     | Coordinator              |  | арргу  |   |   |                                |                               |
|          |           |                          |  | 1  |   |   |                                |                               |
|          | Viola     | ation Number             |  |  |   |   |                                |                               |
|          |           | Rule Cite(s)             | 30 Tex. A  | dmin. Code § 29  | 90.46(e)(4)(A) and Te   | ex. Health & Safety C   | ode §                          |                               |
|          |           |                          |  | 5  | 341.033(a)  | ,   | J                              |                               |
|          |           |                          |  |  | 5 121000(0.)  |   |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  |   |   | _                              |                               |
|          | Violatio  | n Description            |  | •  | ity under the direct su   | •   |                                |                               |
|          | 110101010 | 2000                     | opei   | rator who holds  | a Class "D" or higher   | groundwater license.  |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  |   | Bas   | e Penalty                      | \$5,000                       |
|          |           |                          |  |  |   |   |                                |                               |
| >> Env   | vironme   | ntal, Prope              | rty and Hun  | nan Health M   | 1atrix  |   |                                |                               |
|          |           |                          |  | Harm   |   |   |                                |                               |
|          |           | Release                  |  | Moderate   | Minor   |   |                                |                               |
| OR       |           | Actual                   |  |  |   |   |                                |                               |
|          |           | Potential                | Х  |  |   | <b>Percent</b> 15.0%  |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
| >>Pro    | gramma    | itic Matrix              |  |  |   |   |                                |                               |
|          |           | Falsification            | Major  | Moderate   | Minor   |   |                                |                               |
|          |           |                          |  |  |   | Percent 0.0%  |                                |                               |
|          |           |                          |  |  |   | 0.070   |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          | Matrix    | ·                        |  | •  | ect supervision of an   |   |                                |                               |
|          | Notes     | license may              |  | •  | hich could expose pe  | -   | Facility to                    |                               |
|          | Notes     |                          | contaminants v   | which would exc  | eed levels protective   | of human health.  |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  |   |   |                                |                               |
|          |           |                          |  |  | Ac  | liustment   | \$4,250                        |                               |
|          |           |                          |  |  | Ac  | ljustment   | \$4,250                        |                               |
|          |           |                          |  |  | Ac  | ljustment   | \$4,250                        | \$750                         |
|          |           |                          |  |  | Ac  | ljustment   | \$4,250<br>[                   | \$750                         |
| Violatio | on Even   | ts                       |  |  | Ac  | ljustment   | \$4,250<br>[                   | \$750                         |
| Violatio | on Even   | ts                       |  |  | Ac  | ljustment   | \$4,250                        | \$750                         |
| Violatio | on Even   |                          | /iolation Events   | 1  |   |   | [                              | \$750                         |
| Violatio | on Even   |                          | /iolation Events   | 1  | <b>Ac</b>   | ljustment  Number of violation  | [                              | \$750                         |
| Violatio | on Even   |                          |  | 1  |   |   | [                              | \$750                         |
| Violatio | on Even   |                          | daily  | 1  |   |   | [                              | \$750                         |
| Violatio | on Even   |                          | daily<br>weekly  |  |   |   | [                              | \$750                         |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly   | 1 X  |   | Number of violation   | ı days                         |                               |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly<br>quarterly  | 1 X  |   |   | ı days                         | \$750<br>\$750                |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual  | 1  |   | Number of violation   | ı days                         |                               |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual  | 1 X  |   | Number of violation   | ı days                         |                               |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual  | 1  |   | Number of violation   | ı days                         |                               |
| Violatio | on Even   |                          | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual  | 1  |   | Number of violation   | ı days                         |                               |
| Violatio | on Even   | Number of \              | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual<br>single event  | X  |   | Number of violation  Violation Bas  | n days<br>se Penalty           |                               |
| Violatio | on Even   | Number of \              | daily weekly monthly quarterly semiannual annual single event  | x x  | 30  | Number of violation  Violation Base  eview date, November   | n days<br>se Penalty           |                               |
| Violatio | on Even   | Number of \              | daily weekly monthly quarterly semiannual annual single event  | x x  | 30 ted from the record re   | Number of violation  Violation Base  eview date, November   | n days<br>se Penalty           |                               |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  | mended, calcula<br>the screening   | 30 ted from the record re   | Number of violation  Violation Base  eview date, November   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  | mended, calculate the screening  | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | n days<br>se Penalty           |                               |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  | mended, calculate the screening  | 30 ted from the record re   | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  | mended, calculate the screening  | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to   | mended, calcula o the screening  0.0%  Before NOE/NOV N                    | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary                 | mended, calcula o the screening  O.0%  Before NOE/NOV N                    | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to   | mended, calcula o the screening  O.0%  Before NOE/NOV N  X                 | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary N/A             | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary                 | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary N/A             | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Number of violation  Violation Base  eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary N/A             | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Violation Base eview date, November 21.   | er 9, 2021,                    | \$750                         |
|          |           | Number of \              | daily weekly monthly quarterly semiannual annual single event  event is recomment to  aply  Extraordinary Ordinary N/A             | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Violation Base eview date, November 21.   | er 9, 2021,                    | \$750                         |
| Good F   | aith Eff  | One monthly  orts to Com | daily weekly monthly quarterly semiannual annual single event  event is recomment  event is recomment  ordinary Ordinary N/A Notes | mended, calcula of the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20  | Violation Baseview date, November 21.  ent Offer  ood faith criteria for  Violation   | er 9, 2021, Reduction          | \$750                         |
| Good F   | aith Eff  | One monthly  orts to Com | daily weekly monthly quarterly semiannual annual single event  event is recome to  ply  Extraordinary Ordinary N/A Notes           | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20 OE/NOV to EDPRP/Settlements do not meet the good this violation. | Violation Base eview date, November 21.  ent Offer Violation Violation Violation Statutory Limi                             | er 9, 2021, Reduction Subtotal | \$750<br>\$750                |
| Good F   | aith Eff  | One monthly  orts to Com | daily weekly monthly quarterly semiannual annual single event  event is recomment  event is recomment  ordinary Ordinary N/A Notes | x  mended, calcula the screening  O.0%  Before NOE/NOV N  X  The Responder | ted from the record redate, December 9, 20 OE/NOV to EDPRP/Settlements do not meet the good this violation. | Violation Baseview date, November 21.  ent Offer  ood faith criteria for  Violation   | er 9, 2021, Reduction Subtotal | \$750                         |
| Good F   | aith Eff  | One monthly  orts to Com | daily weekly monthly quarterly semiannual annual single event  event is recome to  ply  Extraordinary Ordinary N/A Notes           | mended, calculate the screening  O.0%  Before NOE/NOV N  X  The Responder  | ted from the record redate, December 9, 20 OE/NOV to EDPRP/Settlements do not meet the good this violation. | Violation Base eview date, November 21.  ent Offer  Ood faith criteria for  Violation  Statutory Limit  Violation Final Pen | er 9, 2021, Reduction Subtotal | \$750<br>\$750<br>\$750       |
| Good F   | aith Eff  | One monthly  orts to Com | daily weekly monthly quarterly semiannual annual single event  event is recome to  ply  Extraordinary Ordinary N/A Notes           | mended, calculate the screening  O.0%  Before NOE/NOV N  X  The Responder  | ted from the record redate, December 9, 20 OE/NOV to EDPRP/Settlements do not meet the good this violation. | Violation Base eview date, November 21.  ent Offer  Ood faith criteria for  Violation  Statutory Limit  Violation Final Pen | er 9, 2021, Reduction Subtotal | \$750<br>\$750<br>\$750       |

#### **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 Years of **Percent Interest Violation No.** 8 **Depreciation** 5.0 15 Item Cost Date Required **Costs Saved Final Date** Yrs Interest Saved **EB Amount Item Description Delayed Costs** Equipment 0.00 \$0 \$0 \$0 Buildings 0.00 <u>\$0</u> \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 **Engineering/Construction** 0.00 \$0 \$0 \$0 0.00 n/a 0.00 **Record Keeping System** \$0 \$0 n/a **Training/Sampling** 0.00 <u>\$0</u> n/a \$0 Remediation/Disposal 0.00 \$0 n/a **Permit Costs** 0.00 \$0 n/a \$0 \$100 3-Aug-2021 24-Jan-2023 1.48 Other (as needed) n/a The delayed cost includes the estimated amount to ensure that the Facility is operated under the direct **Notes for DELAYED costs** 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. ANNUALIZE avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** 0.00 Disposal \$0 \$0 Personnel \$9,048 3-Aug-2021 9-Dec-202 \$3,19<u>4</u> 0.35 <u>\$21</u> <u>\$3,173</u> Inspection/Reporting/Sampling 0.00 Supplies/Equipment 0.00 \$0 \$0 **Financial Assurance** 0.00 \$0 \$0 **ONE-TIME** avoided costs 0.00 \$0 Other (as needed) 0.00 \$0 \$0 \$0

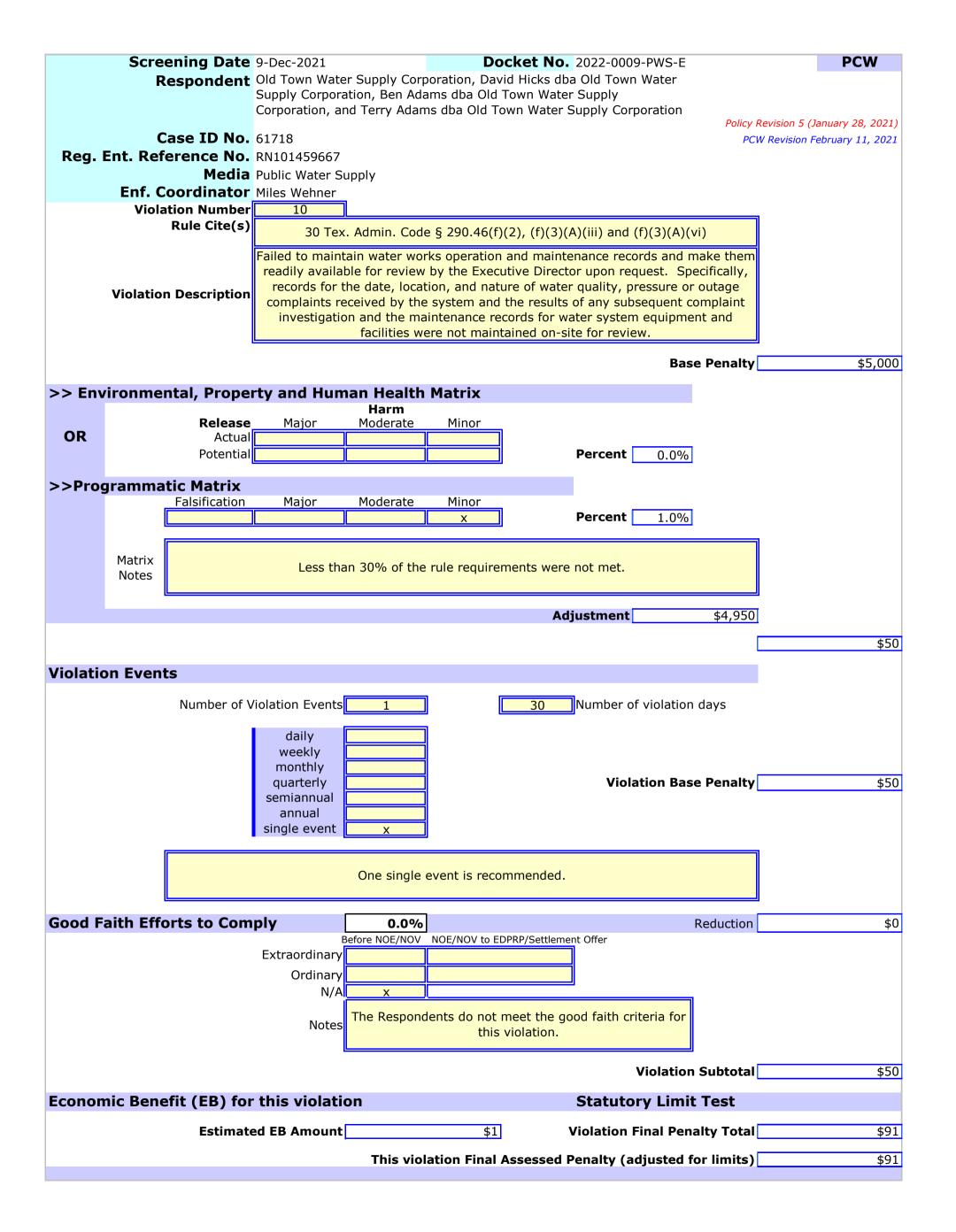
Notes for AVOIDED costs

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 |
|----------------------------|---------|-------|---------|
|                            |         |       |         |

|          | Screenir         | ig Date     |   |   | Dock                             | et No. 2022-0009-PWS-E  |  | PCW                          |
|----------|------------------|-------------|---|---|----------------------------------|---|--|------------------------------|
|          | Resp             |             |   |   |                                  | icks dba Old Town Water   |  |                              |
|          |                  |             |   | •   | ms dba Old Tow                   |   |  |                              |
|          |                  |             | Corporation, ar   | nd Terry Adam   | ns dba Old Town                  | Water Supply Corporation  | Policy P   | evision 5 (January 28, 2021) |
|          | Case             | ID No.      | 61718   |   |                                  |   |  | / Revision February 11, 2021 |
| Dog      |                  |             |   |   |                                  |   | PCV  | Revision February 11, 2021   |
| Reg.     | Ent. Referei     |             |   |   |                                  |   |  |                              |
|          |                  |             | Public Water Su   | rbbiA   |                                  |   |  |                              |
|          |                  |             | Miles Wehner  | 1   |                                  |   |  |                              |
|          | Violation        |             | 9   |   |                                  |   |  |                              |
|          | Rul              | e Cite(s)   |   | 30 7  | Гех. Admin. Cod                  | e § 290.46(v)   |  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          |                  |             |   |   | _                                | ecurely installed in compliar   |  |                              |
|          | Violation De     | scription   |   |   |                                  | , the electrical wiring at the  | Facility's   |                              |
|          |                  |             |   | well was not s  | securely installed               | in a mounted conduit.   |  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          |                  |             |   |   |                                  | Base  | e Penalty [  | \$5,000                      |
| <b>.</b> |                  | D           | al II   |   | NA - Andre                       |   |  |                              |
| >> Env   | ironmentai       | , Propei    | ty and Hum  |   | matrix                           |   |  |                              |
|          |                  | Release     | Major   | <b>Harm</b><br>Moderate   | Minor                            |   |  |                              |
| OR       |                  | Actual      | Major   | Hoderate  | 1411101                          |   |  |                              |
|          |                  | Potential   | Х   |   |                                  | Percent 15.0%   |  |                              |
|          |                  |             |   |   |                                  | 20,070  |  |                              |
| >>Prog   | grammatic I      | Matrix      |   |   |                                  |   |  |                              |
|          |                  | sification  | Major   | Moderate  | Minor                            |   |  |                              |
|          |                  |             |   |   |                                  | Percent 0.0%  |  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          | Fail             | ure to ens  | ure all electrica   | l wiring is inst  | alled in complia                 | nce with a local or national c  | ode could  |                              |
|          | Matrix           |             |   | -   | •                                | outages which could expose  |  |                              |
|          | NOTOC            |             |   | _   | •                                | d levels protective of human  |  |                              |
|          |                  |             | ,   |   |                                  | <u>'</u>  |  |                              |
|          |                  |             |   |   |                                  | Adjustment  | \$4,250  |                              |
|          |                  |             |   |   |                                  |   |  |                              |
|          |                  |             |   |   |                                  | Aujustinent   | Ψ4,230   |                              |
|          |                  |             |   |   |                                  | Aujustinent   | φ4,230   | \$750                        |
|          |                  |             |   |   |                                  | Aujustinent   | ψ1,230   | \$750                        |
| Violatio | on Events        |             |   |   |                                  | Aujustinent   | ψ1,230   | \$750                        |
| Violatio |                  | umber of V  | iolation Events   | 1   |                                  |   |  | \$750                        |
| Violatio |                  | ımber of V  | iolation Events   | 1   |                                  | Number of violation   |  | \$750                        |
| Violatio |                  | umber of V  |   | 1   |                                  |   |  | \$750                        |
| Violatio |                  | ımber of V  | daily   | 1   |                                  |   |  | \$750                        |
| Violatio |                  | umber of V  | daily<br>weekly   | 1 x   |                                  |   |  | \$750                        |
| Violatio |                  | ımber of V  | daily   | 1 X   |                                  |   | days   | \$750<br>\$750               |
| Violatio |                  | ımber of V  | daily<br>weekly<br>monthly  | 1 X   |                                  | 30 Number of violation  | days   |                              |
| Violatio |                  | umber of V  | daily<br>weekly<br>monthly<br>quarterly   | 1 X   |                                  | 30 Number of violation  | days   |                              |
| Violatio |                  | umber of V  | daily<br>weekly<br>monthly<br>quarterly<br>semiannual   | 1 X   |                                  | 30 Number of violation  | days   |                              |
| Violatio |                  | umber of V  | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual   | 1 X   |                                  | 30 Number of violation  | days   |                              |
| Violatio | Nι               |             | daily<br>weekly<br>monthly<br>quarterly<br>semiannual<br>annual<br>single event   | X   | lated from the re                | 30 Number of violation  | days<br>e Penalty  |                              |
| Violatio | Nι               |             | daily weekly monthly quarterly semiannual annual single event   | x x x x x x x x x x x x x x x x x x x                               | lated from the reg date, Decembe | Number of violation  Violation Base   | days<br>e Penalty  |                              |
| Violatio | Nι               |             | daily weekly monthly quarterly semiannual annual single event   | x x x x x x x x x x x x x x x x x x x                               |                                  | Number of violation  Violation Base   | days<br>e Penalty  |                              |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event   | nended, calcu   |                                  | Number of violation  Violation Base  cord review date, November 9, 2021.  | days  e Penalty  r 9, 2021,  | \$750                        |
|          | Nι               | e monthly ( | daily weekly monthly quarterly semiannual annual single event   | mended, calcu   | g date, Decembe                  | Number of violation  Violation Base  cord review date, November 19, 2021.   | days<br>e Penalty  |                              |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event   | mended, calcu   |                                  | Number of violation  Violation Base  cord review date, November 19, 2021.   | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recommente  ply  Extraordinary                                      | mended, calcu   | g date, Decembe                  | Number of violation  Violation Base  cord review date, November 19, 2021.   | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recommented  ply  Extraordinary Ordinary                            | nended, calcuo the screening  0.0%  Sefore NOE/NOV                  | g date, Decembe                  | Number of violation  Violation Base  cord review date, November 19, 2021.   | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recommente  ply  Extraordinary                                      | nended, calcu the screening  0.0%  Sefore NOE/NOV                   | g date, Decembe                  | Number of violation  Violation Base  cord review date, November 19, 2021.   | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recommented  ply  Extraordinary Ordinary                            | nended, calcu the screening  0.0%  Sefore NOE/NOV                   | NOE/NOV to EDPRP                 | Number of violation  Violation Base  cord review date, November 19, 2021.  Settlement Offer  t the good faith criteria for                | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recomment to  ply  Extraordinary Ordinary N/A                       | nended, calcu the screening  0.0%  Sefore NOE/NOV                   | g date, Decembe                  | Number of violation  Violation Base  cord review date, November 19, 2021.  Settlement Offer  t the good faith criteria for                | days  e Penalty  r 9, 2021,  | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recomment to  ply  Extraordinary Ordinary N/A                       | nended, calcu the screening  0.0%  Sefore NOE/NOV                   | NOE/NOV to EDPRP                 | Violation Bases  Second review date, November 19, 2021.  Settlement Offer  t the good faith criteria for ation.                           | days  e Penalty  r 9, 2021,  Reduction                             | \$750                        |
|          | One              | e monthly ( | daily weekly monthly quarterly semiannual annual single event  event is recomment to  ply  Extraordinary Ordinary N/A                       | nended, calcu the screening  0.0%  Sefore NOE/NOV                   | NOE/NOV to EDPRP                 | Violation Bases  Second review date, November 19, 2021.  Settlement Offer  t the good faith criteria for ation.                           | days  e Penalty  r 9, 2021,  | \$750                        |
| Good F   | One aith Efforts | to Com      | daily weekly monthly quarterly semiannual annual single event  event is recomment to  ply  Extraordinary Ordinary N/A                       | nended, calculothe screening  0.0%  Before NOE/NOV  X  The Respond  | NOE/NOV to EDPRP                 | Violation Bases  Second review date, November 19, 2021.  Settlement Offer  t the good faith criteria for ation.                           | days  e Penalty  r 9, 2021,  Reduction                             | \$750                        |
| Good F   | One aith Efforts | to Com      | daily weekly monthly quarterly semiannual annual single event  event is recomment to  ply  Extraordinary Ordinary N/A Notes  this violation | nended, calculo the screening  0.0%  Sefore NOE/NOV  X  The Respond | NOE/NOV to EDPRP                 | Violation Bases  Scord review date, November 19, 2021.  Settlement Offer 11 the good faith criteria for ation.  Violation Statutory Limit | days  e Penalty  r 9, 2021,  Reduction  Subtotal                   | \$750                        |
| Good F   | One aith Efforts | to Com      | daily weekly monthly quarterly semiannual annual single event  event is recomment  comply  Extraordinary Ordinary N/A Notes                 | nended, calculothe screening  0.0% Sefore NOE/NOV  X  The Respond   | NOE/NOV to EDPRP                 | Violation  Violation Base  Cord review date, November 19, 2021.  Settlement Offer  It the good faith criteria for ation.  Violation       | days  e Penalty  r 9, 2021,  Reduction  Subtotal  Test  alty Total | \$750<br>\$750<br>\$750      |

|                                  | E                | conomic              | <b>Benefit</b>    | Woı      | ksheet                |                      |                    |
|----------------------------------|------------------|----------------------|-------------------|----------|-----------------------|----------------------|--------------------|
| Respondent                       |                  |                      |                   |          |                       | pply Corporation, B  |                    |
|                                  | Old Town Wat     | er Supply Corpora    | tion, and Terry   | Adams    | dba Old Town Wat      | er Supply Corporati  | on                 |
| Case ID No.                      | 61718            |                      |                   |          |                       |                      |                    |
| Reg. Ent. Reference No.          |                  |                      |                   |          |                       |                      |                    |
| _                                | Public Water S   |                      |                   |          |                       | Percent Interest     | Years of           |
| Violation No.                    | 9                |                      |                   |          |                       | Percent Interest     | Depreciation       |
|                                  |                  |                      |                   |          |                       | 5.0                  | 15                 |
|                                  | <b>Item Cost</b> | <b>Date Required</b> | <b>Final Date</b> | Yrs      | <b>Interest Saved</b> | <b>Costs Saved</b>   | <b>EB Amount</b>   |
| Item Description                 |                  |                      |                   |          |                       |                      |                    |
|                                  |                  |                      |                   |          |                       |                      |                    |
| Delayed Costs                    |                  |                      |                   |          |                       |                      |                    |
| Equipment                        |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Buildings                        | +200             | 2.4. 2024            | 24.1 2022         | 0.00     | \$0                   | \$0                  | \$0                |
| Other (as needed)                | \$200            | 3-Aug-2021           | 24-Jan-2022       | 0.48     | \$0                   | \$6                  | \$6                |
| Engineering/Construction<br>Land |                  |                      |                   | 0.00     | \$0<br>\$0            | \$0<br>n/a           | \$0<br><b>\$</b> 0 |
| Record Keeping System            |                  |                      |                   | 0.00     | \$0                   | n/a                  | \$0                |
| Training/Sampling                |                  |                      |                   | 0.00     | \$0                   | n/a                  | \$0                |
| Remediation/Disposal             |                  |                      |                   | 0.00     | \$0                   | n/a                  | \$0                |
| Permit Costs                     |                  |                      |                   | 0.00     | \$0                   | n/a                  | \$0                |
| Other (as needed)                |                  |                      |                   | 0.00     | \$0                   | n/a                  | \$0                |
|                                  | The state of the |                      | - ki k - d        |          |                       |                      |                    |
|                                  |                  |                      |                   |          |                       | viring in compliance |                    |
| Notes for DELAYED costs          | national c       | ode, calcuated fro   |                   |          | •                     | ocumenting the viola | ation to the       |
|                                  |                  |                      | estimate          | d date ( | of compliance.        |                      |                    |
| Avoided Costs                    | ANNU             | ALIZE avoided c      | osts before en    | tering   | item (except for      | one-time avoided     | l costs)           |
| Disposal                         |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Personnel                        |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Inspection/Reporting/Sampling    |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Supplies/Equipment               |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Financial Assurance              |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| ONE-TIME avoided costs           |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
| Other (as needed)                |                  |                      |                   | 0.00     | \$0                   | \$0                  | \$0                |
|                                  |                  |                      |                   |          |                       |                      |                    |
| Notes for AVOIDED costs          |                  |                      |                   |          |                       |                      |                    |
|                                  |                  |                      |                   |          |                       |                      |                    |
|                                  |                  |                      |                   |          |                       |                      |                    |
|                                  |                  |                      |                   |          |                       |                      |                    |
| Approx. Cost of Compliance       |                  | \$200                |                   |          | TOTAL                 |                      | \$6                |



|  | E              | conomic           | Benefit         | Woi    | rksheet        |                         |                       |
|--|----------------|-------------------|-----------------|--------|----------------|-------------------------|-----------------------|
| Respondent                               |                |                   |                 |        |                | pply Corporation, B     | en Adams dba          |
| Respondent                               |                |                   |                 |        |                | er Supply Corporati     |                       |
|  |                | , .               | ,               |        |                | , .                     |                       |
| Case ID No.                              |                |                   |                 |        |                |                         |                       |
| Reg. Ent. Reference No.                  |                |                   |                 |        |                |                         | V                     |
|  | Public Water S | ирріу             |                 |        |                | <b>Percent Interest</b> | Years of Depreciation |
| Violation No.                            | 10             |                   |                 |        |                |                         |                       |
|  |                |                   |                 |        |                | 5.0                     | 15                    |
|  |                | Date Required     | Final Date      | Yrs    | Interest Saved | Costs Saved             | EB Amount             |
| Item Description                         |                |                   |                 |        |                |                         |                       |
|  |                |                   |                 |        |                |                         |                       |
| Delayed Costs                            | l <del>-</del> | 1                 |                 | 1 0 00 | T +0           | +0                      | + 0                   |
| Equipment                                |                |                   |                 | 0.00   | \$0            | \$0                     | \$0                   |
| Buildings                                |                |                   |                 | 0.00   | \$0<br>\$0     | \$0<br>#0               | \$0                   |
| Other (as needed)                        |                |                   |                 | 0.00   | \$0<br>\$0     | \$0<br>\$0              | \$0<br>\$0            |
| Engineering/Construction<br>Land         |                |                   |                 | 0.00   | \$0            | n/a                     | \$0<br>\$0            |
| Record Keeping System                    | \$45           | 3-Aug-2021        | 24-Jan-2022     | 0.48   | \$1            | n/a                     | \$1                   |
| Training/Sampling                        | <u> </u>       | J Aug 2021        | Z+ Juli ZUZZ    | 0.00   | \$0            | n/a                     | \$0                   |
| Remediation/Disposal                     |                |                   |                 | 0.00   | \$0            | n/a                     | \$0                   |
| Permit Costs                             |                |                   |                 | 0.00   | \$0            | n/a                     | \$0                   |
| Other (as needed)                        |                |                   |                 | 0.00   | \$0            | n/a                     | \$0                   |
| ,  | The delayed    | cost includes the | e estimated amo |        |                | tem operation and       |                       |
|  | · ·            |                   |                 |        | •              | uest by the Executi     |                       |
| Notes for DELAYED costs                  |                |                   | •               |        |                | violation to the esting |                       |
|  | Calculated II  | on the date of th | •               | •      | •              | riolation to the estil  | nated date of         |
| Assolded Cooks                           | ANNUL          | ALTZE avaided a   |                 | compli |                | one time avaided        | Locato                |
| Avoided Costs                            | ANNU           | ALIZE avoided C   | osts before en  |        |                | one-time avoided        |                       |
| Disposal<br>Personnel                    |                |                   |                 | 0.00   | \$0<br>\$0     | \$0<br>\$0              | \$0<br>\$0            |
| Inspection/Reporting/Sampling            |                |                   |                 | 0.00   | \$0            | \$0<br>\$0              | \$0<br>\$0            |
| Supplies/Equipment                       |                |                   |                 | 0.00   | \$0            | \$0<br>\$0              | \$0<br>\$0            |
| Financial Assurance                      |                |                   |                 | 0.00   | \$0            | \$0<br>\$0              | \$0<br>\$0            |
| ONE-TIME avoided costs                   |                |                   |                 | 0.00   | \$0            | \$0                     | \$0                   |
| Other (as needed)                        |                |                   |                 | 0.00   | \$0            | \$0                     | \$0                   |
| (11 (11 11 11 11 11 11 11 11 11 11 11 11 |                |                   |                 |        |                |                         |                       |
|  |                |                   |                 |        |                |                         |                       |
| Notes for AVOIDED costs                  |                |                   |                 |        |                |                         |                       |
|  |                |                   |                 |        |                |                         |                       |
|  |                |                   |                 |        |                |                         |                       |
| Ammuna Control Control                   |                | ± 4 = 1           |                 |        | TOTAL          |                         | 4.4                   |
| Approx. Cost of Compliance               |                | \$45              |                 |        | TOTAL          |                         | \$1                   |

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



## Compliance History Report

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

Customer, Respondent, CN600654651, Old Town Water Supply Classification: NOT APPLICABLE Rating: N/A

Corporation or Owner/Operator:

**Regulated Entity:** RN101459667, OLD TOWN WSC Classification: NOT APPLICABLE Rating: N/A

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

CH Group: 14 - Other

4410 OLD TOWN ROAD NEAR MARSHALL, HARRISON COUNTY, TEXAS Location:

TCEQ Region: **REGION 05 - TYLER** 

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION WATER RIGHTS NON-PERMITTED ID NUMBER

1020067 R5101459667

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

Phone: (817) 588-5861 Name: Julianne Matthews

#### Site and Owner/Operator History:

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

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

NO

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

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

N/A

**B.** Criminal convictions:

C. Chronic excessive emissions events:

N/A

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

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.

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) Failure to provide a flushing log for review during inspection.

Description: Self Report? NO Classification: Moderate

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

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Self Report? Moderate NO Classification:

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

Classification:

Minor

Minor

distribution system at least once every seven days.

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

Description: Failure to have pressure tanks inspected annually.

Self Report? NO Classification:

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:

Self Report?

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 NOVs Issued During Component Period 6/3/2017 and 6/3/2022

1 11/22/2019 Date: (1605134)

> Classification: Minor Self Report? NO

Citation:

30 TAC Chapter 290, Su D 290.46(f)(2)

30 TAC Chapter 290, Sul hapter D 290 46(f)(3)(A)(iv)

Failure to provide a flush a log for ry lew vrince spection. Description:

Self Report?

30 TAC Chapter 290, Sur Chapter D 2. ....(j)

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Moderate Self Report? NO Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(1) 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)

Failure to maintain the well casing and well block as required by AWWA Description:

Standards.

Classification:

Self Report? NO

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 weel

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Failure to monitor the disinfectant residual at representative locations in the Description:

distribution system at least once every seven days.

Self Report? NO

C' ssification: Minor

Cla: ification:

Moderat

Minor

Citation:

30 TAC Chapter 30, SubCl pte 229, 46(r (1)

Description: Failure to have pessure tar sin pecter ann illy.

Cussifica in 1: Self Report? NO 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.

Classification: Self Report? NO Minor

Citation:

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

NO Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)

Failure to maintain intruder resistant fence. Description:

Self Report? 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? 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.

Classification:

Minor

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

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:

Citation:

30 TAC Chapter 290, SuhChapter 5 290.110/c)(4)(A

Descriptio \_\_\_\_\_\_/ illure \ mc \_corthe iisinte \_anti \ idual atre \ ese :ative | catic is in t \ ?

Self epol? N istribu on s stem a east c ce ev y sev Cla sific ion: M or

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1) 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 2 J, SubC, pter D 290.42(e 5)

Description: Failure to have H lochlorina on s auto onto her imple ly covered to prevent

the entrance of dat, insects and there atar nant

Self Report? NO Cassific in a 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) Failure to provide a flushing log for review during inspection.

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?

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to have pressure tanks inspected annually.

Self Classification: Mino

Report?

30 TAC Chapter 290, Su Chapter D 200 46(s)(1)

Description: Failure to verify well me "bra ons one e ony three years. Self Cla ification: Mino

Report?

/ IAC Shap ⊿DCh 90.121(a) 250, er ۱-

Desc ptio ailure ha a mor oring lan.

Self epo ? Cla sific ion:

Citation:

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

Self Report? 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 Ν Classification: Mino

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to maintain sample cells in good condition.

### Annendix Bations 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  | (1, 200   |     |
| Item 5 | November 24, 2021   | (1772342) |     |

<sup>\*</sup> No violations documented during this investigation

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

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

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



## Compliance History Report

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

Customer, Respondent, CN604465112, David Hicks Classification: NOT APPLICABLE Rating: N/A

or Owner/Operator:

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 WATER RIGHTS NON-PERMITTED ID NUMBER

1020067 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.

Minor

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: 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 NOVs Issued During Component Period 6/3/2017 and 6/3/2022

1 11/22/2019 Date: (1605134)

> Classification: Minor Self Report? NO

Citation:

Description:

30 TAC Chapter 290, Su D 290.46(f)(2)

30 TAC Chapter 290, Sul hapter D 290 46(f)(3)(A)(iv) Failure to provide a flush a log for ry lew vrince spection.

Self Cla: ification: Moderat

Report?

30 TAC Chapter 290, Sur Chapter D 2. ....(j)

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Moderate Self Report? NO Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(1) 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)

Failure to maintain the well casing and well block as required by AWWA Description:

Standards.

Classification: Self Report? NO 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 weel

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Failure to monitor the disinfectant residual at representative locations in the Description:

Minor

distribution system at least once every seven days.

Self Report? NO

C' ssification:

Citation:

30 TAC Chapter 30, SubCl pte 229, 46(r (1)Description: Failure to have pessure tar sin pecter ann illy.

Cussifica in 1: Self Report? NO Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure to verify well meters calibrations once every three years. Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to have a monitoring plan.

Classification: Self Report? NO Minor

Citation:

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

NO Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m)

Failure to maintain intruder resistant fence. Description:

Self Report? 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? 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)

Failure to maintain the well casing and well block as required by AWWA

Minor

Standards.

Self Report? NO Classification:

Citation:

Description:

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, SuhChapter 5 290.110(c)(4)(A

Desciptio / illure imc corthe isint anti ildual at reliese lative lications in the

Self epol? N istribu on s stem a east c ce ev y sev Cla sific ion: M or

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1) 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.

Calf Damant 2 NO

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 2 J, SubC, pter D 290.42(e 5)

Description: Failure to have H jochlorina on significant on the large support of the prevent

the entrance of d st, insects and there atar nant

Self Report? NO Cassification: 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) Failure to provide a flushing log for review during inspection.

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? Classification: NO 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?

Classification:

Cla sific ion:

Minor

Mino

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1) Failure to have pressure tanks inspected annually.

Self Classification:

Report?

30 TAC Chapter 290, Su Chapter D 200 46(s)(1)

Description: Failure to verify well me bra ons or e e ry three years. Self Cla ification: Mino

Report?

Citation:

epo ?

Self

/ IAC Shap ⊿DCh 90.121(a) 250, er r.

Desc ptio

ailure ha a mor oring lan.

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

Self Report? 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 Ν Classification: Mino

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to maintain sample cells in good condition.

### Annendix Bations 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  | (1, 200   |  |  |
| Item 5 | November 24, 2021   | (1772342) |  |  |

<sup>\*</sup> No violations documented during this investigation

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

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

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



# Compliance History Report

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

CN605952654, Ben Adams Customer, Respondent, Classification: NOT APPLICABLE Rating: N/A

or Owner/Operator:

**Regulated Entity:** RN101459667, OLD TOWN WSC Classification: NOT APPLICABLE Rating: N/A

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

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 WATER RIGHTS NON-PERMITTED ID NUMBER

1020067 R5101459667

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

Phone: (817) 588-5861 Name: Julianne Matthews

# Site and Owner/Operator History:

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

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

NO

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

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

N/A

**B.** Criminal convictions:

C. Chronic excessive emissions events:

N/A

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

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.

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

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

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Self Report? Moderate NO Classification:

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 NOVs Issued During Component Period 6/3/2017 and 6/3/2022

1 11/22/2019 Date: (1605134)

> Classification: Minor Self Report? NO

Citation:

30 TAC Chapter 290, Su D 290.46(f)(2)

30 TAC Chapter 290, Sul hapter D 290 46(f)(3)(A)(iv)

Failure to provide a flush a log for ry lew vrince spection. Description:

Self Cla: ification: Moderat

Report?

30 TAC Chapter 290, Sur Chapter D 2. ....(j)

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Moderate Self Report? NO Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(1) 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)

Failure to maintain the well casing and well block as required by AWWA Description:

Standards.

Classification: Minor

Self Report? NO

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 weel

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Failure to monitor the disinfectant residual at representative locations in the Description:

distribution system at least once every seven days.

Self Report? NO

C' ssification: Minor

Citation:

30 TAC Chapter 30, SubCl pte 229, 46(r (1)

Description: Failure to have pressure tar is in pected ann illy.

Cussifica in 1: Self Report? NO 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.

Classification: Self Report? NO Minor

Citation:

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

NO Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m) Failure to maintain intruder resistant fence.

Description:

Self Report? 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? Classification: Moderate

Compliance History Report for CN605952654, RN101459667, Rating Year 2021 which includes Compliance History (CH) components from June 03, 2017, through June 03, 2022.

Citation:

30 TAC Chapter 290, SubChapter D 290.42(j)

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Classification: Self Report? 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

Minor

Minor

Classification:

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

Citation:

30 TAC Chapter 290, SubChapter 5 290.110(c)(4)(A

Des ptio allure a mo corthe asinte canta sidual at release tative lications in a

istribu on s stem a east c ce ev y sev Clā sīfic ion: Self M or epoi

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1) Failure to have pressure tanks inspected annually.

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure to verify well meters calibrations once every three years. Classification: Minor

Self Report?

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to have a monitoring plan.

Self Report?

30 TAC Chapter 2 J, SubC, pter D 290.42(e 5)

Description: Failure to have H Jochlorina on s Julion onto her ample ally covered to prevent

the entrance of dist, insects and there name name

Self Report? NO

assific ir i: Minor

Classification:

Citation:

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.

Classification: Self Report? Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Failure to maintain sample cells in good condition. Description:

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)

Failure to maintain a record of the amount of each chemical used each week. Description:

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?

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to have pressure tanks inspected annually.

Self Report?

30 TAC Chapter 290, Su Chapter D 200 46(s)(1)

Description: Failure to verify well me "bra ons one e ony three years. Self Cla ification: Mino

Report?

/ IAC Shap ⊿DCh 90.121(a) 250, er ۱-

Desc ptio ailure

ha a mor oring lan.

Cla sific ion:

Classification:

Mino

Citation:

epo ?

Self

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

Self Report? 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 Ν Classification: Mino

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to maintain sample cells in good condition.

# Annendix Bations 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  | (1, 200   |     |
| Item 5 | November 24, 2021   | (1772342) |     |

<sup>\*</sup> No violations documented during this investigation

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

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

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



# Compliance History Report

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

Customer, Respondent, CN605952662, Terry Adams Classification: NOT APPLICABLE Rating: N/A

or Owner/Operator:

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 WATER RIGHTS NON-PERMITTED ID NUMBER

1020067 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

NO

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

### 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 NOVs Issued During Component Period 6/3/2017 and 6/3/2022

1 11/22/2019 Date: (1605134)

> Classification: Minor Self Report? NO

Citation:

30 TAC Chapter 290, Su D 290.46(f)(2)

30 TAC Chapter 290, Sul hapter D 290 46(f)(3)(A)(iv) Failure to provide a flush a log for ry lew vrince spection.

Description: Cla: ification: Moderat

Self Report?

30 TAC Chapter 290, Sur Chapter D 2. ....(j)

Description: Failure to verify chemicals used in treatment conform to ANSI / NSF Certification.

Moderate Self Report? NO Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(1) 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)

Failure to maintain the well casing and well block as required by AWWA Description:

Standards.

Classification: Self Report? NO 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 weel

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Failure to monitor the disinfectant residual at representative locations in the Description:

distribution system at least once every seven days.

Self Report? NO

C' ssification: Minor

Citation:

30 TAC Chapter 30, SubCl pte 229, 46(r (1)

Description: Failure to have pressure tar is in pected ann illy.

Cussifica in 1: Self Report? NO 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.

Classification: Self Report? NO Minor

Citation:

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

the entrance of dust, insects, and other contaminants.

NO Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.38(41) 30 TAC Chapter 290, SubChapter D 290.46(m) Failure to maintain intruder resistant fence.

Description:

Self Report? 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? 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.

Classification: Self Report? 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

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.

Classification:

Minor

Self Report? NO Classification: Minor

Citation:

Citation:

30 TAC Chapter 290, SubChapter 5 290.110(c)(4)(A

Des ptio allure a mo corthe asinte canta sidual at release tative lications in a

istribu on s stem a least c celev ly sevi Clā sīfic ion: Self M or epoi

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1) Failure to have pressure tanks inspected annually.

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure to verify well meters calibrations once every three years. Minor

Self Report? Classification:

Citation:

30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to have a monitoring plan.

Self Report? Classification: Minor

Citation:

30 TAC Chapter 2 J, SubC, pter D 290.42(e 5)

Description: Failure to have H Jochlorina on s Julion onto her ample ally covered to prevent

the entrance of dist, insects and there attar nant

Self Report? NO assific ir i: 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.

Classification: Self Report? Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Failure to maintain sample cells in good condition. Description:

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)

Failure to maintain a record of the amount of each chemical used each week. Description:

Self Report? Classification: NO Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Failure to monitor the disinfectant residual at representative locations in the Description:

distribution system at least once every seven days.

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to have pressure tanks inspected annually.

Self Classification: Mino

Report?

30 TAC Chapter 290, Su Chapter D 200 46(s)(1)

Description: Failure to verify well me bra ons or e e ry three years. Self Cla ification: Mino

Report?

Citation:

/ IAC Shap ⊿DCh 90.121(a) 250, er r.

Desc ptio ailure

ha a mor oring lan. Self

epo ?

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

Failure to have Hypochlorination solution container completely covered to prevent Description:

Cla sific ion:

the entrance of dust, insects, and other contaminants.

Self Report? 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 Ν Classification: Mino

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to maintain sample cells in good condition.

# Annendix Bations Conducted During Component Period June 03, 2017 and June 03, 2022

| Item 1 | November 18, 2019** | (1605134) |            |
|--------|---------------------|-----------|------------|
| Item 2 | February 28, 2020** | 629933)   | <b>\</b> / |
| Item 3 | June 09, 2021**     | 723068)   |            |
| Item 4 | September 07, 2021  | (1, 1000) |            |
| Item 5 | November 24, 2021   | (1772342) |            |

<sup>\*</sup> No violations documented during this investigation

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

<sup>\*\*</sup>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                | <b>§</b> |                       |
| OLD TOWN WATER SUPPLY     | <b>§</b> |                       |
| CORPORATION, DAVID HICKS  | <b>§</b> |                       |
| DBA OLD TOWN WATER SUPPLY | <b>§</b> | TEXAS COMMISSION ON   |
| CORPORATION, BEN ADAMS    | <b>§</b> | TEXAS COMMISSION ON   |
| DBA OLD TOWN WATER SUPPLY | <b>§</b> |                       |
| CORPORATION, AND TERRY    | <b>§</b> |                       |
| ADAMS DBA OLD TOWN WATER  | <b>§</b> |                       |
| SUPPLY CORPORATION        | §        |                       |
| RN101459667               | <b>§</b> | ENVIRONMENTAL QUALITY |

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

| On,                            | the Texas Commission on Environmental Quality ("the           |
|--------------------------------|---|
| Commission" or "TCEQ") consid  | lered this agreement of the parties, resolving an enforcement |
| action regarding Old Town Wate | er Supply Corporation, David Hicks dba Old Town Water Supply  |
| Corporation, Ben Adams dba Ol  | d 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 Execu | itive 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).

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- 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).

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- 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).
- 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.

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, 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:

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- 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.

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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 asbuilt 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.
- This Order may be executed in separate and multiple counterparts, which together shall 10. 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**

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

| For the Executive Director  | 8/10/2023<br>Date  |
|---|--|
| I, the undersigned, have read and understand the attached the attached Order, and I do agree to the terms and con acknowledge that the TCEQ, in accepting payment for on such representation.   | nditions specified therein. I further                                |
| I also understand that failure to comply with the Order and/or failure to timely pay the penalty amount, may r  |  |
| <ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications subm</li> <li>Referral of this case to the Attorney General's Off additional penalties, and/or attorney fees, or to a</li> <li>Increased penalties in any future enforcement ac</li> <li>Automatic referral to the Attorney General's Office</li> <li>TCEQ seeking other relief as authorized by law.</li> </ul> | ice for contempt, injunctive relief,<br>collection agency;<br>tions; |
| In addition, any falsification of any compliance documents  |  |
| Signature   | 7-25-23<br>Date  |
| Ben Adams   | President  |
| Name (Printed or typed) Authorized Representative of  | Title  |
| Old Town Water Supply Corporation   | 9-25-23  |
| Signature Hicks   | Date V. PreS+  |
| Name (Printed or typed)<br>Authorized Representative of<br>David Hicks dba Old Town Water Supply Corporation  | Title  |
| $\ \square$ If mailing address has changed, please check this $\ell$  | box and provide the new address below:                               |
| Instructions: Send the original signed Order with negalty navm  | ent to the Financial Administration Division                         |

**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   |
|---|--|
| Cun H   | 8/10/2023  |
| For the Executive Director  | Date   |
| I, the undersigned, have read and understand the atta<br>the attached Order, and I do agree to the terms and co<br>acknowledge that the TCEQ, in accepting payment for<br>on such representation.   | onditions specified therein. I further                             |
| I also understand that failure to comply with the Orde and/or failure to timely pay the penalty amount, may be  | ring Provisions, if any, in this Order result in:                  |
| <ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications subn</li> <li>Referral of this case to the Attorney General's Of additional penalties, and/or attorney fees, or to a Increased penalties in any future enforcement at Automatic referral to the Attorney General's Office.</li> <li>TCEQ seeking other relief as authorized by law.</li> </ul> | fice for contempt, injunctive relief, a collection agency; etions; |
| In addition, any falsification of any compliance docum  | nents may result in criminal prosecution.                          |
| Signature  Beat Holams  Name (Printed or typed)   | Date President Title   |
| Authorized Representative of  |  |
| Ben Adams dba Old Town Water Supply Corporation   | 7/05/03  |
| Terry Adams   | Sec Areasurer  |
| Name (Printed or typed)<br>Authorized Representative of<br>Terry Adams dba Old Town Water Supply Corporation  | Title /  |
| $\Box$ If mailing address has changed, please check to below:   | this box and provide the new address                               |

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