#### EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 54532 Gregory Allen Magers dba Camp Magers Crossing RN107368524 Docket No. 2022-0339-PWS-E

**Order Type:** Default Order

**Media:** PWS

**Small Business:** 

Yes

Location(s) Where Violation(s) Occurred:

2008 County Road 350, Concan, Uvalde County

Type of Operation:

public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: None
Past-Due Penalties: None
Past-Due Fees: \$137.85
Other: None
Interested Third Parties: None

**Texas Register Publication Date:** July 5, 2024

Comments Received: None

**Penalty Information** 

Total Penalty Assessed: \$10,320

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$10,320

**Compliance History Classifications:** 

Person/CN - N/A Site/RN - N/A

Major Source: Minor Statutory Limit Adjustment: None

**Applicable Penalty Policy:** January 28, 2021

**Investigation Information** 

Complaint Date(s): N/A

**Date(s) of Investigation:** November 4, 2021

Date(s) of NOV(s): N/A

Date(s) of NOE(s): December 14, 2021

#### EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 54532 Gregory Allen Magers dba Camp Magers Crossing RN107368524 Docket No. 2022-0339-PWS-E

#### **Violation Information**

- 1. 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)].
- 2. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference [30 Tex. ADMIN. CODE § 290.42(l)].
- 3. Failed to measure the free chlorine residual within the distribution system with a colorimeter, spectrophotometer, or color comparator [30 Tex. ADMIN. CODE § 290.110(d)(1)].
- 4. 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 [30 Tex. ADMIN. CODE § 290.46(n)(3)].
- 5. Failed to provide a well casing a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface [30 Tex. ADMIN. CODE § 290.41(c)(3)(B)].
- 6. 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)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(B)(iii), (f)(3)(B)(iv), and (f)(3)(D)(ii) and TCEQ Agreed Order Docket No. 2017-0783-PWS-E, Ordering Provision No. 2.a.].
- 7. Failed to seal the space between the casing and drill hole by using enough cement under pressure to completely fill and seal the annular space between the well casing and the drill hole [30 Tex. Admin. Code § 290.41(c)(3)(C)].
- 8. 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 wellhead at not less than 0.25 inch per foot [30 Tex. ADMIN. CODE § 290.41(c)(3)(J)].
- 9. Failed to retain the Disinfectant Level Quarterly Operating Reports ("DLQORs") and provide a copy if requested by the Executive Director [30 Tex. ADMIN. CODE § 290.110(e)(4)(B)].

#### Corrective Actions/Technical Requirements

#### Corrective Action(s) Completed:

None

#### **Technical Requirements:**

- 1. Within 30 days:
  - a. Compile and maintain properly completed water works operation and maintenance records, including each chemical used each week, the amount of water distributed each week, the disinfectant residual monitoring results from the distribution system, the results of inspection for all water storage and pressure maintenance facilities, and calibration records for flow meters: and
  - b. Ensure that the free chlorine residual is being measured to a minimum accuracy of plus or minus 0.1 milligrams per liter, including acquiring and using an approved device to measure the free chlorine in the distribution system.
- 2. Within 45 days submit written certification to demonstrate compliance with Technical Requirements 1.a. and 1.b.
- 3. Within 60 days:
  - a. 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;

#### EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 54532 Gregory Allen Magers dba Camp Magers Crossing RN107368524 Docket No. 2022-0339-PWS-E

- b. Develop and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference; and
- c. Provide a well casing a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface.
- 4. Within 75 days submit written certification to demonstrate compliance with Technical Requirements 3.a. through 3.c.
- 5. Within 90 days:
  - a. Keep on file copies of well completion data for the well;
  - b. Provide a cement bonding log to ensure complete sealing of the annular space between the well casing and the drill hole;
  - c. 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 inches per foot; and
  - d. Retain the DLQORs and provide a copy if requested by the Executive Director.
- 6. Within 105 days submit written certification to demonstrate compliance with Technical Requirements 5.a. through 5.d.

### **Litigation Information**

Date Petition(s) Filed:December 14, 2023Date(s) of Service:December 20, 2023

Date Answer(s) Filed: N/A

#### **Contact Information**

TCEQ Attorneys: Taylor Pearson, Litigation Division, (512) 239-3400

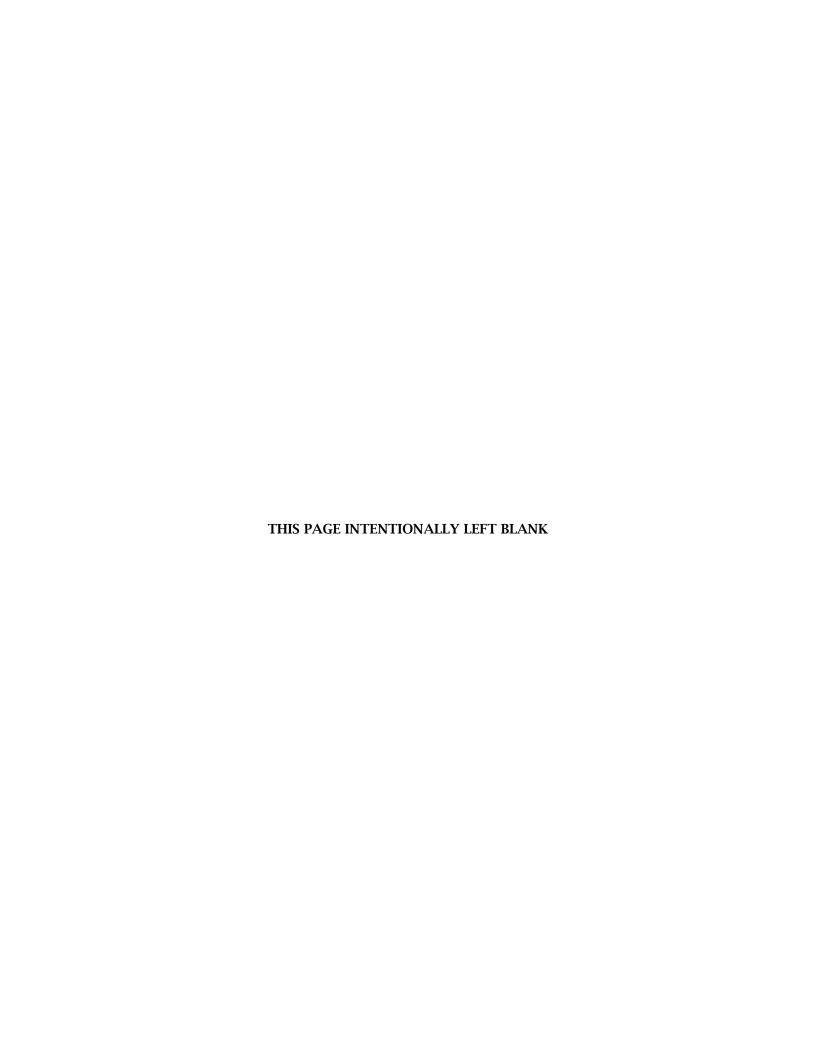
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575 TCEQ Enforcement Coordinator: Ronica Rodriguez, Enforcement Division, (361) 881-6990 TCEQ Regional Contact: Joy Thurston-Cook, San Antonio Regional Office, (210) 490-3096

Respondent Contact: Gregory Allen Magers, President Gregory Allen Magers, 2008 County Road 350,

Concan, Texas 78838

Respondent's Attorney: N/A





# Penalty Calculation Worksheet (PCW)

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

DATES Assigned 18-Jan-2022
PCW 25-Jan-2022 Screening 25-Jan-2022 EPA Due

RESPONDENT/FACILITY INFORMATION
Respondent Gregory Allen Magers
Reg. Ent. Ref. No. Facility/Site Region 13-San Antonio Major/Minor Source Minor

CASE INFORMATION

Enf./Case ID No. 54532
Docket No. 2022-0339-PWS-E
Media Program(s) Public Water Supply
Multi-Media

Multi-Media

Admin. Penalty \$ Limit Minimum \$50 Maximum

No. of Violations 9
Order Type Findings

Government/Non-Profit Enf. Coordinator EC's Team
Enforcement Team 5

Penalty Calculation Section **TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1 \$8,600 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 20.0% Adjustment Subtotals 2, 3, & 7 \$1,720 Notes Enhancement for one agreed order containing a denial of liability. Culpability Subtotal 4 \$0 No 0.0% Enhancement Notes The Respondent does not meet the culpability criteria. **Good Faith Effort to Comply Total Adjustments** Subtotal 5 \$0 \$0 0.0% Enhancement\* Subtotal 6 **Economic Benefit** Total EB Amounts \*Capped at the Total EB \$ Amount \$1,584 Estimated Cost of Compliance **SUM OF SUBTOTALS 1-7** Final Subtotal \$10,320 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adiustment \$0 Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$10,320 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$10,320 0.0% \$0 DEFERRAL Reduction Adjustment Reduces the Final Assessed Penalty by the indicated percentage. Notes No deferral is recommended for Findings Orders. **PAYABLE PENALTY** \$10,320

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

**Respondent** Gregory Allen Magers

**Case ID No.** 54532

Reg. Ent. Reference No. RN107368524

Media Public Water Supply

Enf. Coordinator Ronica Rodriguez

	Camplianes Hist	Compliance History Worksheet ory Site Enhancement (Subtotal 2)							
>>	Component	Number of	Number	Adjust.					
	NOVs								
		Other written NOVs	0	0%					
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%					
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%					
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%					
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  Any criminal convictions of this state or the federal government (number of	0	0%					
	Convictions	0	0%						
	Emissions	Chronic excessive emissions events (number of events)	0	0%					
	Audits	0	0%						
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%					
		Environmental management systems in place for one year or more	No	0%					
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%					
		Participation in a voluntary pollution reduction program	No	0%					
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%					
		Adjustment Per	centage (Sub	total 2) 20%					
>>	<b>Repeat Violator</b>	(Subtotal 3)							
	N/A	Adjustment Per	centage (Sub	total 3) 0%					
>>	<b>Compliance Hist</b>	ory Person Classification (Subtotal 7)							
	N/A	Adjustment Per	centage (Sub	total 7) 0%					
>>	<b>Compliance Hist</b>	ory Summary							
	Compliance History Notes	Enhancement for one agreed order containing a denial of liability.							
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	<b>3, &amp; 7)</b> 20%					
>> F	inal Compliance	History Adjustment Final Adjustment Percenta	age *conned	at 100% 20%					
		rınaı Aujustinent Percenta	aye ™cappea a	at 100% 20%					

Reg.	Resp	ondent ID No. nce No.			Doc	ket No. 2	2022-0339-PWS-E		PCW Tevision 5 (January 28, 2021) V Revision February 11, 2021
	Enf. Coord		Ronica Rodrigu						
	Violation	Number	1						
	Rule	e Cite(s)		30 Tex /	Admin. Code §	5 290 121(a	a) and (h)		
				30 16/17	turmin code s	5 2501121(0	2) 4.14 (5)		
	Violation Des	scription	monitoring p frequency, a	olan that ident and specifies	tifies all samp the analytical	ling location procedures	emical and microbions, describes the same and laboratories tring requirements.	ampling	
							Bas	e Penalty	\$5,000
>> Env	vironmental,	, Proper	ty and Hum		Matrix				
		Release	Major	<b>Harm</b> Moderate	Minor				
OR		Actual	aje.	11000.000					
		Potential				F	Percent 0.0%		
>>Proc	grammatic N	Matriy							
//P109		sification	Major	Moderate	Minor				
			Х			F	Percent 10.0%		
	Matrix Notes		100	% of the rule	requirements	were not n	met.		
						Adiu	ıstment	\$4,500	
							<u>-</u>	, ,	<b>+</b> 500
									\$500
Violatio	on Events								
	Nu	mber of V	iolation Events	1		82 N	Number of violation	days	
			daily weekly monthly quarterly semiannual annual single event	X			Violation Base	e Penalty	\$500
				One single e	event is recom	nmended.			
Good F	aith Efforts	to Com		0.0%				Reduction	\$0
			Extraordinary	efore NOE/NOV	NOE/NOV to ED	PRP/Settlemer	nt Offer		
			Ordinary						
			N/A	Х					
			Notes	The Respon		meet the good	good faith criteria		
							Violation	Subtotal	\$500
Econon	nic Benefit (	(EB) for	this violation	on		9	Statutory Limit	Test	
		Estimate	d EB Amount		\$18	Vi	olation Final Pena	alty Total	\$600
		_ ,							
				This viola	tion Final As	sessed Pe	enalty (adjusted f	or limits)	\$600

	E	conomic	Benefit	Woi	rksheet		
Respondent		Magers					
Case ID No.							
Reg. Ent. Reference No.							
Media Violation No.	Public Water 9	Supply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	<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 Record Keeping System				0.00	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	4-Nov-2021	14-Nov-2023	2.03	\$18	n/a	\$18
Notes for DELAYED costs  Avoided Costs	monitorin	ng plan, calculated	from the date of	of the in	vestigation to the	in a chemical and mestimated date of cone-time avoided	ompliance.
Avoided Costs  Disposal	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$180			TOTAL		\$18

		ening Date			Do	<b>cket No.</b> 2022-0339-PWS-E		PCW
	R	Respondent	Gregory Allen M	1agers			Policy R	evision 5 (January 28, 2021)
		Case ID No.	54532				PCW	/ Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN107368524					
		Media	Public Water Su	ıpply				
	Enf. C	coordinator	Ronica Rodrigue	ez				
	Viola	ation Number	2					
		Rule Cite(s)		30 -	Tex. Admin. (	Code § 290.42(I)		
						5 (,		
	Violatio	n Description	Failed to comp			n and up-to-date plant operation ew and reference.	ns manual	
						Bas	e Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	an Health	Matrix			
			_	Harm				
OR		<b>Release</b> Actual	Major	Moderate	Minor			
UK		Actual Potential				Percent 0.0%		
		Fotential				reitent 0.0%		
>>Pro	gramma	itic Matrix						
		Falsification	Major	Moderate	Minor			
			X			Percent 10.0%		
	Matrix Notes		100	0% of the rule	requirements	s were not met.		
		J <del>.</del>						
						Adjustment	\$4,500	
								\$500
							L	φ300
Violati	on Even	ts						
			г		i <del>-</del>			
		Number of \	iolation Events	1		82 Number of violation	days	
			daily weekly monthly quarterly semiannual annual single event	X		Violation Bas	e Penalty	\$500
				One single e	event is recor	mmended.		
Good F	aith Eff	orts to Com	ply	0.0%			Reduction	\$0
			В		NOE/NOV to ED	PRP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	X			ľ	
			Notes	The Responde		meet the good faith criteria for violation.		
						Violation	Subtotal	\$500
Econor	nic Bene	efit (EB) for	this violation	on		Statutory Limit	t Test	
			ed EB Amount		\$18	Violation Final Pen	_	\$600
		Latiniate	a ED AIIIOUIIL		фто	Violation Final Pen	uity iotal	<b>ФООО</b>
				This viol	ation Final A	Assessed Penalty (adjusted f	or limits)	\$600

	E	conomic	Benefit	Woı	rksheet		
Respondent	Gregory Allen	Magers					
Case ID No.	54532						
Reg. Ent. Reference No.	RN107368524	ļ					
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	2					reiteilt Interest	Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
-							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System 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	4-Nov-2021	14-Nov-2023	2.03	\$18	n/a	\$18
Notes for DELAYED costs	operations	manual, calculate	d from the date	of the	investigation to the	n a thorough and up e estimated date of	compliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$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							
Approx. Cost of Compliance		\$180			TOTAL		\$18

		ening Date			Do	cket No.	2022-0339-PWS-E		PCW	
	R	espondent	Gregory Allen M	1agers				Policy Re	evision 5 (January 28, 2021	)
	C	ase ID No.	54532					PCW	Revision February 11, 202	1
Reg.	Ent. Ref	erence No.	RN107368524							
		Media	Public Water Su							
	Enf. C	oordinator	Ronica Rodrigue	ez						
		tion Number	3							
		Rule Cite(s)		30 Te	x. Admin. Co	de 8 290 11	0(d)(1)			
				50 10	/ tarriii ii CO	20 3 250.11	(-)(-)			
	Violatio	n Description					the distribution systems. Specifically, equ			
				measure the	free chlorine	residual wer	re not available.			
							Bas	e Penalty	\$5,000	<u>5</u>
>> Env	vironme	ntal, Proper	ty and Hum		Matrix					
		Release	Major	<b>Harm</b> Moderate	Minor					
OR		Actual	Major	Moderate	MILIOI					
O.C		Potential		X			Percent 5.0%			
		. ococ.a.		X			3.0 70			
>>Pro	gramma	tic Matrix								
		Falsification	Major	Moderate	Minor			_		
							Percent 0.0%			
	Matrix	Failure to h	ave a device to	measure the	free chlorine	in the distri	bution system could	expose		
	Matrix Notes	customers se	rved by the Fac	ility to a signif	ficant amount	t of contami	nants which would n	ot exceed		
	Notes		le	vels that are	protective of	human heal	th.			
	· ·									
						Adj	justment	\$4,750		
								Г	\$250	0
								L	\$230	٦
Violatio	on Event	<del>ا</del> د								
Violatio	JII EVCIII									
		Number of V	iolation Events	1		82	Number of violation	days		
			L		u <u>u</u>		<u> </u>	•		
			daily							
			weekly							
			monthly					_		
			quarterly	Х			Violation Bas	e Penalty	\$250	J
			semiannual							
			annual							
			single event							
		One quarterly	event is recomm	nended, calcu	lated from th	e investigat	ion date, November	4, 2021 to		
		. ,		the screening		-	•	,		
Good F	aith Eff	orts to Com	nly	0.0%				Reduction	\$(	n
doou i	aitii Liit	orts to com		efore NOE/NOV	NOE/NOV to El	DPRP/Settleme	ent Offer	Reduction	Ψ'	-
			Extraordinary	, ,	,	,				
			Ordinary							
			N/A	Х			Ц			
			,, (							
			Notes	The Respond		_	ood faith criteria for			
					this	violation.				
			L					1		
							Violatio	ո Subtotal	\$250	5
Econon	nic Bene	fit (EB) for	this violation	on			Statutory Limi	t Test		
					* 4 *			_	+20	
		ESTIMATE	ed EB Amount		\$41	'	Violation Final Per	aity i Otal	\$300	J
				This vio	lation Final	Assessed F	Penalty (adjusted	for limits)	\$300	0
								/	,	-

	E	conomic	Benefit	Woı	rksheet		
Respondent	Gregory Allen	Magers					
Case ID No.	54532	-					
Reg. Ent. Reference No.	RN107368524						
	Public Water S					Percent Interest	Years of Depreciation
Violation No.	J					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Equipment	\$300	4-Nov-2021	15-Oct-2023	1.95	\$2	\$39	\$41
Buildings	<u> </u>	11107 2021	15 000 2025	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	distribu	tion system, calcu	lated from the i	nvestiga	ation date to the es	measure the free ch stimated date of cor	npliance.
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		\$300			TOTAL		\$41

		ening Date			Docket No.	2022-0339-PWS-E		PCW
	F	Respondent	Gregory Allen Mage	ers			Policy R	evision 5 (January 28, 2021)
	(	Case ID No.	54532				PCW	Revision February 11, 2021
Reg.	Ent. Ref	ference No.	RN107368524					
		Media	Public Water Suppl	ly				
	Enf. C	Coordinator	Ronica Rodriguez					
	Viol	ation Number	4					
		Rule Cite(s)		20 Toy Admin	. Code § 290.46	S(n)(2)		
				JO TEX. AUTIIII	. Code 9 230.40	J(II)(J)		
	Violatio	n Description	Code § 290.41(c)	(3)(A) for as long as	the well remain	as defined in 30 Tex ns in service. Specifi ot available for reviev	cally, the	
			urmer 3 lo	g and cementing cer	tilicate were no	or available for review	· .	
						Base	e Penalty	\$5,000
>> En	vironme	ntal, Prope	rty and Human	Health Matrix				
		_	_	Harm				
		Release	Major M	1oderate Minor	<b>—</b>			
OR		Actual						
		Potential				Percent 0.0%		
5 5 D		. Lie Metuis						
>>Pro	gramma	tic Matrix Falsification	Major M	Moderate Minor				
		Faisincation	Major M	x		Percent 1.0%		
				X		1.0%		
	Matrix		Loce than 3	30% of the rule requ	iromonte wore	not mot		
	Notes		Less than 3	10 % of the rule requ	il elliellis were	not met.		
					۸di	ustment	\$4,950	
					Auj	ustillelit	<b>\$</b> <del>-</del> 7,230	
								\$50
Violati	on Even	ts						
						l		
		Number of \	/iolation Events	1	82	Number of violation	days	
			daily					
			weekly					
			monthly			Malakian Baa		+50
			quarterly			Violation Base	e Penalty	\$50
			semiannual					
			annual					
			single event	Х				
				One single event is re	ecommended			
			_	ind single event is re				
Good F	aith Eff	orts to Com	ply	0.0%			Reduction	\$0
				re NOE/NOV NOE/NOV t	o EDPRP/Settleme			
			Extraordinary	· II				
			Extraordinary Ordinary					
			Ordinary	X				
			Ordinary N/A	х				
			Ordinary N/A	e Respondent does i	not meet the go	ood faith criteria for		
			Ordinary N/A	e Respondent does i		ood faith criteria for		
			Ordinary N/A	e Respondent does i			Subtata!	¢EQ.
			Ordinary N/A	e Respondent does i		ood faith criteria for Violation	Subtotal [	\$50
Econoi	mic Bend	efit (EB) for	Ordinary N/A	e Respondent does i	his violation.		_	\$50
Econoi	mic Bend		Ordinary N/A Notes	e Respondent does i	his violation.	Violation	Test	\$50 \$60
Econoi	mic Bend		Ordinary N/A Notes The Notes this violation	e Respondent does i	his violation.	Violation Statutory Limit	Test	

	E	conomic	Benefit	Woı	rksheet		
Respondent	Gregory Allen	Magers					
Case ID No.		3					
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		, аррі у				Percent Interest	Depreciation
110141101111101						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Beschiption							
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	\$180	4-Nov-2021	14-Dec-2023	2.11	\$19	n/a	\$19
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs  Avoided Costs		calculated from	the investigation	n date	to the estimated d	completion data at t ate of compliance.	
	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0
Disposal Personnel				0.00	\$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$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				, 0.00	1 40	Ψ0	40
Approx. Cost of Compliance		\$180			TOTAL		\$19

Screening Da		<b>Docket No.</b> 2022-0339-PWS-E	PCW
Responde	nt Gregory Allen Magers	P	olicy Revision 5 (January 28, 2021)
Case ID N	<b>lo.</b> 54532		PCW Revision February 11, 2021
Reg. Ent. Reference N	lo. RN107368524		
Med	lia Public Water Supply		
Enf. Coordinate	or Ronica Rodriguez		
Violation Num	per 5		
Rule Cite	(s)		
	30	Γex. Admin. Code 290.41(c)(3)(B)	
Violation Descript	ion finished floor of the pump	sing a minimum of 18 inches above the elevation of bhouse or natural ground surface. Specifically, the vidug and was lacking the required casing.	
		Base Per	\$5,000
>> Environmental, Pro	perty and Human Healt	h Matrix	
	Harm		
Rele		Minor	
	rual	_	
Poter	tial x	Percent 15.0%	
> > D			
>>Programmatic Matri		Minar	
Falsificati	on Major Moderate	Minor	
		Percent 0.0%	
Matrix Failure	o provide a well casing may allo	ow the well to be exposed to contaminants which wou	ld l
Notes		protective of human health.	
			252
		Adjustment \$4	,250
			\$750
			\$7.50
Violation Events			
Violation Events			
Number	of Violation Events 3	82 Number of violation days	
	daily		
	weekly		
	monthly x	<b>1</b>	
	quarterly	Violation Base Per	alty \$2,250
	semiannual		-
	annual		
	single event		
		<b>=</b>	
		d saladad francisco in contration to the No.	
Inree n		d, calculated from the investigation date, November eening date, January 25, 2022.	<del>''</del> ,
	2021, to tile sci	cerning date, January 25, 2022.	
Good Faith Efforts to C			tion \$0
		/ NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary		
	N/A x		
	The Respon	ndent does not meet the good faith criteria for	
	Notes Notes	this violation.	
	<u> </u>	Violation Sub	otal \$2,250
Economic Benefit (EB)	for this violation	Violation Sub Statutory Limit Tes	
		Statutory Limit Tes	t
	for this violation		t
	nated EB Amount	Statutory Limit Tes	total \$2,700

	E	conomic	Benefit	Woı	rksheet		
Respondent		Magers					
Case ID No.							
Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	I			1			
Equipment	\$1,000	4-Nov-2021	14-Nov-2023	2.03	\$7	\$135	\$142
Buildings				0.00	\$0	\$0 \$0	\$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	18 inches abo	ove the elevation of from the i	of the finished flo nvestigation dat	oor of the	ne pump house or e estimated date of	<u> </u>	ace, calculated
Avoided Costs	ANNU	ALIZE avoided o	osts before en			one-time avoided	
Disposal				0.00	\$0 \$0	\$0 \$0	\$0
Personnel Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,000			TOTAL		\$142

	E	conomic	Benefit	Woı	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	54532	-					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Dalassa d Carda							
Delayed Costs	ı	1		0.00	+0	+0	+0
Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	14-Aug-2018	15-Oct-2023	5.17	\$12	n/a	\$12
Training/Sampling	7.5			0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	records and from the e	make them readily effective date of T	y available for in CEQ Docket No.	spection 2017-0	n upon request by 1783-PWS-E to the	tem operation and the Executive Direct estimated date of controls.	tor, calculated compliance.
Avoided Costs	ANNU	ALIZE avoided o	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 #0	\$0 \$0	\$0 #0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							2.5
Approx. Cost of Compliance		\$45			TOTAL		\$12

		ening Date			Doc	<b>ket No.</b> 2022-0339-PWS-E		PCW
	R	espondent	Gregory Allen N	1agers			Policy Revisi	on 5 (January 28, 2021)
	C	ase ID No.	54532				PCW Rev	vision February 11, 2021
Reg.	Ent. Ref	erence No.	RN107368524					
		Media	Public Water Su	yply				
	Enf. C	oordinator	Ronica Rodrigu	ez				
	Viola	tion Number	7					
		Rule Cite(s)		30 Te	x. Admin. Code	e 290.41(c)(3)(C)		
						(-)(-)		
	Violatio	1 Description				g and drill hole by using enough le annular space between the we ill hole.		
						Base	Penalty	\$5,000
>> En	vironme	ntal, Propei	rty and Hum	an Health	Matrix			
				Harm				
OR		Release	Major	Moderate	Minor			
UK		Actual				Percent 15.0%		
		Potential	Х			Percent 15.0%		
>>Pro	aramma	tic Matrix						
	gramma	Falsification	Major	Moderate	Minor			
						Percent 0.0%		
	'							
	Matrix Notes			a significant		ainage to enter the groundwater aminants which would exceed le ealth.		
						Adjustment	\$4,250	
						, rajusament	ψ.,,255	
								\$750
Violati	on Event	:S						
		Number of \	/iolation Events	3	1	82 Number of violation date	ave	
		Number of V	riolation Events	3		Number of violation di	ays	
			daily					
			weekly					
			monthly	х				
			quarterly			Violation Base	Penalty	\$2,250
			semiannual					
			annual					
			single event					
	,							
		Three mont	hly events are r	ecommended	, calculated from	m the investigation date, Novem	ber 4,	
						uary 25, 2022.	,	
Good F	aith Effo	rts to Com	nlv	0.0%		R	eduction	\$0
oodu .	u			sefore NOE/NOV	NOE/NOV to EDP	RP/Settlement Offer	caaction	1 -
			Extraordinary					
			Ordinary					
			N/A	Х				
				The Decree	ont doos	neet the good faith criteria for		
			Notes	The Respond		olation.		
						Violation 6	Subtotal	#2 250
						Violation S	שטנטנמו	\$2,250
Econor	mic Bene	fit (EB) for	this violation	on		Statutory Limit	Test	
		Fetimet	ed EB Amount		\$886	Violation Final Penal	ty Total	\$2,700
		Latindle	LD AMOUNT		φυου	Violation Fillat Fellat	icy i Otal	\$2,700
				This wis	lation Einal A	ssessed Penalty (adjusted for	r limite\	\$2,700

	E	conomic	Benefit	Woi	<b>'ksheet</b>		
Respondent	Gregory Allen	Magers					
Case ID No.	54532						
Reg. Ent. Reference No.	RN107368524						
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	7					Percent Interest	Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$6,000	4-Nov-2021	14-Dec-2023	2.11	\$42	\$844	\$886
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delaye	d cost includes th	e estimated am	ount to	provide a cement	bonding log to ensu	re complete
Notes for DELAYED costs					•	to obtain an except	· ·
	seaming or time				e estimated date of		aroun, caroaracoa
						<u> </u>	
Avoided Costs	ANNU	ALIZE avoided o	osts before er	tering	item (except for	one-time avoided	
Disposal							
B				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Date	25-Jan-2022		Docket No.	2022-0339-PWS-E		PCW
	Respondent	Gregory Allen Mage	ers			Policy R	evision 5 (January 28, 2021)
	Case ID No.	54532				PCW	Revision February 11, 2021
Reg.	<b>Ent. Reference No.</b>	RN107368524					
	Media	Public Water Supply	У				
	Enf. Coordinator	Ronica Rodriguez					
	Violation Number	8					
	Rule Cite(s)		30 Tex. A	dmin. Code 290.41	(c)(3)(J)		
					(-)(-)		
	Violation Description	minimum of th	ree feet from t ches and slope	he well casing in all	e sealing block that extended and the sealing block that exing the wellhead at not	imum	
					Base	Penalty	\$5,000
>> Env	vironmental, Prope			trix			
	Dalassa		Harm	4in or			
OR	<b>Release</b> Actua		oderate N	1inor			
OK	Potentia				Percent 15.0%		
	roteillid	X			15.0%		
>>Pro	grammatic Matrix						
,,,,,,	Falsification	Major M	loderate N	1inor			
					Percent 0.0%		
			,				
	Matrix casing in all	directions and slope d result in persons se	s to drain awa	y from the wellhead acility being expose d levels protective o	num of three feet fron at not less than 0.25 d to a significant amou f human health.	inch per	
				AU	ijustilielit	\$ <del>4</del> ,230	
							\$750
	_						
Violatio	on Events						
	Number of	Violation Events	3	82	Number of violation	days	
		daily weekly monthly quarterly semiannual annual single event	X		Violation Base	e Penalty	\$2,250
	Three mon			culated from the inv date, January 25,	estigation date, Nover 2022.	nber 4,	
Good F	aith Efforts to Con		0.0%			Reduction	\$0
		Before	NOE/NOV NOE	/NOV to EDPRP/Settlem	ent Offer		
		Extraordinary					
		Ordinary					
		N/A	Х				
		Notes The	e Respondent (	does not meet the good this violation.	good faith criteria for		
					Violation	Subtotal	\$2,250
Econon	nic Benefit (EB) fo	r this violation			Statutory Limit	Test	
	Estimat	ted EB Amount		\$443	Violation Final Pena	alty Total	\$2,700
			This violation	n Final Assessed	Penalty (adjusted for	or limits)	\$2,700

	Economic Benefit Worksheet							
Respondent	Gregory Allen	Magers						
Case ID No.		3						
Reg. Ent. Reference No.	RN107368524	ļ						
	Public Water S					Percent Interest	Years of	
Violation No.	8					reitent 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	\$3,000	4-Nov-2021	14-Dec-2023	2.11	\$21	\$422	\$443	
Land				0.00	\$0	n/a	\$0	
Record Keeping System				0.00	\$0	n/a	\$0	
Training/Sampling				0.00	\$0 \$0	n/a	\$0 \$0	
Remediation/Disposal Permit Costs				0.00	\$0	n/a n/a	\$0	
Other (as needed)				0.00	\$0	n/a	\$0	
Notes for DELAYED costs	that extends inches and sl	a minimum of thre oped to drain awa date of t	ee feet from the ly from the welll the investigation	well can nead at to the	sing in all direction not less than 0.25 estimated date of		thickness of six lated from the	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)  Notes for AVOIDED costs		J		0.00	\$0	\$0	\$0	
Approx. Cost of Compliance		\$3,000			TOTAL		\$443	

		ening Date			Doo	<b>cket No.</b> 2022-0339-PWS	i-E	PCW
	F	Respondent	Gregory Allen	Magers			Policy R	Revision 5 (January 28, 2021)
		Case ID No.	54532				PCV	V Revision February 11, 2021
Rea.	Ent. Ref	ference No.	RN107368524	1				
- 3			Public Water S					
	Enf. (	Coordinator						
		ation Number		7				
		Rule Cite(s)						
				30 Tex	c. Admin. Code	e 290.110(e)(4)(B)		
	Violatio	n Description	Failed to re	etain the DLQO		e a copy if requested by the	Executive	
					Direc	tor.		
							Base Penalty	\$5,000
								1 - 7
>> En	vironme	ntal, Prope	rty and Hur	man Health	Matrix			
		Release	Major	<b>Harm</b> Moderate	Minor			
OR		<b>Reiease</b> Actual		induerate	1111101			
OA		Potential				Percent 0.0	0%	
		i otential				reiteilt 0.	0 70	
>>Pro	aramma	atic Matrix						
//110	grannic	Falsification	Major	Moderate	Minor			
			X			Percent 10.0	0%	
						1010000	<del> </del>	
	Matrix		10	00% of the rule	requirements	were not met.		
	Notes			0070 01 010 1010	. oquii oi i ioi i io			
							±4.500	r
						Adjustment	\$4,500	
						Adjustment	\$4,500	
						Adjustment	\$4,500	\$500
\/:-I-1:	<b>-</b>	•				Adjustment	\$4,500	\$500
Violati	on Even	ts				Adjustment	\$4,500	\$500
Violati	on Even		Violation Events	c 1				\$500
Violati	on Even		Violation Events	s 1		Adjustment    Number of violates		\$500
Violati	on Even			s 1				\$500
Violati	on Even		daily	s 1				\$500
Violati	on Even		daily weekly	s 1				\$500
Violati	on Even		daily weekly monthly	s 1		82 Number of violat	tion days	
Violati	on Even		daily weekly monthly quarterly	s 1		82 Number of violat		\$500 \$500
Violati	on Even		daily weekly monthly quarterly semiannual	s 1		82 Number of violat	tion days	
Violati	on Even		daily weekly monthly quarterly			82 Number of violat	tion days	
Violati	on Even		daily weekly monthly quarterly semiannual annual			82 Number of violat	tion days	
Violati	on Even		daily weekly monthly quarterly semiannual annual			82 Number of violat	tion days	
Violati	on Even		daily weekly monthly quarterly semiannual annual	X	event is recom	Number of violat  Violation	tion days	
Violati	on Even		daily weekly monthly quarterly semiannual annual	X	event is recon	Number of violat  Violation	tion days	
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single 6	event is recom	Number of violat  Violation	tion days Base Penalty	\$500
			daily weekly monthly quarterly semiannual annual single event	One single o		Number of violat  Violation  mended.	tion days	
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single of the state of the		Number of violat  Violation	tion days Base Penalty	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single of O.0%  Before NOE/NOV		Number of violat  Violation  mended.	tion days Base Penalty	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event	X  One single of the single of		Number of violat  Violation  mended.	tion days Base Penalty	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event	X  One single of the single of		Number of violat  Violation  mended.	tion days Base Penalty	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary	One single of the single of th	NOE/NOV to ED	Number of violat  Violation  mended.	Base Penalty  Reduction	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single of the single of th	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer	Base Penalty  Reduction	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary	One single of the single of th	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria	Base Penalty  Reduction	\$500
		Number of \	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary	One single of the single of th	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.	Base Penalty  Reduction	\$500
Good F	aith Eff	Number of \	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A	One single of the control of the con	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.  Violation	Base Penalty  Reduction  for	\$500
Good F	aith Eff	Number of \	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A	One single of the control of the con	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.	Base Penalty  Reduction  for	\$500
Good F	aith Eff	Number of \ orts to Com	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes	One single of the control of the con	NOE/NOV to EDI	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.  Viola  Statutory Li	Reduction  for  tion Subtotal  mit Test	\$500 \$0 \$500
Good F	aith Eff	Number of \ orts to Com	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A	One single of the control of the con	NOE/NOV to ED	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.  Violation	Reduction  for  tion Subtotal  mit Test	\$500 \$0
Good F	aith Eff	Number of \ orts to Com	daily weekly monthly quarterly semiannual annual single event  Extraordinary Ordinary N/A Notes	One single of the control of the con	ent does not r	Number of violation  Violation  PRP/Settlement Offer  meet the good faith criteria violation.  Viola  Statutory Li	Reduction  for  tion Subtotal mit Test Penalty Total	\$500 \$0 \$500

	E	conomic	<b>Benefit</b>	Woi	ksheet		
Respondent	Gregory Allen	Magers					
Case ID No.		. 5					
Reg. Ent. Reference No.							
	Public Water S						Years of
		supply				<b>Percent Interest</b>	Depreciation
Violation No.	9						
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	4-Nov-2021	14-Dec-2023	2.11	\$5	n/a	\$5
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	·	inv	vestigation to th	e estima	ated date of compl		
Avoided Costs	ANNU	ALIZE avoided o	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$45			TOTAL		\$5

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 CN604569269, RN107368524, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, CN604569269, Gregory Allen Magers

Classification: NOT APPLICABLE

Rating: N/A

or Owner/Operator:

RN107368524, CAMP MAGERS

Classification: NOT APPLICABLE

Rating: N/A

**Regulated Entity: Complexity Points:** 

**CROSSING** 

N/A

Repeat Violator: N/A

CH Group:

14 - Other

Location:

2008 COUNTY ROAD 350 IN CONCAN, UVALDE COUNTY, TEXAS

**TCEQ Region:** 

**REGION 13 - SAN ANTONIO** 

ID Number(s):

**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2320062** 

Compliance History Period: September 01, 2017 to August 31, 2022

Rating Year: 2022

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

Date Compliance History Report Prepared: May 02, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 02, 2018 to May 02, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History. Name: Ronica Rodriguez 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?

YFS

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:

Effective Date: 08/14/2018 ADMINORDER 2017-0783-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Description: Failure to utilize an approved method for determining free chlorine residuals.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(i)

Description: Failure to make records of operations available for review during an investigation

**B.** Criminal convictions:

C. Chronic excessive emissions events:

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

N/A

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

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

N/A

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

F. Environmental audits:

**Sites Outside of Texas:** 

N/A

#### **Component Appendices**

#### Appendix A

#### All NOVs Issued During Component Period 5/2/2018 and 5/2/2023

1 Date: 09/12/2017 (1551378)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.109(g)(12) 30 TAC Chapter 290, SubChapter F 290.109(g)(13)

40 CFR Chapter 141, SubChapter D, PT 141, SubPT Y 141.860(b)(2)

Description: RTCR Start-Up Violation MAY/2017 - Failure to complete State approved start-up

procedures prior to serving water to the public.

2 Date: 09/20/2017 (1551378)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A) 30 TAC Chapter 290, SubChapter F 290.122(f)

40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(a) 40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(c)(3)

Description: MAY/2017 RTCR TT PN Posting and Reporting Violation - Failure to submit a

signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to complete State approved start-up

procedures prior to serving water to the public.

3 Date: 06/20/2018 (1551378)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(a) 40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(c)(3)

Description: MAY/2017 RTCR Routine MR PN Posting and Reporting Violation - Failure to submit

a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct routine coliform

monitoring for the month of 05/2017.

4 Date: 02/28/2019 (1551378)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.109(g)(12) 30 TAC Chapter 290, SubChapter F 290.109(g)(13)

40 CFR Chapter 141, SubChapter D, PT 141, SubPT Y 141.860(b)(2)

Description: RTCR Start-Up Violation MAY/2018 - Failure to complete State approved start-up

procedures prior to serving water to the public.

#### Appendix B

#### All Investigations Conducted During Component Period May 02, 2018 and May 02, 2023

	Item 1	March 12, 2019**	(1551378)				
	Item 2	March 15, 2019**	(1551954)				
	Item 3	June 24, 2021**	(1736672)				
	Item 4	January 12, 2022**	(1773325)				
:	* No violations documented during this investigation						

<sup>\*\*</sup>Investigation applicable for the Compliance History Rating period between 09/01/2017 and 08/31/2022.

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2017 to 8/31/2022

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
GREGORY ALLEN MAGERS;	§	
RN107368524	§	ENVIRONMENTAL QUALITY

#### DEFAULT ORDER DOCKET NO. 2022-0339-PWS-E

On	, the Texas Commission on Environmental Quality ("Commission" or
"TCEQ") considered	the Executive Director's Preliminary Report and Petition, filed pursuant to Tex.
HEALTH & SAFETY CO	DE ch. 341 and the rules of the TCEQ, which requests appropriate relief,
including the impos	sition of an administrative penalty and corrective action of the respondent.
The respondent ma	de the subject of this Order is Gregory Allen Magers ("Respondent").

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

#### **FINDINGS OF FACT**

- 1. Respondent owns and operates a public water supply located at 2008 County Road 350 near Concan, Uvalde County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 15 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) (2019) (current version at 30 Tex. Admin. Code § 290.38 (73) (2023)).
- 2. During an investigation conducted on November 4, 2021, an investigator documented that Respondent:
  - a. 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;
  - b. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference;
  - c. Failed to measure the free chlorine residual within the distribution system with a colorimeter, spectrophotometer, or a color comparator. Specifically, equipment to measure the free chlorine residual were not available:
  - d. 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. Specifically, the driller's log and cementing certificate were not available for review;
  - e. Failed to provide a well casing a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface. Specifically, the well was hand dug and was lacking the required casing;
  - f. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the amount of each chemical used each week, the amount of water distributed each

- week, the disinfectant residual monitoring results from the distribution system, the calibration records for flow meters, and the results of inspections for all water storage and pressure maintenance facilities were not available for review;
- g. Failed to seal the space between the casing and drill hole by using enough cement under pressure to completely fill and seal the annular space between the well casing and the drill hole;
- h. 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 wellhead at not less than 0.25 inch per foot; and
- i. Failed to retain the Disinfectant Level Quarterly Operating Report ("DLQORs") and provide a copy if requested by the Executive Director.
- 3. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Gregory Allen Magers" (the "EDPRP") in the TCEQ Chief Clerk's office on December 14, 2023.
- 4. By letter dated December 14, 2023, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to USPS.com "Track & Confirm" delivery confirmation records, Respondent received notice of the EDPRP on December 20, 2023.
- 5. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

#### **CONCLUSIONS OF LAW**

- 1. As evidenced by Finding of Fact No. 1, Respondent is 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., Respondent failed to develop and maintain an upto-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).
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 Tex. ADMIN. CODE § 290.42(l).
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to measure the free chlorine residual within the distribution system with a colorimeter, spectrophotometer, or color comparator, in violation of 30 Tex. Admin. Code § 290.110(d)(1).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent 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).
- 6. As evidenced by Finding of Fact No. 2.e., Respondent failed to provide a well casing a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(B).
- 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2).

- (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(B)(iii), (f)(3)(B)(iv), and (f)(3)(D)(ii) and TCEQ Agreed Order Docket No. 2017-0783-PWS-E, Ordering Provision No. 2.a.
- 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to seal the space between the casing and drill hole by using enough cement under pressure to completely fill and seal the annular space between the well casing and the drill hole, in violation of 30 Tex. Admin. Code § 290.41(c)(3)(C).
- 9. As evidenced by Finding of Fact No. 2.h., Respondent 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 wellhead at not less than 0.25 inch per foot, in violation of 30 Tex. ADMIN. CODE § 290.41(c) (3)(J).
- 10. As evidenced by Finding of Fact No. 2.i., Respondent failed to retain the DLQORs and provide a copy if requested by the Executive Director, in violation of 30 Tex. ADMIN. CODE § 290.110(e)(4)(B).
- 11. As evidenced by Findings of Fact Nos. 3 and 4, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.104(b)(1).
- 12. As evidenced by Finding of Fact No. 5, Respondent failed to file a timely answer as required by Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.105. Pursuant to Tex. Health & Safety Code § 341.049 and 30 Tex. Admin. Code § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
- 13. Pursuant to Tex. Health & Safety Code § 341.049(a) the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 14. An administrative penalty in the amount of \$10,320 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.
- 15. Tex. Water Code §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

#### ORDERING PROVISIONS

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

- 1. Respondent is assessed an administrative penalty in the amount of \$10,320 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's 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 which are not raised here.
- 2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Gregory Allen Magers; Docket No. 2022-0339-PWS-E" to:

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

- 3. Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Compile and maintain properly completed water works operation and maintenance records, including each chemical used each week, the amount of water distributed each week, the disinfectant residual monitoring results from the distribution system, the results of inspection for all water storage and pressure maintenance facilities, and calibration records for flow meters, in accordance with 30 Tex. Admin. Code § 290.46; and
    - ii. Ensure that the free chlorine residual is being measured to a minimum accuracy of plus or minus 0.1 milligrams per liter, including acquiring and using an approved device to measure the free chlorine in the distribution system, in accordance with 30 Tex. ADMIN. CODE § 290.110;
  - b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f., 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 60 days after the effective date of this Order:
    - i. 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;
    - ii. Develop and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference, in accordance with 30 Tex. Admin. Code § 290.42; and
    - iii. Provide a well casing a minimum of 18 inches above the elevation of the finished floor of the pump house or natural ground surface, in accordance with 30 Tex. ADMIN. CODE § 290.41;
  - d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f., and include detailed supporting documentation; including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c.i. through 3.c.ii;
  - e. Within 90 days after the effective date of this Order:
    - i. Keep on file copies of well completion data for the well, as defined in 30 Tex. Admin. Code § 290.41(c)(3)(A), in accordance with 30 Tex. Admin. Code § 290.46;
    - ii. Provide a cement bonding log to ensure complete sealing of the annular space between the well casing and the drill hole, in accordance with 30 Tex. Admin. Code § 290.41 to obtain approval from the Executive Director for an exception to the cement bonding log requirement pursuant to 30 Tex. Admin. Code § 290.39(l). The exception letter shall be submitted to:

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

- iii. 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 inches per foot, in accordance with 30 Tex. Admin. Code §290.41;
- iv. Retain the DLQORs and provide a copy if requested by the Executive Director, in accordance with 30 Tex. ADMIN. CODE § 290.110; and
- f. Within 105 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. through 3.e.iv. The certification shall be signed by 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 fine and imprisonment for knowing violations."

The written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

Water Section Manager San Antonio Regional Office Texas Commission on Environmental Quality 14250 Judson Road San Antonio, Texas 78233-4480

and:

Section Manager, Public Drinking Water Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- 4. All relief not expressly granted in this Order is denied.
- 5. The provisions of this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until 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. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
- 8. 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.
- 9. 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.
- 10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 Tex. Admin. Code § 70.106(d) and Tex. Gov't Code § 2001.144.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONM	ENTAL QUALITY		
For the Commission	Ī	Date	

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



#### UNSWORN DECLARATION OF TAYLOR W. PEARSON

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Gregory Allen Magers' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on December 14, 2023.

The EDPRP was mailed to Respondent's last known address on December 14, 2023, via certified mail, return receipt requested, postage prepaid. According to USPS.com "Track & Confirm" delivery confirmation records, Respondent received notice of the EDPRP on December 20, 2023.

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

"My name is Taylor Wayne Pearson and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in <u>Travis</u> County, State of Texas, on the <u>31st</u> day of <u>May</u>, 2024

Declarant