Order Type: 1660 Agreed Order **Findings Order Justification:** N/A Media: PWS Small Business: Yes Location(s) Where Violation(s) Occurred: RDS Opportunity Fund, 1919, 1925, 1927, 1929, 1937, 1941, and 1943 Golden Heights Road, Fort Worth, Tarrant County ("Facility No. 1") 1187 Business Park, 7661 Rendon Bloodworth Road, Mansfield, Tarrant County ("Facility No. 2") **Type of Operation:** Public water supply **Other Significant Matters:** Additional Pending Enforcement Actions: No Past-Due Penalties: No Other: N/A Interested Third-Parties: None Texas Register Publication Date: October 13, 2023 Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,376 Amount Deferred for Expedited Settlement: \$3,075 Total Paid to General Revenue: \$12,301 Total Due to General Revenue: \$0 Payment Plan: N/A Compliance History Classifications: Person/CN - Unclassified Site/RN - N/A Major Source: No Statutory Limit Adjustment: N/A Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): December 6, 2021 **Complaint Information:** Complainant expressed concern over the status as a public water system of several water wells located at the nearby business park. **Date(s) of Investigation:** December 16, 2021 through December 22, 2021 and January 31, 2022 through February 9, 2022 **Date(s) of NOE(s):** March 9, 2022 and April 6, 2022

Violation Information

Facility No. 1:

1. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license [30 TEX. ADMIN. CODE § 290.46(e)(4)(A)].

2. Failed to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection [30 Tex. ADMIN. CODE § 290.42(b)(1) and (e)(3)].

3. Failed to submit well completion data for review and approval prior to placing the Facility's Well Nos. 2 through 7 into service [30 Tex. ADMIN. CODE § 290.41(c)(3)(A)].

4. Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of the new public water supply. Specifically, the Respondent was operating a business which meets the definition of a nontransient, noncommunity public water supply without first obtaining approval [30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1) and TEX. HEALTH & SAFETY CODE § 341.035(a)].

5. Failed to keep on file copies of well completion data for as long as the well remains in service. Specifically, the well completion data for Well No. 1 was not available for review [30 TEX. ADMIN. CODE § 290.46(n)(3)].

Facility No. 2:

1. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license [30 Tex. ADMIN. CODE § 290.46(e)(4)(A)].

2. Failed to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection [30 Tex. ADMIN. CODE § 290.42(b)(1) and (e)(3)].

3. Failed to submit well completion data for review and approval prior to placing the Facility's well into service [30 Tex. ADMIN. CODE § 290.41(c)(3)(A)].

4. Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of the new public water supply. Specifically, the Respondent was operating a business which meets the definition of a nontransient, noncommunity public water supply without first obtaining approval [30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1) and TEX. HEALTH & SAFETY CODE § 341.035(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to, at Facility No. 1:

a. Within 30 days:

i. Begin operating the Facility under the direct supervision of a water works operator who holds a class "D" or higher license; and

ii. Provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 90 days, keep on file copies of well completion data for Well No. 1.

d. Within 105 days, submit written certification to demonstrate compliance with c.

e. Within 180 days:

i. Submit well completion data for review and approval for the Facility's Well Nos. 2 through 7; and

ii. Submit plans and specifications of the public water supply for review and approval.

f. Within 195 days, submit written certification to demonstrate compliance with e.

g. Within 270 days:

i. Obtain approval of the well completion data for Facility's Well Nos. 2 through 7; and

ii. Obtain approval of the plans and specifications for the public water supply.

h. Within 285 days, submit written certification to demonstrate compliance with g.

At Facility No. 2:

a. Within 30 days:

i. Begin operating the Facility under the direct supervision of a water works operator who holds a class "D" or higher license; and

ii. Provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 180 days:

i. Submit well completion data for review and approval for the Facility's well; and

ii. Submit plans and specifications of the public water supply for review and approval.

d. Within 195 days, submit written certification to demonstrate compliance with c.

e. Within 270 days:

i. Obtain approval of the well completion data for Facility's well; and

ii. Obtain approval of the plans and specifications for the public water supply.

f. Within 285 days, submit written certification to demonstrate compliance with e.

Contact Information

TCEQ Attorney: N/A TCEQ Enforcement Coordinator: Ronica Rodriguez Scott, Enforcement Division, Enforcement Team 5, MC R-14, (361) 881-6990; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 **Respondent:** Ron Sturgeon, Managing Partner, RDS Opportunity Fund LLC dba Golden Triangle Business Park, 5940 Eden Drive, Fort Worth, Texas 76117 **Respondent's Attorney:** N/A

REAL OF THE REAL OF	Policy Revi	Pe sion 5 (January 28, 20		Calculatio	n Worksh	eet (PC		vision February 11, 2021
DATES		14-Mar-2022 28-Mar-2022	Screening	14-Mar-2022	EPA Due		1	
DECDO				14-Mai-2022				
	NDENT/FACILI Respondent	RDS Opportunity		ba Golden Triand	le Business Park	(PCW No. 1)		
	g. Ent. Ref. No. ty/Site Region		rth		Major/M	inor Source	Minor	
	NFORMATION							
	f./Case ID No.				No. a	of Violations		
Med	Docket No. lia Program(s)	2022-0305-PWS- Public Water Sup	E plv		Government	Order Type /Non-Profit		
	Multi-Media					Coordinator	Ronica Rodrig Enforcement	
Adr	nin. Penalty \$ L	imit Minimum	\$50	Maximum	\$5,000		LIIIOICement	
			Dona	lty Calcula	tion Sectio	'n		
ΤΟΤΑ	L BASE PENA	LTY (Sum of		•		/11	Subtotal 1	\$5,550
		-		penan	,			+5,000
ADJU		tained by multiplying						
	Compliance His	story		2.0%	Adjustment	Subto	tals 2, 3, & 7	\$111
	Notes	Enhar	cement for	one NOV with di	ssimilar violation	s.		
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
								40
	Notes	The Re	spondent do	bes not meet the	culpability criter	1a.		
	Good Faith Effe	ort to Comply To	otal Adiust	ments			Subtotal 5	\$0
			-					
	Economic Bene	Total EB Amounts	\$4,234		Enhancement* d at the Total EB \$ A	mount	Subtotal 6	\$0
	Estimated	Cost of Compliance	\$17,461			mount		
SUM (OF SUBTOTAI	LS 1-7				F	inal Subtotal	\$5,661
OTHE	R FACTORS A			ITDE	38.7%		Adjustment	\$2,190
Reduces	or enhances the Final	Subtotal by the indic	ated percentage	e.	38.7%		Adjustment	\$2,190
	Notes	Recommended		nt to capture the ted with Violatio	avoided cost of n No. 1.	compliance		
						Final Per	alty Amount	\$7,851
STAT	UTORY LIMIT		т			Final Asse	ssed Penalty	\$7,851
DEFEI	RRAI				20.0%	Reduction	Adjustment	-\$1,570
	the Final Assessed Pe	nalty by the indicated	percentage.		20.0 70	Reduction		φ1,370
	Notes		Deferral offe	ered for expedited	d settlement.			
ΡΑΥΑ	BLE PENALT	(\$6,281

Respondent No. 1) Case ID No. 62094 Policy Revision Februal PCW Revi	Screen	ing Date 14-Mar-2022 Docket No. 2022-0305-PWS-E		
Compliance History Stre Enhancement (Subtotal 2) Number Number Adjust. Component Number of Number of 0 0% Other written NOXs Written notices of violation ("NOVs") with same or similar violations as those in orders tendent enternal enforcement action (number of NOVs meeting oriteria) 1 2% Orders Any agreed final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal orgovernment, or any final prohibitory emergency orders issued by the commission government, or any final prohibitory emergency orders issued by the commission or consent decrees containing a denial of liability, of this state or the federal government (number of judgments or on-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees containing a denial of liability, of this state or the federal government (number of 0 0% Convictions Any criminal convictions of this state or the federal government (number of counts) 0 0% Emissions Chronic excessive emissions events (number of audits conducted undit the trait of this number of audits for which notices were submitted) 0 0% Matitis Exters notifying the executive director of an intended audit conducted undit the orderator disclosed avindit for which notices were submitted)	Cas g. Ent. Refere	e ID No. 62094 ence No. RN111414207 Media Public Water Supply		
Component Number of Number of NUMPER of NUMPER of NUMPER N				
NOVs Written notices of violation ('NUOVs') with same or similar violations as those in 0 0% Other written NOVs 1 2% Other written NOVs 1 2% Orders Any agreed final enforcement orders containing a denial of liability (<i>number of oders meeting criteria</i>) 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 ogovernment, or any final prohibitory emergency orders issued by the commission 0% 0% Judgments, or any final prohibitory emergency orders issued by the commission 0 0% 0% Judgments Any adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of Judgments or consent decrees methous</i> denial of liability, of this state 0 0% Any adjudicated final court judgments or consent decrees without a denial of liability, of this state 0 0% Convictions Any criminal convictions of this state or the federal government (<i>number of counts</i>) 0 0% Emissions Chronic excessive emissions events (<i>number of events</i>) 0 0% 0% Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>) 0%			Number	Adjust.
Any agreed final enforcement orders containing a denial of liability (number of o 0 0% Orders Any agreed final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal 0 0% 0% Judgments and Consent Decrees Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or 0 0% 0% Judgments and Consent Decrees Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or 0 0% 0% Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state 0 0% 0% Convictions Any criminal convictions of this state or the federal government (number of 0 0% 0% Emissions Chronic excessive emissions events (number of events) 0 0% Audits Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0 0% 0% Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0 0% Other Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director N			0	
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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) Repeat Violator (Subtotal 3) Adjustment Percentage (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) Compliance History Person Classification (Subtotal 7) Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary	Other		No	0%
government environmental requirements NO 0% Adjustment Percentage (Subtotal 2) Repeat Violator (Subtotal 3) Adjustment Percentage (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) Compliance History Person Classification (Subtotal 7) Adjustment Percentage (Subtotal 7) Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary Adjustment Percentage (Subtotal 7)			No	0%
Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) Compliance History Person Classification (Subtotal 7) Adjustment Percentage (Subtotal 7) Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary Adjustment Percentage (Subtotal 7)			No	0%
N/A Adjustment Percentage (Subtotal 3) Compliance History Person Classification (Subtotal 7) Adjustment Percentage (Subtotal 7) Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary Adjustment Percentage (Subtotal 7)		-	centage (Sub	ototal 2)
Compliance History Person Classification (Subtotal 7) Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary	-		centage (Sub	ototal 3)
Unclassified Adjustment Percentage (Subtotal 7) Compliance History Summary		,, ,, ,, ,, ,, ,,, , ,, , ,, , ,, , ,, , ,, , ,, , , , , , , , , , , , , , , , , , , ,		
Compliance History Summary			centage (Sub	ototal 7)
Compliance			5 (<i>-</i> _
History Notes	History	Enhancement for one NOV with dissimilar violations.		
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)		Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7)
nal Compliance History Adjustment Final Adjustment Percentage *capped at 100%	al Compliance	History Adjustment		

	Scre	ening Date		ity Fund LLC		iangle Business Park (PCW	·Е	PCW
	R	espondent					Policy	Revision 5 (January 28, 2021)
	C	ase ID No.	62094				PC	W Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN111414207					
			Public Water S					
			Ronica Rodrigu	iez Scott				
	VIOIa	ation Number						1
		Rule Cite(s)		30 Tex	. Admin. Code	e § 290.46(e)(4)(A)		
	Violatio	n Description	Failed to op			e direct supervision of a wa ss "D" or higher license.	ter works	
						E	ase Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	nan Health	n Matrix			
		Release		Harm Moderate				
OR		Actual		Moderale	Minor			
		Potential				Percent 15.0	%	
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor			
						Percent 0.0	%	
								a
	Matrix Notes	license may r	esult in poor pl	ant operation	which could	on of an operator with the a expose persons served by the protective of human health.		
						Adjustment	\$4,250	ı
						Aujustinent	ψη,230	
								\$750
Violatio	on Even	ts						
		Number of V	/iolation Events	2	ז ר	88 Number of violat	ion dave	
				<u>></u>			ion days	
			daily]			
			weekly					
			monthly quarterly	<u> </u>	4	Violation F	ase Penalty	\$2,250
			semiannual		j			φ2/200
			annual					
			single event		<u> </u>			
		Three month	•			om the investigation date o of March 14, 2022.	f December	
Good F	aith Eff	orts to Com	nlv	0.0%			Reduction	\$0
						PRP/Settlement Offer	Reduction	پ 0
			Extraordinary					
			Ordinary					
			N/A	<u> </u>				
			Notes	The Respor		t meet the good faith criteri s violation.	a	
						Violat	ion Subtotal	\$2,250
Econon	nic Bene	efit (EB) for	this violati	on		Statutory Lir	nit Test	
		Estimate	ed EB Amount		\$2,200	Violation Final P	enalty Total	\$3,183
							-	
				I NIS VIOI	ation Final A	ssessed Penalty (adjuste	u ior limits)	\$3,183

	E	conomic	Benefit	Now	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 1	1)	
Case ID No.	62094	-	_		-	-	
Reg. Ent. Reference No.	RN111414207						
	Public Water S	νΙααυ					Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		Dute Required			Interest Suveu		LD Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$100	16-Dec-2021	7-Dec-2023	0.00	\$0 \$10	n/a n/a	\$0 \$10
Other (as needed)	<u>\$100</u>	10-Dec-2021	7-Dec-2023	1.90	<u>\$10</u>	11/ a	<u>\$10</u>
	The delay	ed cost includes t	he estimated an	nount to	o ensure the Facilit	ty is operated unde	r the direct
Notes for DELAYED costs	supervisio	on of an operator	who holds an ap	plicable	e, valid license issu	led by the Executiv	e Director,
		calculated from	the investigation	n date	to the estimated d	ate of compliance.	
Avoided Costs		ALIZE avoided c	osts before en	torina	item (excent for	one-time avoided	(costs)
Disposal				0.00	\$0	\$0	\$0
Personnel	\$9,048	16-Dec-2021	14-Mar-2022	0.24	\$9	\$2,181	\$2,190
Inspection/Reporting/Sampling	<u> </u>			0.00	\$0	\$0	<u>\$0</u>
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						perator who holds a lite to the screening	
	Clas						uate.
Approx. Cost of Compliance		\$2,281			TOTAL		\$2,200
		Ţ _, _ u _					Ţ_/=♥♥]

	Scre	ening Date				ocket No. 2022-0305-PWS-E			PCW
		Respondent		Fund LLC o	dba Golden Tr	iangle Business Park (PCW No.	Deliev	Devision F (1
		Case ID No.							January 28, 2021) February 11, 2021
Reg.			RN111414207				, 0		00/00/9/11/2021
			Public Water Sup	ply					
			Ronica Rodriguez	Scott					
	Viol	ation Number Rule Cite(s)							
		Rule Cite(S)		30 Tex. A	dmin. Code §	290.42(b)(1) and (e)(3)			
	Violatio	n Description				the groundwater supply for the p nd distribution protection.	ourpose of		
	_					Bas	e Penalty		\$5,000
>> Env	/ironme	ntal, Proper	ty and Humar	1 Health Harm	Matrix				
		Release	Major	Moderate	Minor	_			
OR		Actual							
		Potential	X			Percent 15.0%			
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor	Percent 0.0%			
						Percent 0.0%			
	Matrix	Without disinf	fection facilities to	ensure mic	crobiological c	ontrol and proper disinfection of t	he water,		
	Notes	persons serve	ed by the Facility c		posed to conta tive of human	aminants that would exceed level health.	s that are		
						Adjustment	\$4,250		
									+ 7 5 0
							l		\$750
Violatio	on Event	ts							
		Number of V	Violation Events	3		88 Number of violation	davs		
				5			uuyo		
			daily weekly						
			monthly	Х	-				
			quarterly			Violation Bas	e Penalty		\$2,250
			semiannual annual		-				
			single event		j				
		Three month				om the investigation date of Dece March 14, 2022.	mber 16,		
			2021,	to the scre		Harch 14, 2022.			
Good F	aith Effo	orts to Com	ply	0.0%			Reduction		\$0
			Bef	ore NOE/NOV	NOE/NOV to El	DPRP/Settlement Offer			· · ·
			Extraordinary						
			Ordinary N/A	Х					
					dent does not	meet the good faith criteria for			
			Notes			violation.			
						Violation	Subtotal		\$2,250
Econor	nic Bene	efit (EB) for	this violation			Statutory Limit	Test		
					+ 1 0 0				10.405
		Estimat	ed EB Amount		\$139				\$3,183
				This vi	olation Final	Assessed Penalty (adjusted f	or limits)		\$3,183

	E	conomic	Benefit	Woi	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba (Golden Triangle	Busine	ss Park (PCW No. 1	1)	
Case ID No.	62094						
Reg. Ent. Reference No.	RN111414207						
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		Date Required	That Date	115	Interest Saved	COSIS Saveu	LD Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	16-Dec-2021	7-Dec-2023	1.98	\$7	\$132	\$139
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
				•		acilities for microbi	_
Notes for DELAYED costs	and distr	ibution protection	, calculated fror			ation to the estimat	ed date of
				complia	ance.		
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
							· · 1
Approx. Cost of Compliance		\$1,000			TOTAL		\$139

	Scre	ening Date				ocket No. 2022-0305-PWS-E			PCW
		Respondent		ty Fund LLC d	ba Golden Tri	iangle Business Park (PCW No.	Policy	Pavision 5 (January 28, 2021)
		Case ID No.							February 11, 2021
Reg.			RN111414207						00/00/01/2021
			Public Water Su	upply					
	Enf. C	Coordinator	Ronica Rodrigu	ez Scott					
	Viol	ation Number						ล	
		Rule Cite(s)		30 Te	x. Admin. Coo	de § 290.41(c)(3)(A)			
	Violatio	n Description	Failed to sub			r review and approval prior to plac through 7 into service.	cing the		
						Base	Penalty		\$5,000
>> Env	vironme	ntal, Proper	ty and Hum		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual		Moderate	MITIO				
		Potential				Percent 0.0%			
						-			
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor				
			x			Percent 10.0%			
								ิล	
	Matrix Notes		Greater t	han 70% of t	he rule requir	rements were not met.			
						Adjustment	\$4,500		
									\$500
Violatio	on Event	+c							
Violatic		15							
		Number of V	violation Events	1] [88 Number of violation o	lays		
			daily weekly monthly quarterly semiannual annual single event			Violation Base	e Penalty		\$500
				One single	event is reco	mmended.			
Good F	aith Effo	orts to Com		0.0%			Reduction		\$0
			Extraordinary		NOE/NOV to EE	DPRP/Settlement Offer			
			Ordinary						
			N/A						
			Notes	The Respond		meet the good faith criteria for violation.			
						Violation	Subtotal		\$500
Econon	nic Bene	efit (EB) for	this violatio	on		Statutory Limit	Test		
		Estimat	ed EB Amount		\$1,206	Violation Final Pena	ity Total		\$707
				This			-		
					plation Final	Assessed Penalty (adjusted for	or limits)		\$707

	E	conomic	Benefit	Nor	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 1	1)	
Case ID No.	62094						
Reg. Ent. Reference No.	RN111414207						
	Public Water S					Deveent Teteveet	Years of
Violation No.	3					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	+0.000			0.00	\$0	n/a	\$0
Other (as needed)	\$9,000	16-Dec-2021	20-Aug-2024	2.68	\$1,206	n/a	\$1,206
	The delayed c	ost includes the e	stimated amour	nt to cor	npile well complet	ion data and submi	t it for approval
Notes for DELAYED costs						nvestigation date to	
	for the ruent,				npliance.		
					·		
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoide	-
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling		<u> </u>		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0	<u>\$0</u> \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
other (as needed)		JIJI		0.00	\$ 0	3 0	30
Notes for AVOIDED costs							
		+0.000			TOTAL		+1 200
Approx. Cost of Compliance		\$9,000			TOTAL		\$1,206

	Screening	g Date	14-Mar-2022				2022-0305-PWS-E			PCW
	Desno	ondent		ty Fund LLC d	ba Golden Tr	iangle Busine	ess Park (PCW No.	Policy	Povicion E (January 28, 2021)
		ID No.	-							February 11, 2021
Rea. E	Ent. Referen							10		<i>CDruary</i> 11, 2021
J			Public Water Su	ylqqu						
			Ronica Rodrigu							
	Violation I		4						_	
	Rule	Cite(s)	30 Tex. Admi	n. Code § 290			Tex. Health & Safet	y Code §		
					341.	035(a)				
	Violation Des	cription	approval prior Respondent w	r to the constr as operating a	ruction of the business wh	e new public v nich meets th	utive Director for revater supply. Specifi e definition of a non st obtaining approva	cally, the transient,		
							Bas	e Penalty		\$5,000
>> Envi	ronmental,	Proper	ty and Hum		Matrix					
		Dolonas	Major	Harm Moderate	Minor					
OR		Release Actual	Major	Moderate	Minor	1				
	I	Potential				j	Percent 0.0%			
						-				
>>Prog	rammatic Ma		Majar	Madarata	Minor					
	Faisi	fication	Major x	Moderate	Minor	ז	Percent 10.0%			
			^			<u>1</u>	10.0 /0		_	
	Matrix Notes		10	0% of the rule	e requirement			+4 500		
						Adj	ustment	\$4,500	1	
										\$500
Violatio	n Events									
VIOIALIO										
	Nur	mber of \	/iolation Events	1		88	Number of violation	days		
			daily weekly monthly quarterly semiannual annual single event				Violation Bas	e Penalty		\$500
				One single	event is reco	ommended.				
Good Fa	ith Efforts t	o Comp	-	0.0%				Reduction		\$0
			Extraordinary	Before NOE/NOV	NOE/NOV to EI	DPRP/Settlement	t Offer			
			Ordinary							
			N/A							
			Notes			t meet the go violation.	od faith criteria for			
							Violation	n Subtotal		\$500
Econom	ic Benefit (E	EB) for	this violatio	n			Statutory Limit	Test		
		Estimate	ed EB Amount		\$670] \	/iolation Final Pen	alty Total		\$707
				This vio	olation Final	Assessed P	enalty (adjusted	for limits)		\$707
									L	Ψ/0/

	E	conomic	Benefit	Now	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 1	1)	
Case ID No.	62094		-				
Reg. Ent. Reference No.	RN111414207						
	Public Water S	upply					Years of
Violation No.		app.)				Percent Interest	Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Them Decemination	Item Cost	Date Required	Fillal Date	IIS	Interest Saveu	Cosis Saveu	ED AMOUNT
Item Description							
Delayed Ceste							
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	\$5,000	16-Dec-2021	20 44 - 2024	0.00	\$0 #670	n/a	\$0 #670
Other (as needed)	\$5,000	16-Dec-2021	20-Aug-2024	2.68	\$670	n/a	\$670
Notes for DELAYED costs						ns-built plans and sp ne estimated date o	
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	<u>\$0</u> \$0	<u>\$0</u> \$0	<u>\$0</u> \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0	<u>\$0</u> \$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$670

	ning Date	14-Mar-2022			et No. 2022-0305-PWS-E		PCW
Do	spondent		ty Fund LLC dl	ba Golden Triangl	e Business Park (PCW No.	Deliev Devi	sion 5 (January 28, 2021)
	se ID No.						evision February 11, 2021
Reg. Ent. Refe						FCW Ke	Wision rebruary 11, 2021
		Public Water S					
Enf. Co		Ronica Rodrigu					
	ion Number		1				
F	Rule Cite(s)	1	30 Tr	ex. Admin. Code §	§ 290.46(n)(3)		
Violation	Description	Code § 290.4	ep on file copies 1(c)(3)(A) for	s of well completion as long as the we	on data as defined in 30 Tex. Adr ell remains in service. Specifically was not available for review.		
					Base Pe	nalty	\$5,000
>> Environment	al, Proper	rty and Hum	an Health I	Matrix			
		_	Harm				
OR	Release Actual		Moderate	Minor			
	Potential				Percent 0.0%		
>>Programmation		N .		M			
	Falsification	Major	Moderate	Minor x	Percent 1.0%		
		<u></u>	<u></u>				
Matrix Notes		Less th	ian 30% of the	e rule requirement	ts were not met.		
					Adjustment \$	4,950	
					Aujustment	4,930	
							\$50
Violation Events							
	Number of '	Violation Events	; 1		88 Number of violation days	5	
		ما ہ تا ہ		1			
		daily weekly					
		monthly					
		quarterly					
					Violation Base Pe	nalty	\$50
		semiannual			Violation Base Pe	enalty	\$50
		annual			Violation Base Pe	enalty	\$50
					Violation Base Pe	nalty	\$50
		annual				nalty	\$50
		annual	X One single	event is recomme		enalty	<u></u> \$50
		annual	 One single	event is recomme		enalty	\$50
Good Faith Effor	ts to Com	annual single event	One single		ended.	enalty	
Good Faith Effort	ts to Com	annual single event	0.0% Before NOE/NOV		ended. Redu		
Good Faith Effort	ts to Com	annual single event ply Extraordinary	0.0% Before NOE/NOV		ended. Redu		
Good Faith Effort	ts to Com	annual single event ply Extraordinary Ordinary	0.0% Before NOE/NOV		ended. Redu		
Good Faith Effort	ts to Com	annual single event ply Extraordinary	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer		
Good Faith Effort	ts to Com	annual single event ply Extraordinary Ordinary	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer		
Good Faith Effort	ts to Com	annual single event ply Extraordinary Ordinary N/A	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer		
Good Faith Effort	ts to Com	annual single event ply Extraordinary Ordinary N/A	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer the good faith criteria for ation.	uction	\$0
Good Faith Effor	ts to Com	annual single event ply Extraordinary Ordinary N/A	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer	uction	\$0
Good Faith Effort		annual single event ply Extraordinary Ordinary N/A Notes	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer the good faith criteria for ation.	uction	\$0
	t (EB) for	annual single event	0.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer the good faith criteria for ation. Violation Sul Statutory Limit Tes	uction btotal	\$0
	t (EB) for	annual single event ply Extraordinary Ordinary N/A Notes	O.0% Before NOE/NOV	NOE/NOV to EDPRP/S	ended. Redu Settlement Offer et the good faith criteria for ation. Violation Sul	ototal st Total	\$50 \$0 \$50 \$50 \$71 \$71

	E	conomic	Benefit	Wor	ksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 1	1)	
Case ID No.	62094						
Reg. Ent. Reference No.	RN111414207						
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
	_					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		Dute Requireu					
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		<u> </u>		0.00	\$0	\$0	\$0
Land Record Keeping System	\$180	16-Dec-2021	2-Feb-2024	0.00	<u>\$0</u> \$19	n/a n/a	\$0 \$19
Training/Sampling	<u> </u>		2-1-60-2024	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs		calculated from	the investigation	on date	to the estimated d	completion data at tate of compliance.	
Avoided Costs	ANNU	ALIZE avoided c	<u>osts before en</u>		<u> </u>	one-time avoided	-
Disposal				0.00	\$0	\$0	\$0
Personnel		<u> </u>		0.00	\$0 ¢0	\$0 #0	\$0 ¢0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	<u>\$0</u> \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$180			TOTAL		\$19

REAL PROPERTY OF COMMISSION	Policy Rev	Pe ision 5 (January 28, 2		alculation	n Worksh	ieet (PC		vision February 11, 2021
DATES		11-Apr-2022	Sereening	19 Apr 2022	EPA Due			
		22-Apr-2022		18-Apr-2022	EPA Due			
RESPO		TY INFORMATI RDS Opportunity		a Golden Trian	nle Business Par	k (PCW No 2	2)	
	. Ent. Ref. No.	RN111452421			-	-		
Facili	ty/Site Region	4-Dallas/Fort Wo	orth		Major/Mi	inor Source	Minor	
	NFORMATION	62004			NI-	6) /! - l - t.'	4	
En	f./Case ID No. Docket No.	62094 2022-0305-PWS	-E			f Violations Order Type		
Med	ia Program(s)	Public Water Sup			Government,	/Non-Profit	No	
	Multi-Media				Ent. C		Ronica Rodrigu Enforcement T	
Adn	nin. Penalty \$ L	.imit Minimum	\$50	Maximum	\$5,000			
			Donalt	v Calculat	tion Sectio	n		
τοται	BASE DENA	LTY (Sum of		•		/11	Subtotal 1	\$5,500
		-		buse penare			Subtotal	45,500
ADJUS	STMENTS (+, Subtotals 2-7 are of	/-) TO SUBT(otained by multiplying	DTAL 1	Penalty (Subtotal 1) by the indicated p	ercentage.		
	Compliance Hi			2.0%	Adjustment		tals 2, 3, & 7	\$110
	Notes	Enhan	cement for o	ne NOV with dis	similar violatior	IS.		
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent doe	es not meet the	culpability crite	ria.		
	Good Faith Eff	ort to Comply T	otal Adjustn	nents			Subtotal 5	\$0
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts Cost of Compliance	\$2,883 \$9,509		l at the Total EB \$ A	mount		
SUM (OF SUBTOTA	LS 1-7				Fi	inal Subtotal	\$5,610
		S JUSTICE M			34.1%		Adjustment	\$1,915
	Notes	Recommended	enhancement			compliance		
						Final Pen	alty Amount	\$7,525
STATI	JTORY LIMIT		IT			Final Asses	ssed Penalty	\$7,525
DEFER					20.0%	Reduction	Adjustment	-\$1,505
Reduces t	he Final Assessed Pe	enalty by the indicate	d percentage.					
	Notes	Γ	Deferral offere	ed for expedited	l settlement.			
PAYA	BLE PENALT	1						\$6,020

Screen	ing Date 18-Apr-2022 Docket No. 2022-0305-PWS-E		Р
Cas eg. Ent. Refer	RDS Opportunity Fund LLC dba Golden Triangle Business Park (PCWSpondentNo. 2)Se ID No.62094ence No.RN111452421MediaPublic Water SupplyordinatorRonica Rodriguez Scott		ion 5 (January 28, vision February 11
	Compliance History Worksheet		
Compliance Hist Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	1	2%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<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	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Pere	centage (Sub	total 2) 📃
Repeat Violator		centage (Sub	total 3)
· · · · · ·	ory Person Classification (Subtotal 7)		
Unclass Compliance Hist		centage (Sub	total 7)
Compliance Compliance History Notes	Enhancement for one NOV with dissimilar violations.		
	Total Compliance History Adjustment Percentage (S	Subtotals 2	3, & 7)
inal Compliance	History Adjustment		
	Final Adjustment Percenta	age *canned	at 100%

	Scre	ening Date		ity Fund LLC		iangle Business				PCW
	R	espondent				langle Dusiness		Policy F	Revision 5 (Ja	anuary 28, 2021)
	С	ase ID No.	62094					PCV	V Revision Fe	ebruary 11, 2021
Reg. E	nt. Ref	erence No.	RN111452421							
			Public Water S							
			Ronica Rodrigu	uez Scott						
	viola	tion Number								
		Rule Cite(s)		30 Tex	k. Admin. Code	e § 290.46(e)(4))(A)			
	Violatior	n Description	Failed to o	•	•	e direct supervis ss "D" or higher	sion of a water w · license.	orks		
							Base	Penalty		\$5,000
>> Envi	ironmei	ntal, Prope	rty and Hun	nan Health	n Matrix					
		Release	Major	Harm Moderate	Minor					
OR		Actual	Major	Moderate	MIIIO					
		Potential	x			Perce	ent 15.0%			
>>Prog	ramma	tic Matrix								
~~nog	ranna	Falsification	Major	Moderate	Minor					
						Perce	ent 0.0%			
	1	E . 11								
	Matrix Notes	license may r	esult in poor pl	lant operation	n which could e		r with the approp served by the Fa nan health.			
						Adjustm	ent	\$4,250		
										\$750
								1		\$7.50
Violatio	n Event	ts								
		Number of V	iolation Events	3		77 Numt	per of violation d	ays		
			daily weekly							
			monthly	x	5					
			quarterly				Violation Base	Penalty		\$2,250
			semiannual annual		-					
			single event							
		Three month	•			om the investiga April 18, 2022.	tion date of Janu	ary 31,		
	l									
Good Fa	ith Effo	orts to Com		0.0%				eduction		\$0
			Extraordinary		NOE/NOV to ED	PRP/Settlement Offe	er			
			Ordinary							
			N/A							
			Notes	The Respo		t meet the good violation.	faith criteria			
							Violation S	ubtotal		\$2,250
Econom	ic Bene	efit (EB) for	this violati	on		Stat	tutory Limit 1	ſest		
			ed EB Amount		¢1 024		_			40 070
		csumate			\$1,924		ion Final Penal			\$3,078
				This viol	ation Final As	ssessed Penalt	ty (adjusted for	limits)		\$3,078

	E	conomic	Benefit	Woi	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 2	2)	
Case ID No.	62094						
Reg. Ent. Reference No.	RN111452421						
	Public Water S						Years of
Violation No.		,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$100	31-Jan-2022	7-Dec-2023	0.00	<u>\$0</u> \$9	n/a n/a	<u>\$0</u> \$9
other (as needed)	<u> </u>	<u>31-Jaii-2022</u>	7-Dec-2023	1.05	<u> </u>	11/ a	<u>4</u> 9
	The delay	ed cost includes t	he estimated an	nount to	o ensure the Facili	ty is operated under	r the direct
Notes for DELAYED costs	supervision of	an operator who	holds an applica	able, va	lid license by the E	Executive Director, o	calculated from
					stimated date of co		
Avaided Cente		ALTZE avaided a	osta hafava an		item (eveent fer	one time sucides	
Avoided Costs	ANNU	ALIZE avoided C	osts before en			one-time avoided	
Disposal Personnel	\$9,048	31-Jan-2022	18-Apr-2022	0.00	\$0 \$6	<u>\$0</u> \$1,909	<u>\$0</u> \$1,915
Inspection/Reporting/Sampling	\$9,040	51-Jan-2022	18-ADI-2022	0.21	\$0	<u>\$1,909</u> \$0	\$1,915 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs						perator who holds a te to the screening	a minimum of a
Approx. Cost of Compliance		\$2,009			TOTAL		\$1,924

	Scre	ening Date	18-Apr-2022		Do	cket No. 2022-0305-PWS-E			PCW
	_	. . .		ty Fund LLC c	lba Golden Tri	angle Business Park (PCW No.			
		lespondent	-						anuary 28, 2021)
Deg		Case ID No.					PCV	V Revision F	ebruary 11, 2021
Reg. I	ent. Kei		RN111452421 Public Water Su	upply					
	Enf. C		Ronica Rodrigu						
		ation Number							
		Rule Cite(s)		30 Tex A	dmin Code 8	290.42(b)(1) and (e)(3)			
	Violatio	n Description	Failed to provid	de disinfectio	n facilities for	the groundwater supply for the p nd distribution protection.	urpose of		
						Base	e Penalty		\$5,000
>> Envi	ironmer	ntal, Proper	ty and Huma		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual							
		Potential	X			Percent 15.0%			
	ramma	tic Matrix							
~~riog	amma	Falsification	Major	Moderate	Minor				
						Percent 0.0%			
	Matrix Notes			/ could be exp		ontrol and proper disinfection of t minants that would exceed levels health.			
						Adjustment	\$4,250		
							г		\$750
									\$750
Violatio	n Event	S							
		Number of \	/iolation Events	3		77 Number of violation	lavs		
				5			lays		
			daily weekly monthly quarterly semiannual annual single event	X		Violation Base	e Penalty		\$2,250
		Three mont	hly events are r	ecommended	, calculated from	om the investigation date of Janu	ary 31,		
						April 18, 2022.			
Good Fa	aith Effo	orts to Com	ply	0.0%	0	I	Reduction		\$0
			Extraordinary Ordinary N/A Notes	X	dent does not	meet the good faith criteria for violation.			
						Violation	Subtotal		\$2,250
Econom	ic Bene	fit (EB) for	this violatio	n		Statutory Limit	Test		
		Estimate	ed EB Amount		\$129	Violation Final Pena	lty Total		\$3,078
				This vi	olation Final	Assessed Penalty (adjusted for	or limits)		\$3,078

	E	conomic	Benefit	Woi	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 2	2)	
Case ID No.	62094	-	-		-	-	
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		appi,				Percent Interest	Depreciation
violation No.	2					5.0	
	Thomas Count	Data Danuinad	Final Data	Vera	Testava et Caucad		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs		1					
Equipment				0.00	\$0	\$0	\$0
Buildings	±1.000	21 1 2022	7 0 2022	0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	31-Jan-2022	7-Dec-2023	1.85	\$6	\$123	\$129
Engineering/Construction				0.00	\$0 \$0	\$0 n/a	\$0
Land				0.00	\$0		\$0 \$0
Record Keeping System Training/Sampling				0.00	\$0	n/a n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	and distr	ibution protection	, calculated fror	n the da complia	ate of the investiga ance.	acilities for microbi ation to the estimat	ed date of
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling		<u> </u>		0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	<u> </u>	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)		¦		0.00	\$0	<u> </u>	\$0
Notes for AVOIDED costs						ΨŪ	U
Approx. Cost of Compliance		\$1,000			TOTAL		\$129

	Scre	ening Date				cket No. 2022-0305-PWS-E		PCW
	-	Dessendent		y Fund LLC dl	ba Golden Tria	ngle Business Park (PCW No.	. "	
		Respondent Case ID No.						<i>Revision 5 (January 28, 2021)</i> <i>W Revision February 11, 2021</i>
Rea.		ference No.						w Revision rebruary 11, 2021
negi			Public Water Su	עוממו				
	Enf. C		Ronica Rodrigue					
	Viola	ation Number						a
		Rule Cite(s)		30 Te>	. Admin. Code	e§290.41(c)(3)(A)		
	Violatio	n Description	Failed to subr	nit well compl	etion data for Facility's well	review and approval prior to p into service.	lacing the	
						Ba	se Penalty	\$5,000
>> Env	vironme	ntal, Proper	ty and Huma	an Health I	Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual	Major	Moderate	Minor			
		Potential				Percent 0.0%	D	
		tic Matuix						
>>Pi0g	grannia	tic Matrix Falsification	Major	Moderate	Minor			
			x			Percent 10.0%	D	
								1
	Matrix Notes		100	0% of the rule	e requirements	were not met.		
						Adjustment	\$4,500]
								\$500
	_							
Violatio	on Event	ts						
		Number of V	/iolation Events	1		77 Number of violatio	n days	
			daily weekly monthly quarterly semiannual annual single event			Violation Ba	se Penalty	\$500
				One single	event is recom	imended.		
Good Fa	aith Effo	orts to Com	_	0.0%			Reduction	\$0
			Extraordinary	Before NOE/NOV	NOE/NOV to EDP	RP/Settlement Offer		
			Ordinary					
			N/A	Х			=	
			Notes	The Respond		neet the good faith criteria for iolation.		
						Violatic	on Subtotal	\$500
Econom	nic Bene	efit (EB) for	this violatio	n		Statutory Limi	t Test	
		Estimat	ed EB Amount		\$192	Violation Final Pe	nalty Total	\$684
							-	
				This vio	olation Final A	Assessed Penalty (adjusted	for limits)	\$684

	E	conomic	Benefit	Nor	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 2	2)	
Case ID No.	62094		-				
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		app.)				Percent Interest	Depreciation
	5					5.0	
	Thom Cost	Date Required	Final Date	Vre	Interest Saved	Costs Saved	EB Amount
These Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	ED Amount
Item Description							
Delawed Cente							
Delayed Costs][]		0.00	¢0	¢O	¢O
Equipment Buildings				0.00	\$0 \$0	\$0 \$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			20.4 2024	0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	31-Jan-2022	20-Aug-2024	2.55	\$192	n/a	\$192
Notes for DELAYED costs						ion data and submites timated date of co	
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 \$0	\$0 \$0
Other (as needed)				0.00	<u>\$</u> U	<u> </u>	<u>\$0</u>
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,500			TOTAL		\$192

	Scre	ening Date					2022-0305-PWS-E			PCW
		Respondent		y Fund LLC d	ba Golden Tri	iangle Busin	ess Park (PCW No.	Policy	Povicion E (January 28, 2021)
		Case ID No.	-							February 11, 2021
Reg.		ference No.						, .		<i>Cordary</i> 11, 2021
			Public Water Su	vlaa						
	Enf. (Ronica Rodrigue							
		ation Number	4						_	
		Rule Cite(s)	30 Tex. Admii	n. Code § 290			d Tex. Health & Safet	ty Code §		
					341.0	035(a)				
	Violatio	n Description	approval prior Respondent wa	to the constr as operating a	uction of the business wh	new public nich meets th	cutive Director for re water supply. Specif he definition of a nor irst obtaining approv	ically, the ntransient,		
							Bas	se Penalty		\$5,000
>> Env	vironme	ntal, Proper	ty and Huma		Matrix					
		Deless	Maiar	Harm Moderate	Minor					
OR		Release Actual		Moderate	Minor	1				
•		Potential					Percent 0.0%	1		
						9		•		
>>Prog	gramma	tic Matrix								
		Falsification	Major x	Moderate	Minor	7	Percent 10.0%	1		
							10.0%	1		
	Matrix Notes		100)% of the rule	e requirement		met. justment	¢4 500		
						Au	justment	\$4,500	1	
										\$500
Violatio	on Event	łc								
Violatio			-				_			
		Number of V	Violation Events	1		77	Number of violation	days		
			daily weekly monthly quarterly semiannual annual single event	X			Violation Bas	se Penalty		\$500
				One single	event is reco	ommended.				
Good Fa	aith Effo	orts to Com		0.0%				Reduction		\$0
			Extraordinary	Before NOE/NOV	NOE/NOV to EE	DPRP/Settlemer	nt Offer 1			
			Ordinary							
			N/A	Х			1			
			Notes	The Respond		meet the go violation.	ood faith criteria for			
							Violatio	n Subtotal		\$500
Econom	nic Bene	efit (EB) for	this violatio	n			Statutory Limit	t Test		
		Estimat	ed EB Amount		\$638]	Violation Final Per	alty Total		\$684
				This vis			Penalty (adjusted	for limite)		\$684
					nauvii riiidi	~>>=>>EU	renaity (aujusted	ior mints)		φ 004

	E	conomic	Benefit	Woi	rksheet		
Respondent	RDS Opportun	ity Fund LLC dba	Golden Triangle	Busine	ss Park (PCW No. 2	2)	
Case ID No.	62094						
Reg. Ent. Reference No.	RN111452421						
	Public Water S	upply				D	Years of
Violation No.		,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		2410 110441104					
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	¢E 000	21 Jan 2022	20-Aug-2024	0.00	\$0 #628	n/a	\$0
Other (as needed)	\$5,000	31-Jan-2022	20-Aug-2024	2.55	\$638	n/a	\$638
Notes for DELAYED costs					•	s-built plans and sp ne estimated date o	
Avoided Costs	ANNU	ALIZE avoided c	osts before en	terina	item (except for	one-time avoided	costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	-			0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$638

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Compliance History Report

Compliance History Report for CN605350289, RN111414207, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

components nom s	September 1, 2017, through August 51, 202	.2.	
Customer, Respondent, or Owner/Operator:	CN605350289, RDS Opportunity Fund LLC	Classification: UNCLASSIFIE	D Rating:
Regulated Entity:	RN111414207, RDS OPPORTUNITY FUND	Classification: NOT APPLICA	ABLE Rating: N/A
Complexity Points: CH Group:	N/A 14 - Other	Repeat Violator: N/A	
Location: TCEQ Region:	at 1919, 1925, 1927, 1929, 1937, 1941, a REGION 04 - DFW METROPLEX	and 1943 Golden Heights Road in F	ort Worth, Tarrant County, Texas
ID Number(s): PUBLIC WATER SYSTEM/S	UPPLY REGISTRATION 2200378		
Compliance History Peri	od: September 01, 2017 to August 31, 20	22 Rating Year: 2022	Rating Date: 09/01/2022
Date Compliance History	y Report Prepared: July 07, 2023		
Agency Decision Requir	ing Compliance History: Enforceme	nt	
Component Period Selec	cted: July 07, 2018 to July 07, 2023		
TCEQ Staff Member to C	ontact for Additional Information F	Regarding This Compliance H	History.
Name: Ronica Rodrigu	ez Scott	Phone: (361) 881-699) 0
2) Has there been a (known)	nce and/or operation for the full five-year concerned on the site du change in ownership/operator of the site du	ring the compliance period?	NO NO
Components (Multime	edia) for the Site Are Listed in S	Sections A - J	
A. Final Orders, court j N/A	udgments, and consent decrees:		
B. Criminal convictions N/A	:		
C. Chronic excessive en N/A	nissions events:		
D. The approval dates o N/A	of investigations (CCEDS Inv. Track	κ. No.):	

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

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

01/11/2023 Date: (1853424) Self Report? NO Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(A)(ii) Citation: Failure to provide a minimum pressure tank capacity of 220 gallons on each Description: pressure plane. EIC C7 MOD(2)(G) Self Report? NO Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.46(n)(2) Citation: Description: Failure to maintain a map of the distribution system. EIC B3 MOD(2)(B)

Self Report? Citation:	NO 30 TAC Chapter 290, SubChapter F 290.1	Classification: 09(d)(6)	Moderate
Description:	Failure to maintain a Sample Siting Plan. I		Mala
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.1	09(d)(1)(A)	
Description:	Failure to collect bacteriological samples t throughout the distribution system. EIC B	•	ive of water quality
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.1	10(c)(4)	
	30 TAC Chapter 290, SubChapter F 290.1	10(c)(4)(A)	
Description:	Failure to monitor the disinfectant residua the distribution system. EIC B1 MOD(2)(A		locations throughout
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.4	6(v)	
Description:	Failure to ensure that all electrical wiring i national electrical code. EIC C4 MIN(3)(D)		liance with local and

- F. Environmental audits: N/A
- G. Type of environmental management systems (EMSs): $_{\mbox{$N/A$}}$
- H. Voluntary on-site compliance assessment dates: $_{\mbox{N/A}}$
- I. Participation in a voluntary pollution reduction program: $N\!/\!A$
- J. Early compliance:

N/A

Sites Outside of Texas:

N/A

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Compliance History Report

Compliance History Report for CN605350289, RN111452421, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer Pesnondent	CN605350289, RDS Opportunity Fund LL	C Classification: UNCLASS	FIED Rating:	
or Owner/Operator:	CN605550269, KDS Opportunity Fund LL			
Regulated Entity:	RN111452421, 1187 BUSINESS PARK	Classification: NOT APPL	ICABLE Rating: N/A	
Complexity Points:	N/A	Repeat Violator: N/A		
CH Group:	14 - Other			
Location:	1187 Business Park located at 7661 Rendon Bloodworth Road in Mansfield, Tarrant County, Texas			
TCEQ Region:	REGION 04 - DFW METROPLEX			
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2200380				
Compliance History Peri	iod: September 01, 2017 to August 31, 2	022 Rating Year: 2022	Rating Date: 09/01/2022	
Date Compliance History Report Prepared: July 07, 2023				
Agency Decision Requiring Compliance History: Enforcement				
Component Period Selected: July 07, 2018 to July 07, 2023				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.				
Name: Ronica Rodrigu	lez Scott	Phone: (361) 881-	6990	
Site and Owner/Operator History:				
1) Has the site been in existence and/or operation for the full five-year compliance period?NO2) Has there been a (known) change in ownership/operator of the site during the compliance period?NO				
<u>Components (Multimedia) for the Site Are Listed in Sections A - J</u>				
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				
A notice of violation representation representation regulated entity. A notice 1 Date: 01, Self Report? Citation:	30 TAC Chapter 290, SubChapter D 290	a specific regulatory requiremen tion, nor proof that a violation ha Classification: Moderate 0.45(d)(2)(A)(ii)	as actually occurred.	
Description:	Failure to provide a minimum pressure EIC C7 MOD(2)(G)	. , .		
Self Report? Citation:	NO 30 TAC Chapter 290, SubChapter D 290	Classification: Moderate		
Description:	Failure to maintain a map of the distribution			

Description:Failure to maintain a map of the distribution system. EIC B3 MOD(2)(B)Self Report?NOClassification:Moderate

Citation:	30 TAC Chapter 290, SubChapter F 290.109(d)(6)
Description:	Failure to maintain a Sample Siting Plan. EIC B3 MOD (2)(B)
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.109(d)(1)(A)
Description:	Failure to collect bacteriological samples that are representative of water quality
	throughout the distribution system. EIC B1 MOD(2)(A)
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)
	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Description:	Failure to monitor the disinfectant residual at representative locations throughout
	the distribution system. EIC B1 MOD(2)(A)
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)
Description:	Failure to ensure that all electrical wiring is installed in compliance with local and
	national electrical code. EIC C4 MIN(3)(D)

F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- H. Voluntary on-site compliance assessment dates: $_{\mbox{N/A}}$
- I. Participation in a voluntary pollution reduction program: $_{\mbox{N/A}}$
- J. Early compliance: N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



§

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING RDS OPPORTUNITY FUND LLC DBA GOLDEN TRIANGLE BUSINESS PARK RN111414207 AND RN111452421 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0305-PWS-E

I. JURISDICTION AND STIPULATIONS

On ______, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding RDS Opportunity Fund LLC dba Golden Triangle Business Park (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates public water supplies that provide water for human consumption, have approximately 100 and 22 service connections, respectively, and serve at least 25 people per day for at least 60 days per year (the "Facilities"):
 - a. RDS Opportunity Fund located at 1919, 1925, 1927, 1929, 1937, 1941, and 1943 Golden Heights Road in Fort Worth, Tarrant County, Texas ("Facility No. 1"); and
 - b. 1187 Business Park located at 7661 Rendon Bloodworth Road in Mansfield, Tarrant County, Texas ("Facility No. 2").

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

- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. WATER CODE § 7.002 and Tex. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. WATER CODE § 5.013 and Tex. HEALTH & SAFETY CODE § 341.031 because it alleges violations of Tex. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$15,376 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,301 of the penalty and \$3,075 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this

Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS:

- 1. During an investigation at Facility No.1 conducted on December 16, 2021 through December 22, 2021, an investigator documented that the Respondent:
 - a. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(4)(A).
 - b. Failed to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection, in violation of 30 Tex. ADMIN. CODE § 290.42(b)(1) and (e)(3).
 - c. Failed to submit well completion data for review and approval prior to placing the Facility's Well Nos. 2 through 7 into service, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(A).
 - d. Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of the new public water supply, in violation of 30 Tex. ADMIN. CODE § 290.39(e)(1) and (h)(1) and Tex. HEALTH & SAFETY CODE § 341.035(a). Specifically, the Respondent was operating a business which meets the definition of a nontransient, noncommunity public water supply without first obtaining approval.
 - e. Failed to keep on file copies of well completion data as defined in 30 TEX. ADMIN. CODE § 290.41(c)(3)(A) for as long as the well remains in service, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3). Specifically, the well completion data for Well No. 1 was not available for review.

- 2. During an investigation at Facility No. 2 conducted on January 31, 2022 through February 9, 2022, an investigator documented that the Respondent:
 - a. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(4)(A).
 - b. Failed to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection, in violation of 30 Tex. ADMIN. CODE § 290.42(b)(1) and (e)(3).
 - c. Failed to submit well completion data for review and approval prior to placing the Facility's well into service, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(A).
 - d. Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of the new public water supply, in violation of 30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1) and TEX. HEALTH & SAFETY CODE § 341.035(a). Specifically, the Respondent was operating a business which meets the definition of a nontransient, noncommunity public water supply without first obtaining approval.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: RDS Opportunity Fund LLC dba Golden Triangle Business Park, Docket No. 2022-0305-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements at Facility No. 1:
 - a. Within 30 days after the effective date of this Order:
 - i. Begin operating the Facility under the direct supervision of a water works operator who holds a class "D" or higher license, in accordance with 30 Tex. ADMIN. CODE § 290.46; and

- ii. Provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection, in accordance with 30 Tex. ADMIN. CODE § 290.42.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i and 2.a.ii.
- c. Within 90 days after the effective date of this Order, keep on file copies of well completion data for Well No. 1 as defined in 30 Tex. ADMIN. CODE § 290.41(c)(3)(A), in accordance with 30 Tex. ADMIN. CODE § 290.46.
- d. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.
- e. Within 180 days after the effective date of this Order:
 - i. Submit well completion data for review and approval for the Facility's Well Nos. 2 through 7, in accordance with 30 Tex. ADMIN. CODE § 290.41. The well completion data 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

ii. Submit plans and specifications of the public water supply for review and approval, in accordance with 30 Tex. ADMIN. CODE § 290.39. The plans and specifications shall be submitted to the Plan Review Team at the address listed in Ordering Provision No. 2.e.i.

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

- f. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.e.i and 2.e.ii.
- g. Within 270 days after the effective date of this Order:
 - i. Obtain approval of the well completion data for Facility's Well Nos. 2 through 7, in accordance with 30 Tex. ADMIN. CODE § 290.41; and

- ii. Obtain approval of the plans and specifications for the public water supply, 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.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.g.i and 2.g.ii.
- 3. The Respondent shall undertake the following technical requirements at Facility No. 2:
 - a. Within 30 days after the effective date of this Order:
 - i. Begin operating the Facility under the direct supervision of a water works operator who holds a class "D" or higher license, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
 - ii. Provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection, in accordance with 30 Tex. ADMIN. CODE § 290.42.
 - b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i and 3.a.ii.
 - c. Within 180 days after the effective date of this Order:
 - i. Submit well completion data for review and approval for the Facility's well, in accordance with 30 TEX. ADMIN. CODE § 290.41. The well completion data shall be submitted to the Plan Review Team at the address listed in Ordering Provision No. 2.e.i; and
 - ii. Submit plans and specifications of the public water supply for review and approval, in accordance with 30 Tex. ADMIN. CODE § 290.39. The plans and specifications shall be submitted to the Plan Review Team at the address listed in Ordering Provision No. 2.e.i.

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

- d. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c.i and 3.c.ii.
- e. Within 270 days after the effective date of this Order:

- i. Obtain approval of the well completion data for Facility's well, in accordance with 30 Tex. ADMIN. CODE § 290.41; and
- ii. Obtain approval of the plans and specifications for the public water supply, in accordance with 30 Tex. ADMIN. CODE § 290.39.
- f. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.e.i and 3.e.ii. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

- 4. All relief not expressly granted in this Order is denied.
- 5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facilities' operations referenced in this Order.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the

terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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

RDS Opportunity Fund LLC dba Golden Triangle Business Park DOCKET NO. 2022-0305-PWS-E Page 8

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

_____11/9/2023 Date

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

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

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

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

ignature

Name (Printed or typed) Title Authorized Representative of RDS Opportunity Fund LLC dba Golden Triangle Business Park

ortunity Fund LLC dba Golden Triangle Business Park

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