lin County
Yes, Case no. 63883 None None None None
July 21, 2023
None
alty Information
\$1,491
\$0
\$1,491
No
None
January 28, 2021
igation Information
N/A
February 2, 2022
reblualy 2, 2022
February 2, 2022

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 62181 Dolores Luke dba Little Big Horn Services RN101228740 Docket No. 2022-0412-MLM-E

Violation Information

- 1. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids [30 Tex. ADMIN. CODE § 290.46(m)(4)].
- 2. 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) and (f)(3)(A)(i)(III)].
- 3. Failed to provide the Executive Director with a list of all the operators and operating companies that the public water system (PWS) uses on an annual basis [30 Tex. ADMIN. CODE § 290.46(p)(2)].
- 4. Failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities [Tex. HEALTH & SAFETY CODE § 341.0351 and 30 Tex. ADMIN. CODE § 290.39(j)].
- 5. Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 60 for Drinking Water Treatment Chemicals [30 Tex. ADMIN. CODE § 290.42(j)].
- 6. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].
- Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 Tex. ADMIN. CODE § 290.46(m)].
- 8. Failed to review and update, as appropriate, the drought contingency plan at least every five years [30 Tex. ADMIN. CODE § 288.20(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

- 1. Submitted a completed Operator Notice Form containing a list of all the operators and operating companies that the PWS uses on an annual basis by April 19, 2022;
- 2. Submitted the missing information from the plant operations manual by April 19, 2022; and
- 3. Removed the excessive vegetation from the fence and barbed wire, and tightened the loose barbed wire by April 19, 2022.

Technical Requirements:

- 1. Within 30 days:
 - a. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the record for the amount of each chemical used each week.
 - b. Begin using a disinfectant that is ANSI/NSF Standard 60 certified.
 - c. Review and update the drought contingency plan as appropriate.
- 2. Within 45 days submit written certification to demonstrate compliance with Technical Requirement Nos. 1.a. through 1.c.
- 3. Within 60 days begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including the four leaks in the distribution lines at 9328 Little Big Horn Drive, 9420 Little Big Horn Drive, 735 Cluster Road, and 9476 Little Big Horn Drive.
- 4. Within 75 days submit written certification to demonstrate compliance with Technical Requirement No. 3.

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 62181 Dolores Luke dba Little Big Horn Services RN101228740 Docket No. 2022-0412-MLM-E

5. Within 180 days submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including replacing one of the 557-gallon pressure tanks with a 900-gallon pressure tank.

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

- 6. Within 195 days submit written certification to demonstrate compliance with Technical Requirement No. 5.
- 7. Within 270 days obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director.
- 8. Within 285 days submit written certification to demonstrate compliance with Technical Requirement No. 7.

Litigation Information

Date Petition(s) Filed:	November 7, 2022 (lost in mail); December 5, 2022
Date(s) of Service:	December 15, 2022
Date Answer(s) Filed:	N/A
	<u>Contact Information</u>

TCEQ Attorneys: Casey Kurnath, 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: Samantha Salas, Enforcement Division, 512-239-1543

TCEQ Regional Contact: Ronald Hebert, Beaumont Regional Office, 409-898-3838

Respondent Contact: Dolores Luke, owner, 8029 FM 92, Silsbee, Texas 77656

Respondent's Attorney: N/A

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Policy F	Pe Revision 5 (January 28	nalty Cal	culatio	n Worksł	neet (PC	2	vision February	11, 2021
DATES Assigned	4-Apr-2022					_		
PCV	7-Apr-2022	Screening 6	-Apr-2022	EPA Due				
RESPONDENT/FACIL								
Responden Reg. Ent. Ref. No	t Dolores Luke db	a Little Big Horn	Services (P	CW No. 1)				
Facility/Site Region				Major/M	linor Source	Minor		
CASE INFORMATION Enf./Case ID No				No. (of Violations	1		1
	. 2022-0412-MLM	I-E			Order Type			
Media Program(s		pply		Government				
Multi-Media	Water Rights			Enf.		Samantha Sal Enforcement		
Admin. Penalty \$	Limit Minimum	\$50 M a	aximum	\$5,000				
		Penalty	Calcula	tion Section	on			
TOTAL BASE PEN	ALTY (Sum of	violation ba	se penalt	ties)		Subtotal 1		\$250
ADJUSTMENTS (-	-/-) TO SUBT	OTAL 1						
Subtotals 2-7 are	obtained by multiplyin	g the Total Base Pen						+02
Compliance H			37.0%	Adjustment		tals 2, 3, & 7		\$92
Note		or one NOV with I court judgemer			-			
		Court Judgemen			/.			
Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
Note	s The Re	espondent does r	not meet the	culpability crite	eria.			
Good Faith Ef	fort to Comply 1	otal Adjustme	nts			Subtotal 5		\$0
Economic Be	nefit		0.0%	Enhancement*		Subtotal 6		\$0
Estimate	Total EB Amounts d Cost of Compliance	\$696 \$2,500	*Capped	d at the Total EB \$.	Amount			
SUM OF SUBTOT	LS 1-7				E	inal Subtotal		\$342
							ч	
OTHER FACTORS Reduces or enhances the Fir	AS JUSTICE N al Subtotal by the indi	AY REQUIR	E	0.0%		Adjustment		\$0
		catea percentager				ן		
Notes								
					Final Per	alty Amount		\$342
						-		
STATUTORY LIM	T ADJUSTMEI	NT			Final Asse	ssed Penalty		\$342
DEFERRAL				0.0%	Reduction	Adjustment		\$0
Reduces the Final Assessed	Penalty by the indicate	d percentage.				1		
Notes	Defe	rral not offered f	for non-expe	dited settlemer	it.			
PAYABLE PENAL	Y							\$342

Screening Date6-Apr-2022Docket No. 2022-0412-MLM-ERespondentDolores Luke dba Little Big Horn Services (PCW No. 1)Case ID No.62181

Reg. Ent. Reference No. RN101228740

Media Public Water Supply

Enf. Coordinator Samantha Salas

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2) Component Number of... Number Adjust. Written notices of violation ("NOVs") with same or similar violations as those in 0 0% the current enforcement action (number of NOVs meeting criteria) NOVs Other written NOVs 2% 1 Any agreed final enforcement orders containing a denial of liability (number of 0 0% orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders Orders without a denial of liability, or default orders of this state or the federal 0 0% government, or any final prohibitory emergency orders issued by the commission 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% Judgments consent decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state 35% 1 or the federal government Any criminal convictions of this state or the federal government (number of 0 0% Convictions counts) Emissions Chronic excessive emissions events (number of events) 0 0% Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0 0% 1995 (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations 0 0% were disclosed) Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director No 0% under a special assistance program Other Participation in a voluntary pollution reduction program 0% No Early compliance with, or offer of a product that meets future state or federal No 0% government environmental requirements Adjustment Percentage (Subtotal 2) 37% >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) 0% >> Compliance History Person Classification (Subtotal 7) N/A Adjustment Percentage (Subtotal 7) 0% >> Compliance History Summary Compliance Enhancement for one NOV with dissimilar violations and one adjudicated final court judgement History without a denial of liability. Notes Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 37% >> Final Compliance History Adjustment Final Adjustment Percentage *capped at 100% 37%

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

PCW 1 of 3

		ening Date		PCW
		lespondent Case ID No.		y Revision 5 (January 28, 2021)
Rea.		erence No.		CW Revision February 11, 2021
			Public Water Supply	
			Samantha Salas	
	Viola	tion Number	1	
		Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(4)	
	Violatio	n Description	Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids. Specifically, four leaks were noted in the distribution lines at 9328 Little Big Horn Drive, 9420 Little Big Horn Drive, 735 Cluster Road, and 9476 Little Big Horn Drive.	
			Base Penal	\$5,000
>> Env	vironme	ntal, Prope	ty and Human Health Matrix	
		Release	Harm Major Moderate Minor	
OR		Actual		
		Potential	x Percent 5.0%	
>>Proc	aramma	tic Matrix		
221105	granna	Falsification	Major Moderate Minor	
			Percent 0.0%	
		Epiluro to ma	ntain the distribution lines in a watertight condition could expose persons served	1
	Matrix Notes		to a significant amount of contaminants which would not exceed levels protectiv of human health.	
			Adjustment \$4,75	
				\$250
				\$250
Violatio	on Event	ts		
		Number of V	olation Events 1 63 Number of violation days	
			daily	
			monthly	
			quarterly x Violation Base Penalt	y \$250
			semiannual	
			single event	
				_
		One quarter	vevent is recommended, calculated from the February 2, 2022 investigation date to the April 6, 2022 screening date.	<u>,</u>
Good F	aith Effo	orts to Com		n \$0
			Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
			Ordinary	
			N/A x	
			Notes The Respondent does not meet the good faith criteria for this violation.	
			Violation Subtot	al \$250
Econon	nic Bene	efit (EB) for	this violation Statutory Limit Test	
		Estimate	d EB Amount \$696 Violation Final Penalty Tot	
			This violation Final Assessed Penalty (adjusted for limits	\$343

	E	conomic	Benefit	Wor	ksheet		
Respondent	Dolores Luke	lba Little Big Horn	Services (PCW	'No. 1)			
Case ID No.	62181						
Reg. Ent. Reference No.	RN101228740						
	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	Item cost	Bute Required	That Duce		Interest Suveu		LD Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)	\$2,500	12-Dec-2018	2-Dec-2022	3.98	\$33	\$663	\$696
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 distribution line	N N
Notes for DELAYED costs	leak), calcul	ated from the date	-	,	,	g the violations to t	he estimated
			dat	e of con	npliance.		
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
	[Γ	1
Approx. Cost of Compliance		\$2,500			TOTAL		\$696

R ROMMENTAL O	Policy Re	Pe vision 5 (January 28,	,	alculatio	n Worksł	neet (PC		vision February	11, 2021
DATES		4-Apr-2022	Concerting	C Amr 2022			1		
	PCW	7-Apr-2022		6-Apr-2022	EPA Due				
RESPO		Dolores Luke dba		orn Sonvicos (P(
Reg	g. Ent. Ref. No.	RN101228740		SITI Services (PC	200 NO. 2)				
Facili	ty/Site Region	10-Beaumont			Major/M	linor Source	Minor		
CASE I	NFORMATION								
En	f./Case ID No.		_		No. c	of Violations	-		
Med		2022-0412-MLM Public Water Sup			Government	Order Type			
		Water Rights	, piy			Coordinator	Samantha Sal		
Adr	min. Penalty \$ I	Limit Minimum[\$50	Maximum	\$1,000	EC's Team	Enforcement 1	Feam 8	
			Penalt	ty Calculat	tion Section	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation	base penalt	ies)		Subtotal 1		\$280
ADJU	STMENTS (+	/-) TO SUBTO	DTAL 1						
	Subtotals 2-7 are of	otained by multiplying	the Total Base						¢102
	Compliance Hi			37.0%	Adjustment		tals 2, 3, & 7		\$103
	Notes	Enhancement fo final		nent without a c					
			court judgen			•	J		
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent doe	es not meet the	culpability crite	eria.			
	Cood South Eff	ant to Commun T					Subtatal F		¢14
	Good Faith Eff	ort to Comply T	otal Adjustr	nents			Subtotal 5		-\$14
	Economic Ben	ofit		0.00%	Enhancement*		Subtotal 6		\$0
		Total EB Amounts	\$843		at the Total EB \$	Amount	Subtotal		ΨŪ
	Estimated	Cost of Compliance	\$3,760	l					
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal		\$369
OTHE					0.0%		Adjustment		\$0
Reduces	or enhances the Fina	AS JUSTICE M I Subtotal by the indic	cated percentage	ERE	0.0%		Aujustment		şυ
	Netes								
	Notes								
						Final Pen	alty Amount		\$369
STATI			т			Final Acco	ssed Penalty		\$464
STAT			••				sseu renaity		φτοτ
DEFE		and the state of t			0.0%	Reduction	Adjustment		\$0
Reduces t	uie Final Assessed Pe	enalty by the indicate	a percentage.]		
	Notes	Defe	ral not offere	ed for non-expe	dited settlemen	t.			
							J		
PAYA	BLE PENALT	Y							\$464

Screening Date	6-Apr-2022	Docket No.	2022-0412-MLM-E
Respondent	Dolores Luke dba Li	ittle Big Horn Service	es (PCW No. 2)
Case ID No.	62181		
Reg. Ent. Reference No.	RN101228740		
Media	Public Water Supply	/	
Enf. Coordinator	Samantha Salas		
	Com	pliance Histor	ry Worksheet

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

mnliance Hist	Compliance History Worksheet bry Site Enhancement (Subtotal 2)		
Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	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%
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		35%
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%
Addits	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%
	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%
Other	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	rcentage (Sub	ototal 2)
epeat Violator	(Subtotal 3)		
N/A	Adjustment Per	rcentage (Sub	ototal 3)
ompliance Hist	ory Person Classification (Subtotal 7)		
N/A	Adjustment Per	rcentage (Sub	ototal 7)
ompliance Histo		contage (our	
			Т
Compliance History Notes	Enhancement for one NOV with dissimilar violations and one adjudicated final co without a denial of liability.	ourt judgement	
	Total Compliance History Adjustment Percentage (Subtotals 2,	3, & 7)
al Compliance			

	ning Date				ket No. 2022-0412-MLM-E		PCW
		Dolores Luke o	lba Little Big I	Horn Services	(PCW No. 2)	Policy R	evision 5 (January 28, 2021)
	se ID No.					РСИ	V Revision February 11, 2021
Reg. Ent. Refer							
		Public Water S					
		Samantha Sala	as				
Violatio	on Number	1					
R	lule Cite(s)	20	O Tax Admin	Codo 5 200 v	f(f)(2) and $f(2)(A)(i)(III)$		
		30	J Tex. Admin.	Code g 290.2	46(f)(2) and (f)(3)(A)(i)(III)		
		Failed to ma	intain water v	works operation	on and maintenance records a	nd make	
Violation (Description				he Executive Director upon re		
Violation	Description	Specifically, the			each chemical used each wee	ek was not	
			m	aintained on-	site for review.		
					Bas	se Penalty	\$1,000
>> Environment	al, Propei	rty and Hum		Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual		liouerate				
	Potential				Percent 0.0%	1	
			1			-	
>>Programmation							
F	Falsification	Major	Moderate	Minor	Percent 1.0%	1	
				X	Percent 1.0%]	
Matrix		Less tha	n 30% of the	rule requiren	nents were not met.		
Notes				ruie requiren			
					Adjustment	\$990	
						г	\$10
						L	\$10
Violation Events							
				- - -			
	Number of V	iolation Events	1	J L	63 Number of violation	n days	
		daily		ח			
		weekly		1			
		monthly		1			
		quarterly		j	Violation Bas	e Penalty	\$10
		semiannual]			
		annual]			
		single event	x				
			One single	event is recor	nmended		
			ene engle				
Good Faith Effor	ts to Com		0.0%			Reduction	\$0
			Before NOE/NOV	NUE/NOV to ED	PRP/Settlement Offer		
		Extraordinary					
		Ordinary					
		N/A	<u> </u>			1	
		Notes	The Respon		meet the good faith criteria		
		10103		for this	violation.		
						2	
					Violation	n Subtotal	\$10
Economic Benefi	it (EB) for	this violati	on		Violation Statutory Limi		\$10
Economic Benefi				¢۵	Statutory Limi	t Test	
Economic Benefi		this violati ed EB Amount		\$9		t Test	\$10 \$14 \$50

	E	conomic	Benefit	Wor	rksheet		
Respondent	Dolores Luke o	lba Little Big Horr	n Services (PCW	No. 2)			
Case ID No.	62181						
Reg. Ent. Reference No.	RN101228740						
	Public Water S						Years of
Violation No.		app./				Percent Interest	Depreciation
	-					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	Item cost	Date Required	That Date	113	Interest Saved	costs saved	ED 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	12-Dec-2018	2-Nov-2022	3.89	\$9	n/a	\$9
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
						tem operation and	
Notes for DELAYED costs			,			uest by the Execut	,
	calculated fr	om the date of th	2	,		violation to the estir	nated date of
				complia			
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 Financial Assurance				0.00	\$0 \$0	<u>\$0</u> \$0	\$0 #0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
other (as needed)				0.00	\$ U	<u> </u>	<u>\$</u> 0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$45			TOTAL		\$9
Approx. cost of compliance	<u> </u>	343			TOTAL		پ و

		ening Date				ket No. 2022-0412-MLM-E		PCW
			Dolores Luke o	dba Little Big H	orn Services (PCW No. 2)	Policy R	Revision 5 (January 28, 2021)
	C	Case ID No.	62181				PCV	V Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN101228740	1				
		Media	Public Water S	Supply				
	Enf. C		Samantha Sal					
		ation Number		1				
		Rule Cite(s)						
				30 16	ex. Admin. Coc	le § 290.46(p)(2)		
	Violatio	n Description				th a list of all the operators and system uses on an annual basis		
						Bas	e Penalty	\$1,000
>> Env	vironme	ntal, Prope	rty and Hur		Matrix			
		D - I	Made	Harm	Min			
OR		Release		Moderate	Minor			
UK		Actual Potential				Percent 0.0%	r	
		Fotential				Percent 0.0%		
	arommo	tic Matrix						
>>Pro	grannna	tic Matrix Falsification	Major	Moderate	Minor			
		Faisincation	Major	Moderate	MINU	Percent 10.0%	ľ	
			X				l	
	Matrix Notes		1	.00% of the rul	e requirement	was not met.		
						Adjustment	\$900	
							\$900	
							4500	
						/ a justificant		\$100
							[\$100
Violatio	on Even	ts					¢300	\$100
Violatio	on Even	ts					[\$100
Violatio	on Even		/iolation Events	s <u>1</u>		63 Number of violation	[\$100
Violatio	on Even		/iolation Events	s <u> </u>			[\$100
Violatio	on Even		/iolation Events	s <u> </u>			[\$100
Violatio	on Even			5			[\$100
Violatio	on Even		daily	s <u>1</u>			[\$100
Violatio	on Even		daily weekly monthly quarterly	s <u>1</u>			days	\$100
Violatio	on Even		daily weekly monthly	5 <u>1</u>		63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly	5 <u>1</u>		63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual			63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual			63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual			63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual		event is recom	63 Number of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual		event is recom	63 Number of violation	days	
		Number of V	daily weekly monthly quarterly semiannual annual single event	One single	event is recom	63 Number of violation	days se Penalty	\$100
			daily weekly monthly quarterly semiannual annual single event	One single		63 Number of violation Violation Bas	days	
		Number of V	daily weekly monthly quarterly semiannual annual single event	One single		63 Number of violation	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event	One single	NOE/NOV to EDP	63 Number of violation Violation Bas	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event	One single		63 Number of violation Violation Bas	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event	One single	NOE/NOV to EDP	63 Number of violation Violation Bas	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A		NOE/NOV to EDP	63 Number of violation Violation Bas mended. PRP/Settlement Offer	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event		NOE/NOV to EDP	63 Number of violation Violation Bas	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A		NOE/NOV to EDP	63 Number of violation Violation Bas mended. PRP/Settlement Offer	days se Penalty	\$100
		Number of V	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A		NOE/NOV to EDP	63 Number of violation Violation Bas mended. PRP/Settlement Offer compliance on April 19, 2022.	days	\$100
Good F	aith Eff	Number of V	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	63 Number of violation Violation Bas mended. RP/Settlement Offer compliance on April 19, 2022. Violation	days Se Penalty	\$100
Good F	aith Eff	Number of V orts to Com	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A Notes	One single	NOE/NOV to EDP	63 Number of violation Violation Bas mended. PRP/Settlement Offer compliance on April 19, 2022. Violation Statutory Limit	days Reduction	\$100
Good F	aith Eff	Number of V orts to Com	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	63 Number of violation Violation Bas mended. RP/Settlement Offer compliance on April 19, 2022. Violation	days Reduction	\$100
Good F	aith Eff	Number of V orts to Com	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A Notes	One single The Respond The Respond	NOE/NOV to EDP	63 Number of violation Violation Bas mended. PRP/Settlement Offer compliance on April 19, 2022. Violation Statutory Limit	days e Penalty Reduction Subtotal t Test alty Total	\$100

Economic Benefit Worksheet											
Respondent	Dolores Luke dba Little Big Horn Services (PCW No. 2)										
Case ID No.											
Reg. Ent. Reference No.											
-	Public Water S						Years of				
Violation No.		uppiy				Percent Interest	Depreciation				
	2					5 a	-				
						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		<u> </u>		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 \$0	n/a	\$0 \$0				
Permit Costs Other (as needed)	\$45	20-Dec-2018	19-Apr-2022	0.00	\$0 \$7	n/a n/a	\$0				
Notes for DELAYED costs	The delayed of	cost includes the e l operating compa	estimated amou anies that the pu	ıblic wa		e Director with a we rs, calculated from t ate of compliance.					
Avoided Costs	ANNUA	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)				
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0				
Supplies/Equipment				0.00	\$0	\$0	\$0				
Financial Assurance				0.00	\$0	\$0	\$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Notes for AVOIDED costs											
Approx. Cost of Compliance		\$45			TOTAL		\$7				

	Screening Date		Docket No. 2022-0412-MLM-E	PCW
	•	Dolores Luke dba Little Big H	lorn Services (PCW No. 2)	Policy Revision 5 (January 28, 2021)
	Case ID No.			PCW Revision February 11, 2021
Reg. En	t. Reference No.			
		Public Water Supply		
	Enf. Coordinator			
	Violation Number Rule Cite(s)			
	Kule cite(s)	30 Tex. Admin. Code § 2	90.39(j) and Tex. Health & Safety Code § 341.	.0351
			ive Director prior to making any significant cha duction, treatment, storage, pressure mainten	
v	iolation Description	· · ·	cifically, the Respondent did not notify the Exe	
-			one of the 557-gallon pressure tanks with a 90	
			pressure tank.	
			Base	Penalty \$1,000
>> Envir	onmental Prone	rty and Human Health	Matrix	
		Harm	FIGURA	
	Release		Minor	
OR	Actual			
	Potential		Percent 0.0%	
>>Progra	ammatic Matrix			
>>Flogra	Falsification	Major Moderate	Minor	
		x	Percent 10.0%	
		·		
	Matrix			
	Notes	100% of the rule	requirements were not met.	
			Adjustment	\$900
			Aujustment	\$900
				\$100
Violation	Events			
	Number of \	Violation Events 1	63 Number of violation of	lavs
	Number of V			idy5
		daily		
		weekly		
		monthly		
		quarterly	Violation Base	Penalty \$100
		semiannual annual		
		single event x		
		One single	event is recommended.	
Good Fait	th Efforts to Com	0.0%	R	Reduction \$0
Jood I dit		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary		
		N/A <mark>x</mark>		
		The Respond	ent does not meet the good faith criteria for	
		Notes	this violation.	
			Violation	Subtotal \$100
Economic	: Benefit (EB) for	this violation	Statutory Limit	Test
Leononic				
	Estimat		\$679 Violation Final Pena	Ity Total \$137
	Estimate	ed EB Amount	\$679 Violation Final Pena	
	Estimati		lation Final Assessed Penalty (adjusted fo	

Economic Benefit Worksheet												
Respondent	Dolores Luke o	olores Luke dba Little Big Horn Services (PCW No. 2)										
Case ID No.	62181											
Reg. Ent. Reference No.												
	Public Water S						Years of					
Violation No.		appi)				Percent Interest	Depreciation					
	5					5.0	15					
	Thomas Count	Data Danuinad	Final Data	Vee	Interest Saved	Costs Saved	EB Amount					
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount					
Item Description												
Delayed Costs	r											
Equipment				0.00	\$0	\$0	\$0					
Buildings				0.00	\$0 \$0	\$0 \$0	\$0					
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0					
Engineering/Construction Land				0.00	\$0 \$0	 n/a	\$0 \$0					
Record Keeping System				0.00	\$0	n/a	\$0					
Training/Sampling				0.00	\$0	n/a	\$0					
Remediation/Disposal				0.00	\$0	n/a	\$0					
Permit Costs				0.00	\$0	n/a	\$0					
Other (as needed)	\$3,000	20-Dec-2018	30-Jun-2023	4.53	\$679	n/a	\$679					
Notes for DELAYED costs		nificant changes to	the water syst	em, cal	<i>·</i> ·	proval from the Exe ate of the investiga compliance.						
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering		one-time avoided	d costs)					
Disposal				0.00	\$0	\$0	\$0					
Personnel				0.00	\$0	\$0	\$0					
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0					
Supplies/Equipment				0.00	\$0	\$0	\$0					
Financial Assurance				0.00	\$0	\$0	\$0					
ONE-TIME avoided costs				0.00	\$0	\$0	\$0					
Other (as needed) Notes for AVOIDED costs		<u>I </u>		0.00	\$0	\$0	\$0					
Approx. Cost of Compliance		\$3,000			TOTAL		\$679					

		ening Date				(et No. 2022-0412-MLM-E		PCW
			Dolores Luke d	ba Little Big H	orn Services (P	CW No. 2)	Policy F	Revision 5 (January 28, 2021)
_		ase ID No.					PCV	V Revision February 11, 2021
Reg.	Ent. Ref		RN101228740					
	F (0		Public Water Su					
		oordinator	Samantha Sala	IS				
	viola	Rule Cite(s)						1
		Rule Cite(3)		30	Tex. Admin. Co	de § 290.42(j)		
						lia for the disinfection of pota		
	Violation	Description				tandards Institute/National S Drinking Water Treatment Cl		
	Tolucion	Description				certification was provided for		
						the water plant.		
						Bas	se Penalty	\$1,000
							-	
>> Env	vironme	ntal, Prope	rty and Hum	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual					_	
		Potential			X	Percent 3.0%		
>>Prog	gramma	tic Matrix	Major	Moderate	Minor			
	1	Falsification	Major	Moderate	Minor	Percent 0.0%	T	
	L L		<u> </u>]				1	
	Matrix					ersons served by the Facility		
	Notes	Insignificant	amount of conta	aminants which	n would not exc	ceed levels protective of hum	an nealth.	
								1
						Adjustment	\$970	
								\$30
								\$30
Violatio	on Event	S						\$30
Violatio	on Event		/iolation Events	1		63 Number of violation	davs	\$30
Violatio	on Event		/iolation Events	1		63 Number of violatior	n days	\$30
Violatio	on Event		/iolation Events daily			63 Number of violatior	ı days	\$30
Violatio	on Event					63 Number of violatior	ı days	\$30
Violatio	on Event		daily weekly monthly					
Violatio	on Event		daily weekly monthly quarterly			63 Number of violation		\$30
Violatio	on Event		daily weekly monthly quarterly semiannual					
Violatio	on Event		daily weekly monthly quarterly semiannual annual					
Violatio	on Event		daily weekly monthly quarterly semiannual	1				
Violatio	on Event		daily weekly monthly quarterly semiannual annual					
Violatio	on Event		daily weekly monthly quarterly semiannual annual		event is recomr	Violation Ba		
Violatio	on Event		daily weekly monthly quarterly semiannual annual		event is recomr	Violation Ba		
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single o	event is recomm	Violation Ba	se Penalty	\$30
			daily weekly monthly quarterly semiannual annual single event			Violation Ba		
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single o		Violation Ba	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single o		Violation Ba	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event ply Extraordinary	One single of Control		Violation Ba	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A	One single of Control	NOE/NOV to EDPR	Violation Bas	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary	One single of Control	NOE/NOV to EDPP	Violation Ba	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A	One single of Control	NOE/NOV to EDPP	Violation Bas	se Penalty	\$30
		Number of \	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A	One single of Control	NOE/NOV to EDPP	Violation Base nended.	se Penalty	\$30
Good F	aith Effc	Number of N	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A Notes	One single of Control	NOE/NOV to EDPP	Violation Base nended. P/Settlement Offer eet the good faith criteria for plation. Violatio	Reduction	\$30
Good F	aith Effc	Number of N	daily weekly monthly quarterly semiannual annual single event single event Extraordinary Ordinary N/A	One single of Control	NOE/NOV to EDPP	Violation Base nended.	Reduction	\$30
Good F	aith Effc	Number of Norts to Com	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A Notes	One single of Contemporation on Contemporation of Contemporation o	NOE/NOV to EDPP	Violation Base nended. P/Settlement Offer eet the good faith criteria for plation. Violatio	Reduction	\$30
Good F	aith Effc	Number of Norts to Com	daily weekly monthly quarterly semiannual annual single event Extraordinary Ordinary N/A Notes	One single of Contemporation on Contemporation of Contemporation o	NOE/NOV to EDPR ent does not m this vio	Violation Base nended. P/Settlement Offer eet the good faith criteria for plation. Violatio Statutory Limi	Reduction Reduction n Subtotal t Test nalty Total	\$30 \$0 \$30 \$30 \$41

Economic Benefit Worksheet										
Respondent	Dolores Luke	dba Little Big Horr	n Services (PCW	' No. 2)						
Case ID No.	62181									
Reg. Ent. Reference No.	RN101228740									
-	Public Water S						Years of			
Violation No.		~~PP1)				Percent Interest	Depreciation			
						5.0	15			
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount			
Item Description	Item cost	Date Required	That Date	113	Interest Saved		ED Amount			
Ttem Description										
Delayed Costs										
Equipment				0.00	\$0	\$0	\$0			
Buildings		i i i		0.00	\$0	\$0	\$0			
Other (as needed)				0.00	\$0	\$0	\$0			
Engineering/Construction				0.00	\$0	\$0	\$0			
Land				0.00	\$0	n/a	\$0			
Record Keeping System				0.00	\$0	n/a	\$0			
Training/Sampling				0.00	\$0	n/a	\$0			
Remediation/Disposal				0.00	\$0	n/a	\$0			
Permit Costs				0.00	\$0	n/a	\$0			
Other (as needed)	\$125			3.87	\$24	n/a	\$24			
						nicals used in treat				
Notes for DELAYED costs	••• •	•	•		•	50 for Drinking Wat				
	Chemical	s, calculated from				umenting the viola	tion to the			
					of compliance.					
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering		one-time avoide				
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 Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0			
other (as needed)]]		0.00	<u>\$</u> 0	<u>\$</u> U	<u>\$0</u>			
Notes for AVOIDED costs										
		#10F			TOTAL		#2.4			
Approx. Cost of Compliance		\$125			TOTAL		\$24			

Respondent Dolores Little dig Hom Services (PCW No. 2) Data provides (Dataway, 12, 202) Reg. Ent. Reference No. 8XU01228700 Media Volc Water Supply Media Volc Water Supply Enf. Coordinator Sumatric Salas Violation Running 30 Tex. Admin. Code § 200.42(1) Violation Running 5 Notice Cite(s) 30 Tex. Admin. Code § 200.42(1) Violation Running 5 Notice Cite(s) 30 Tex. Admin. Code § 200.42(1) Violation Description Failed to maintain a thorough and up-to-date plant operations manual for operator with an other of include entregency contact information, entregency protocols for main-made and natural disasters, and monthly operation procedures. Violation Description Number of Violation Manor OR Recience Major Minor Programmatic Matrix Number of Violation Events Percent 1.00% Matrix Less than 30% of the rule requirements were not met. 510 Violation Events 00 re single event is recommended. 510 Good Faith Efforts to Comply 0.0.0% Violation Base Penalty 510 Violation Events 0.0.0% Violation Base Penalty 510 Violation Events 0.0.0% Reduction 31 <t< th=""><th></th><th></th><th>ening Date</th><th></th><th></th><th></th><th>ket No. 2022-0412-MLM-E</th><th></th><th>PCW</th></t<>			ening Date				ket No. 2022-0412-MLM-E		PCW
Reg. Ent. Reference No. RN(0)228740 Media Vulk Water Supply Enf. Coordinator Samatha Salas Violation Number 5 Rule Cite(s) Solation Number 5 Violation Number 5 Solation Number 5 Solation Number 5 Violation Description Information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency contact information, emergency proceeding the manual did not include emergency em					lba Little Big H	lorn Services (PCW No. 2)	Policy R	Revision 5 (January 28, 2021)
Media Public Weber Supply Finf. Coordinator Samanthe Sales Violation Number Sale Creation Violation Description moview and reference. Specifically, the manual due hol include emergency contact information, emergency protocols for main made and natural disasters, and monthly operation procedure. >> Environmental, Property and Human Health Matrix Marma OR Release Major Moderate Matrix Harm Potential Percent OR Actual Potential Percent Matrix Harm Violation Events Adjustment Matrix Less than 30% of the rule requirements were not met. Number of Violation Events 63 Number of Violation Events 63 Single event x One single event semiannual One single event x Violation Base Penalty \$10 Violation Events Galage One single event x Semiannual Statutory Violation Base Penalty \$10 One single event semiannual								РСИ	V Revision February 11, 2021
Enf. Coordinator samantha Salar Violation Number 5 Subtation Number 5 Subtation Number 5 Subtation Number 5 Subtation Number 5 Violation Description Information, emergency protocols for manual and and and disastes, and monthly operation procedures. See Penalty \$1,000 Actual Moderate Minor Actual Moderate Minor Potential Potential Matrix Falification Mejor Moderate Minor Falification Mejor Moderate Minor Falification Mejor Potential Programmatic Matrix Falification Mejor Moderate Minor Falification Mejor Moderate Minor Falification Mejor Moterate Minor Falification Mejor Moderate Minor Falification Mejor Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Violation Events Number of Violation Events One single event is recommended. Good Faith Efforts to Compl	Reg.	Ent. Ref							
Violation Number 5 Rule Cite(s) 30 Tex. Admin. Code § 290.42(1) Failed to maintain a thorough and up-to-date plant operations manual for operator information, emergency protocols for man-made and natural disasters, and monthly operations member of not include emergency contact information, emergency protocols for man-made and natural disasters, and monthly operations >> Environmental, Property and Human Health Matrix Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Harm OR Actual Percent 0.0% >> Programmatic Matrix Harm Moderate Minor Percent 0.0% >> Programmatic Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Violation Events									
Rule Cite(s) 30 Tex. Admin. Code § 290.42(1) Failed to maintain a thorough and up-to-date plant operations manual for operator preview and reference. Specifically, the manual did not include emergency contact information, emergency protocols for man-made and natural disasters, and monthly operation procedures. See Penalty 51,000 >> Environmental, Property and Human Health Matrix Harm Marin Release Major Moderate Minor Percent OR Active Minor Potential Percent Potential Moderate Matrix Percent Potential Moderate Matrix Less than 30%, of the rule requirements were not met. Notes Less than 30%, of the rule requirements were not met. Natrix Less than 30%, of the rule requirements were not were. Violation Events 1 One single event 510 Violation Events 1 One single event 510 Violation Base Penalty 510 One single event 510 One single event 510 One single event 510 Violation Base Penalty					as				
Julie Addition Julie Addition Violation Description Failed to maintain a through and up to date plant operations manual for operator memory contact information, emergency protocols for man-made and natural disasters, and monthly operation procedures. S>> Environmental, Property and Human Health Matrix Base Penalty 0R Actual Magn Actual Moderate Minor Faisfication Magn Moderate Notes Less than 30% of the rule requirements were not met. Notes S100 Violation Events 63 Number of Violation Events 63 One single event is recommended. 510 Good Faith Efforts to Comply 10.0% Notes 10.0% Extraordinary single event is recommended. Good Faith Efforts to Comply 10.0% Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotat 69 Ordinary x Violation Function Statutory Limit Test Economic Benefit (EB) for this violation Statutory Limit Test Economic Benefit (EB) for this violation 57 Violation Final Penalty Tetal		Viola							
Violation Description Fraided to maintain a through and up-to-date glont operations manual for operator information, emergency procedures. See Penalty \$1,000 >> Environmental, Property and Human Health Matrix Base Penalty \$1,000 OR Release Major Moderate Minor OR Release Major Moderate Minor Potential Percent 0.0% >> >> Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor 990 \$10 Violation Events			Rule Cite(s)		30	Tex. Admin. C	ode § 290.42(I)		
Violation Description retiremene. Specifically, the manual did not include emergency contact. Information, emergency products for man-made and natural disasters, and monthly operation procedures. >>> Environmental, Property and Human Health Matrix Mamman Base Penalty \$1,000 OR Release Major Maderate Minor Percent 0.0% >> Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 1.0% >> Programmatic Matrix Ess than 30% of the rule requirements were not met. \$10 Violation Events 4djustment \$990 Violation Events 63 Number of violation Events \$10 One single event is recommended. 510 \$10 Good Faith Efforts to Comply 10.0% Notice \$10 Ordinary x \$10 \$11 \$11 Ordinary X \$10 \$10 \$11 Ordinary Notice \$10 \$10 \$11 One single event is recommended. \$10 \$11 \$11 Ordinary x \$10 \$11 \$12									
Violation Description retiremene. Specifically, the manual did not include emergency contact. Information, emergency products for man-made and natural disasters, and monthly operation procedures. >>> Environmental, Property and Human Health Matrix Mamman Base Penalty \$1,000 OR Release Major Maderate Minor Percent 0.0% >> Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 1.0% >> Programmatic Matrix Ess than 30% of the rule requirements were not met. \$10 Violation Events 4djustment \$990 Violation Events 63 Number of violation Events \$10 One single event is recommended. 510 \$10 Good Faith Efforts to Comply 10.0% Notice \$10 Ordinary x \$10 \$11 \$11 Ordinary X \$10 \$10 \$11 Ordinary Notice \$10 \$10 \$11 One single event is recommended. \$10 \$11 \$11 Ordinary x \$10 \$11 \$12				Failed to main	tain a thoroug	ih and un-to-d	ate plant operations manual for	onerator	
Violation Description Information, emergency protocols for man-made and natural disasters, and monthly operation procedures. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Release Major Moderate Minor Percent 0.0% >> Programmatic Matrix Release Major Moderate Minor Percent 1.0% >> Programmatic Matrix Less than 30% of the rule requirements were not met. Number of Violation Events 1 63 Number of violation days \$10 Violation Events Number of Violation Events 1 63 Number of violation days \$10 Violation Base Penalty \$10 Semianual single event is recommended. Scood Faith Efforts to Comply 10.0% Core single event is recommended. Scood Faith Efforts to Comply 10.0% Violation Subtotal \$1 Extraoriding XA									
operation procedures. Base Penaity		Violatio	n Description						
>> Environmental, Property and Human Health Matrix Harm Moderate Minor Actual Major Moderate Minor Potential Matrix Falsification Major Moderate Minor Percent 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Field Major Moderate Minor Matrix Number of Violation Events 1 Number of Violation Events 1 Matrix Less than 30% of the rule requirements were not met. Number of Violation Events 1 Matrix Semiannual annual annual single event 1 Semianual Actual Major Moderate Major Moderate Major Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal 59 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount 57 Violation Final Penalty Total 133						operation pr	ocedures.		
>> Environmental, Property and Human Health Matrix Harm Moderate Minor Actual Major Moderate Minor Potential Matrix Falsification Major Moderate Minor Percent 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Field Major Moderate Minor Matrix Number of Violation Events 1 Number of Violation Events 1 Matrix Less than 30% of the rule requirements were not met. Number of Violation Events 1 Matrix Semiannual annual annual single event 1 Semianual Actual Major Moderate Major Moderate Major Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal 59 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount 57 Violation Final Penalty Total 133									
>> Environmental, Property and Human Health Matrix Harm Moderate Minor Actual Major Moderate Minor Potential Matrix Falsification Major Moderate Minor Percent 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Field Major Moderate Minor Matrix Number of Violation Events 1 Number of Violation Events 1 Matrix Less than 30% of the rule requirements were not met. Number of Violation Events 1 Matrix Semiannual annual annual single event 1 Semianual Actual Major Moderate Major Moderate Major Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal 59 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount 57 Violation Final Penalty Total 133							D = -		¢1.000
Harm Harm OR Actual Moderate Minor Potential Major Moderate 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 0.0% Matrix Falsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment 5990 510 Violation Events 1 63 Number of violation days 510 Violation Events 1 63 Number of violation days 510 One single event x Violation Base Penalty 510 One single event x Violation Base Penalty 510 One single event x Violation Base Penalty 510 Violation Base Penalty 10.0% NOP/NOV to EDPRP/Settlement Offer 510 Violation Subtotal 10.0% NOP/NOV to EDPRP/Settlement Offer 511 Violation Subtotal 10.0% NOP/NOV to EDPRP/Settlement Offer 511							Bas	e Penalty	\$1,000
Harm Harm OR Actual Moderate Minor Potential Major Moderate 0.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 0.0% Matrix Falsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment 5990 510 Violation Events 1 63 Number of violation days 510 Violation Events 1 63 Number of violation days 510 One single event x Violation Base Penalty 510 One single event x Violation Base Penalty 510 One single event x Violation Base Penalty 510 Violation Base Penalty 10.0% NOP/NOV to EDPRP/Settlement Offer 510 Violation Subtotal 10.0% NOP/NOV to EDPRP/Settlement Offer 511 Violation Subtotal 10.0% NOP/NOV to EDPRP/Settlement Offer 511	>> En	vironme	ntal, Prope	rty and Hun	nan Health	Matrix			
OR Actual Potential Percent 0.0% >> Programmatic Matix Falsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Violation Events Mumber of Violation Events Number of Violation Events 1 63 Number of violation days Semiannual asingle event x \$10 One single event x \$10 Sood Faith Efforts to Comply 10.0% NOP/NOV to EDPRP/Settement Offer \$11 Extraordinary x NA Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal 19 19 11 11 Estimated EB Amount 37 Violation Final Penalty Total 113				_	Harm				
Potential Percent 0.0% >>Programmatic Matrix Minor Palsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. 4djustment Adjustment \$990 Violation Events \$10 Number of Violation Events 63 Violation Base Penalty \$10 guarterly Violation Base Penalty semianual \$10 One single event is recommended. \$10 Good Faith Efforts to Comply 10.09% Percent COLVIV NORKOV to EDPRE/Settement Offer Extraordinary X Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Yiolation Final Penalty Total \$13					Moderate	Minor			
	UK						Percent 0.0%		
Falsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Adjustment \$990 \$10 Violation Events 1 63 Number of violation days daily			Potential						
Falsification Major Moderate Minor Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Adjustment \$990 \$10 Violation Events 1 63 Number of violation days daily	>>Pro	aramma	tic Matrix						
x Percent 1.0% Matrix Less than 30% of the rule requirements were not met. Adjustment \$990 Adjustment \$990 \$10 Violation Events 1 63 Number of violation days Violation Events 1 63 Number of violation days Violation Events 1 63 Number of violation days Violation Base Penalty \$10 annual annual \$10 One single event is recommended. \$10 Good Faith Efforts to Comply 10.0% Reduction \$11 Matrix Violation Subtotal \$12 Violation Subtotal \$13 Violation Subtotal \$19 Violation Final Penalty Total \$13	22110	granna	Falsification	Major	Moderate	Minor			
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Notes Less than 30% of the full requirements were not met. Adjustment \$990 \$10 Violation Events 1 63 Number of violation days Weekly 63 Number of violation days \$10 Weekly 9 63 Number of violation days Weekly 9 9 9 9 Monthly 9 </th <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>·</th> <th></th> <th></th>							·		
Notes Less than 30% of the full requirements were not met. Adjustment \$990 \$10 Violation Events 1 63 Number of violation days Weekly 63 Number of violation days \$10 Weekly 9 63 Number of violation days Weekly 9 9 9 9 Monthly 9 </th <th></th> <th>Moteix</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>		Moteix							
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Number of Violation Events 1 63 Number of violation days daily weekly wonthly youther of violation Base Penalty \$10 youther of violation Base Penalty \$10 \$10 \$10 semiannual annual annual \$10 one single event x x \$10 Good Faith Efforts to Comply 10.0% Reduction \$11 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer \$12 Extraordinary x \$13 Ordinary x \$14 Notes The Respondent achieved compliance on April 19, 2022. \$19 Economic Benefit (EB) for this violation Statutory Limit Test \$10 Estimated EB Amount \$17 \$13								[\$10
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One single event is recommended. Good Faith Efforts to Comply 10.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary		ion Even		daily weekly monthly quarterly semiannual					\$10
Good Faith Efforts to Comply 10.0% Reduction \$1 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Statutory \$1 Ordinary x X X N/A X Notes The Respondent achieved compliance on April 19, 2022. Yiolation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test \$1 Estimated EB Amount \$7 Violation Final Penalty Total \$13		ion Even		daily weekly monthly quarterly semiannual annual					\$10
Good Faith Efforts to Comply 10.0% Reduction \$1 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Statutory \$1 Ordinary x X X N/A X Notes The Respondent achieved compliance on April 19, 2022. Yiolation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test \$1 Estimated EB Amount \$7 Violation Final Penalty Total \$13		ion Even		daily weekly monthly quarterly semiannual annual					\$10
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary		ion Even		daily weekly monthly quarterly semiannual annual					\$10
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary		ion Even		daily weekly monthly quarterly semiannual annual		event is recom	Violation Bas		\$10
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary		ion Even		daily weekly monthly quarterly semiannual annual		event is recom	Violation Bas		\$10
Extraordinary x Ordinary x N/A Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7			Number of V	daily weekly monthly quarterly semiannual annual single event	One single	event is recom	Violation Bas	e Penalty	
Ordinary x N/A Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event	One single		Violation Bas	e Penalty	
N/A	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event	One single		Violation Bas	e Penalty	
Notes The Respondent achieved compliance on April 19, 2022. Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary	One single	NOE/NOV to EDP	Violation Bas	e Penalty	
Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary	One single	NOE/NOV to EDP	Violation Bas	e Penalty	
Violation Subtotal \$9 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary	One single	NOE/NOV to EDP	Violation Bas	e Penalty	
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	Violation Bas	e Penalty	
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	Violation Bas	e Penalty	
Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	Violation Bas mended.	e Penalty	\$1
Estimated EB Amount \$7 Violation Final Penalty Total \$13	Good F		Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A	One single	NOE/NOV to EDP	Violation Bas mended.	e Penalty	\$1
		Faith Effo	Number of V	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A Notes	One single	NOE/NOV to EDP	Violation Bas mended. RP/Settlement Offer ompliance on April 19, 2022. Violation	e Penalty	\$1
This violation Final Assessed Penalty (adjusted for limits) \$50		Faith Effo	Number of V orts to Com	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A Notes	One single	NOE/NOV to EDP	Violation Bas mended. RP/Settlement Offer ompliance on April 19, 2022. Violation Statutory Limit	e Penalty	\$1
		Faith Effo	Number of V orts to Com	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A Notes	One single	NOE/NOV to EDP	Violation Bas mended. RP/Settlement Offer ompliance on April 19, 2022. Violation Statutory Limit	e Penalty	\$1

Economic Benefit Worksheet											
Respondent	Dolores Luke dba Little Big Horn Services (PCW No. 2)										
Case ID No.	62181										
Reg. Ent. Reference No.	RN101228740										
-	Public Water S						Years of				
Violation No.		appij				Percent Interest	Depreciation				
Violation No.	5					5.0	15				
	T he set C and C	Data Daniard	Elucit Data	Maria	Table of Course						
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Delayed Costs		n		1							
Equipment				0.00	\$0	\$0	\$0				
Buildings				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Engineering/Construction				0.00	\$0 \$0	\$0	\$0 \$0				
Land Record Keeping System				0.00	\$0 \$0	n/a 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)	\$45	20-Dec-2018	19-Apr-2022	3.33	\$7	n/a	\$7				
Notes for DELAYED costs			date of the inve	stigatio	n initially documer	and up-to-date planting the violation to					
				complia	ance.						
Avoided Costs	ANNU	LIZE avoided co	osts before en			one-time avoide					
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0 #0				
Supplies/Equipment Financial Assurance				0.00	<u>\$0</u> \$0	<u>\$0</u> \$0	<u>\$0</u> \$0				
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0				
Other (as needed)				0.00	<u>\$0</u> \$0	<u>\$0</u> \$0	\$0				
other (as needed)				0.00	30	30	<u></u>				
Notes for AVOIDED costs											
Approx. Cost of Compliance		\$45			TOTAL		\$7				

	Screening Date		Docket No. 2022-0412-MLM-E		PCW
	-	Dolores Luke dba Little Big	Horn Services (PCW No. 2)		5 (January 28, 2021)
Rea	Case ID No Ent. Reference No			PCW Revisio	on February 11, 2021
Reg.		Public Water Supply			
	Enf. Coordinato				
	Violation Numbe	r <u>6</u>			
	Rule Cite(s) 30	Tex. Admin. Code § 290.46(m)		
	Violation Description	Failed to initiate mainter working condition and gene Specifically, most of the fer	nance and housekeeping practices to ensure the eral appearance of the system's facilities and eq nee was covered with excessive vegetation and hat was tangled with excessive vegetation.	<mark>juipment.</mark>	
			Base	e Penalty	\$1,000
>> Fn	vironmental Prone	erty and Human Health	Matrix		
~ ~ Lii		Harm	I FIGURA		
0.0	Release		Minor		
OR	Actua Potentia		x Percent 3.0%		
	Fotentia		x Percent 3.0%		
>>Pro	grammatic Matrix				
	Falsification	Major Moderate	Minor		
			Percent 0.0%		
	Failure to	maintain the good working a	andition and concern appropriate of the Facility	could	
			condition and general appearance of the Facility insignificant amounts of contaminants which we		
	Notes	exceed levels	protective of human health.		
			Adjustment	\$970	
					\$30
					1.5.5
Violati	ion Events				
	Number of	Violation Events 1	63 Number of violation of	davs	
	Number of			aays	
		daily			
		weekly			
		monthly quarterly	Violation Base	Penalty	\$30
		semiannual		Fenalty	\$50
		annual			
		single event x			
		One single	e event is recommended.		
		j			
Good I	Faith Efforts to Con	nply 10.0% Before NOE/NOV		Reduction	\$3
		Extraordinary			
		Ordinary	x		
		N/A			
		Notes The Respon	ident achieved compliance on April 19, 2022.		
			Violation	Subtotal	\$27
Econo	mic Benefit (EB) fo	r this violation	Statutory Limit	Test	
	Estima	ted EB Amount	\$117 Violation Final Pena	ltv Total	\$38
		This vi	olation Final Assessed Penalty (adjusted fo	or limits)	\$50

Economic Benefit Worksheet											
Respondent	ent Dolores Luke dba Little Big Horn Services (PCW No. 2)										
Case ID No.	62181										
Reg. Ent. Reference No.	RN101228740										
-	Public Water S						Years of				
Violation No.		appiy				Percent Interest	Depreciation				
Violation No.	0					БО					
						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)	\$500	20-Dec-2018	19-Apr-2022	3.33	\$6	\$111	\$117				
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 #0	n/a	\$0 #0				
Remediation/Disposal				0.00	\$0 \$0	n/a n/a	\$0 \$0				
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a	\$0				
Notes for DELAYED costs				int to re	emove the excessiv	ve vegetation from om the date of the	the fence and				
					on to the date of o						
Avoided Costs	ANNU	ALIZE avoided co	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 Financial Assurance				0.00	<u>\$0</u> \$0	<u>\$0</u> \$0	<u>\$0</u> \$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0 \$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Notes for AVOIDED costs		<u>II</u>		0.00	<u> </u>	<u>\$0</u>					
Approx. Cost of Compliance		\$500			TOTAL		\$117				

SCOMMISS SCOM SCOM SCOM SCOM SCOM SCOM SCOM SC	Policy Re	Pe vision 5 (January 28,	nalty Cal	culatio	n Worksh	neet (PC	-	vision February	11, 2021
DATES	Assigned	4-Apr-2022							
	PCW	7-Apr-2022	Screening 6	-Apr-2022	EPA Due				
RESPO		TY INFORMATI							
Ba		Dolores Luke dba	a Little Big Horn	Services (PC	CW No. 3)				
	g. Ent. Ref. No. ty/Site Region				Maior/M	inor Source	Minor		
	NFORMATION If./Case ID No.	62181			No. o	f Violations	1		
		2022-0412-MLM	-E		NO. 0	Order Type			
Mec	dia Program(s)		-		Government				
	Multi-Media	Public Water Sup	ply		Enf. (Samantha Sal Enforcement T		
Adı	min. Penalty \$	Limit Minimum	\$0 M a	iximum	\$5,000				
					tion Sectio	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation ba	se penalt	ies)		Subtotal 1		\$500
ADJU	STMENTS (+	/-) TO SUBTO	DTAL 1						
	Subtotals 2-7 are of Compliance Hi	otained by multiplying	the Total Base Pena	alty (Subtotal 1 37.0%) by the indicated p Adjustment		tals 2, 3, & 7		\$185
	compliance m	Enhancement fo	r opo NOV with						\$105
	Notes		court judgemen			-			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Culpability	NO		0.0%	Ennancement		Sublotal 4		şυ
	Notes	The Re	spondent does n	ot meet the	culpability crite	ria.			
								1	+0
	Good Faith Eff	ort to Comply T	otal Adjustmer	nts			Subtotal 5		\$0
		<i>a</i> .						r	
	Economic Ben	Total EB Amounts	\$10		Enhancement* 1 at the Total EB \$ A	Amount	Subtotal 6		\$0
	Estimated	Cost of Compliance	\$50		, , ,				
SUM (OF SUBTOTA	IS 1-7				F	inal Subtotal		\$685
				_					+000
OTHE	R FACTORS	AS JUSTICE M	AY REQUIR		0.0%		Adjustment		\$0
Reduces	or enhances the Fina	Subtotal by the India	cated percentage.				ו		
	Notes								
						Einal Don	alty Amount		\$685
						Fillal Pell	aity Amount		3003
STAT	UTORY LIMI		IT			Final Asse	ssed Penalty		\$685
DEFE	RRAL				0.0%	Reduction	Adjustment		\$0
		enalty by the indicated	d percentage.		0.0 /0		Aujustinent		Ψ0
					dia di a stati				
	Notes	Defei	ral not offered f	or non-expe	aitea settiemen	ι.			
							1		
	BLE PENALT	-							\$685

R	Res Cas	Ing Date 6-Apr-2022 Docket No. 2022-0412-MLM-E Spondent Dolores Luke dba Little Big Horn Services (PCW No. 3) 62181 ence No. RN101228740		ion 5 (Januar vision Februa	
	Enf Coc	Media Water Rights ordinator Samantha Salas			
		Compliance History Worksheet			
>>	Compliance Hist	ory Site Enhancement (Subtotal 2)			
	Component	Number of	Number	Adjust.	
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	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	1	35%	
	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%	
	Addits	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%	
	Other	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 Perc	entage (Sub	total 2)	37%
>>	Repeat Violator	(Subtotal 3)			
	N/A	A Adjustment Perc	entage (Sub	total 3)	0%
>>	Compliance Hist	ory Person Classification (Subtotal 7)			
	- N/#	A Adjustment Perc	entage (Sub	total 7)	0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with dissimilar violations and one adjudicated final court judgement without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 37%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 37%

		ening Date				ket No. 2022	2-0412-MLM-E		PCW
			Dolores Luke db	a Little Big H	lorn Services	(PCW No. 3)		Policy R	evision 5 (January 28, 2021)
		ase ID No.						PCV	V Revision February 11, 2021
Reg.	Ent. Ref		RN101228740						
			Water Rights						
			Samantha Salas						
	VIOIa	ation Number							1
		Rule Cite(s)		30 T	ex. Admin. C	ode § 288.20(c	2)		
						5 (,		
			Esthering and the						
	Violatio	n Description	Falled to revie	ew and upda	least every		ght contingency	plan at	
					lease every	iive years.			
							Base	e Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Huma	n Health	Matrix				
			-,	Harm					
		Release	Major	Moderate	Minor				
OR		Actual				_			
		Potential				Perc	cent 0.0%		
>> Prov	aramma	tic Matrix							
>>P10	yı anını a	Falsification	Major	Moderate	Minor				
			X			Perc	cent 10.0%		
	Mahulu								
	Matrix Notes		100%	of the rule	requirements	were not met.			
	Notes								
						A		±4 500	
						Adjustn	nent	\$4,500	
									\$500
Violatio	on Even	ts							
		Number of V	iolation Events	1	F	63 Num	ber of violation	davs	
					Ľ			uuys	
			daily						
			weekly						
			monthly						
			quarterly				Violation Base	e Penalty	\$500
			semiannual						
			annual single event	x					
			Single event	^					
				One single e	vent is recom	nmended.			
Good F	aith Eff	orts to Com	nlv	0.0%				Reduction	\$0
GUU P					NOE/NOV to ED	PRP/Settlement Of			40
			Extraordinary						
			Ordinary						
			N/A	х					
				The Respon	lent does not	meet the good	d faith criteria		
			Notes	the respond		violation.			
							Violation	Subtotal	\$500
									+000
Econor	nic Bene	efit (EB) for	this violatio	n		Sta	tutory Limit	Test	
		Estimate	ed EB Amount		\$10	Violat	tion Final Pena	alty Total	\$685
			· ·						
				This viola	tion Final As	sessed Penal	ty (adjusted fo	or limits)	\$685

Economic Benefit Worksheet							
Respondent	Dolores Luke	dba Little Big Horn	Services (PCW	/ No. 3)			
Case ID No.	62181						
Reg. Ent. Reference No.	RN101228740						
	Water Rights						Years of
Violation No.	5					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	113	Interest Saved		ED Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	20-Dec-2018	2-Nov-2022	3.87	\$10	n/a	\$10
						contingency plan a	
Notes for DELAYED costs	needed, calc	ulated from the da		-		ing the violation to	the estimated
			dat	e or con	npliance.		
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							
Annual Cost of Convellance		#F0			TOTAL		#10
Approx. Cost of Compliance	L	\$50			TOTAL		\$10



Compliance History Report

Compliance History Report for CN600668818, RN101228740, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Responde Owner/Operator:	nt, or CN600668818, Dolores A. Luke	Classification: NOT APPLI	CABLE Rating: N/A
Regulated Entity:	RN101228740, LITTLE BIG HORN SERV	/ICES Classification: NOT APPLI	CABLE Rating: N/A
Complexity Points:	N/A	Repeat Violator: N/A	
CH Group:	14 - Other		
Location:	9700 LITTLE BIG HORN DRIVE NEAR S	ILSBEE, HARDIN COUNTY, TEXAS	
TCEQ Region:	REGION 10 - BEAUMONT		
ID Number(s):	4/SUPPLY REGISTRATION 1000071		
Compliance History I	Period: September 01, 2016 to August 31	, 2021 Rating Year: 2021	Rating Date: 09/01/2021
Date Compliance His	tory Report Prepared: April 05, 202	22	
Agency Decision Req	uiring Compliance History: Enfor	cement	
Component Period S	elected: April 05, 2017 to April 05, 202	2	
TCEQ Staff Member t	o Contact for Additional Information	Regarding This Compliance Hi	story.
Name: Samantha		Phone: (512) 239	-
Components (Mult	vn) change in ownership/operator of the site d imedia) for the Site Are Listed in rt judgments, and consent decrees:		NO
1 Effective Date	e: 04/11/2019 COURTORDER	(Final Judgement-After Hearing/Trial)	
Classificatio	•	-	
Citation: Romt Prov	30 TAC Chapter 290, SubChapter F 290.121(OP 2.b.i. ORDER	a)	
Description describes t	 Failure to compose and maintain a chemcia he sampling frequency, and specifies the analy pnitoring requirements. 		
Citation:	30 TAC Chapter 290, SubChapter D 290.42(1))	
•	OP 2.b.ii. ORDER		
•	: Failure to compile a thorough and up-to-da	te a plant operations manual for opera	tor review and reference.
Classificatio Citation:	эл: мајог 30 TAC Chapter 290, SubChapter D 290.42(j)	
	OP 2.b.iii. ORDER)	
Description	: Failure to obtain copies of all American Nat 0 certifications for chemical additives used at		tation Foundation "ANSI/NSF"
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c	:)(3)(J)	
Rqmt Prov:	OP 2.b.iv. ORDER		
Description	: Failure to provide a concrete sealing block	that extends a minimum of three feet f	rom the well casing in all directions.
Classificatio	on: Major		
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n	n)	

Rqmt Prov: 2.b.v. ORDER Description: Failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition. Specifically, the leak on the well discharge pipe between the sample tap and the flow meter was not repaired. Classification: Major 30 TAC Chapter 290, SubChapter D 290.46(n)(2) Citation: Rqmt Prov: OP 2.d.i. ORDER Description: Failure to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies. Classification: Major 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i) Citation: Rqmt Prov: OP 2.d.ii. ORDER Description: Failure to provide a minimum well capacity of 1.5 gallons per minute (gpm) per connection. Classification: Major 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(ii) Citation: Rgmt Prov: OP 2.d.iii. ORDER Description: Failure to provide a minimum pressure tank capacity of 50 gallons per connection. Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(3) 5A THSC Chapter 341, SubChapter A 341.033(d) Description: TCR MCL Violation 03/2011 - System exceeded a Maximum Contaminant Level (MCL) Violation. Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(3) 5A THSC Chapter 341, SubChapter A 341.033(d) Description: TCR MCL Violation 04/2011 - System exceeded a Maximum Contaminant Level (MCL) Violation. Classification: Minor 30 TAC Chapter 290, SubChapter D 290.46(s)(1) Citation: Description: Failure to calibrate the well meter. Classification: Minor 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii) Citation: Description: Failure to provide records of annual tank inspections. Classification: Major 30 TAC Chapter 290, SubChapter D 290.46(f) Citation: Description: Failure by the Little Big Horn Water System to have records accessible for review during the investigation and available upon request. Classification: Major Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A) Description: Failure by the Little Big Horn Water System to provide a minimum of 0.2 milligrams per liter (mg/L) of free chlorine in distribution at all times. Classification: Major Citation: 30 TAC Chapter 290, SubChapter D 290.46(q) Description: Failure by the Little Big Horn Water System to institute special precautions in the event of inadequate chlorine residuals by issuing a Boil Water Notice within 24 hrs. Classification: Moderate 30 TAC Chapter 290, SubChapter F 290.109(f)(3) Citation: 5A THSC Chapter 341, SubChapter A 341.033(d) Description: TCR MCL Violation 09/2015 - System exceeded a maximum contaminant level. Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(3) 5A THSC Chapter 341, SubChapter A 341.033(d) Description: TCR MCL Violation 08/2015 - System exceeded a maximum contaminant level. Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) Description: DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2015 within the required timeline. Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter H 290.274(c) Description: CCR 2014 - The system failed to provide the Consumer Confidence Report (CCR) for 2014 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

B. Criminal convictions:

N/A

Compliance History Report for CN600668818, RN101228740, Rating Year 2021 which includes Compliance History (CH) components from April 05, 2017, through April 05, 2022.

C. Chronic excessive emissions events: N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.): $_{N/A} \label{eq:N/A}$

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

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

Date:	02/0)2/2022	(1797534)			
Self Repor	t?	NO			Classification:	Minor
Citation: Descriptio	n:	Failure	plaints made to the	ervices to maintain a	a record of the dat	e, location, nature of tion taken by the water
Self Repor	t?	NO			Classification:	Minor
Citation: Descriptio Self Repor			Chapter 290, SubCh by Little Big Horn Se			ogical samples. Minor
Citation: Descriptio	n:		Chapter 290, SubCh by Little Big Horn Se		`	working condition.
Self Repor	t?	NO			Classification:	Minor
Citation: Descriptio	n:	Failure	Chapter 290, SubCh by Little Big Horn Se hed on a monthly ba	ervices to maintain	,,,,,,,	which dead end mains

F. Environmental audits:

N/A

1

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

N/A

N/A

Sites Outside of Texas:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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§ §

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING DOLORES LUKE DBA LITTLE BIG HORN SERVICES. RN101228740 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

DEFAULT ORDER

DOCKET NO. 2022-0412-MLM-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 CODE ch. 341 and Tex. WATER CODE ch. 11 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Dolores Luke dba Little Big Horn Services ("Respondent").

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

FINDINGS OF FACT

- 1. Respondent owns and operates a public water system ("PWS") located at 9700 Little Big Horn Drive near Silsbee, Hardin County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 24 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS as defined in 30 TEX. ADMIN. CODE § 290.38(71). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 11.021 and 30 TEX. ADMIN. CODE § 297.1(51).
- 2. During an investigation conducted on February 2, 2022, an investigator documented that Respondent:
 - a. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids. Specifically, four leaks were noted in the distribution lines at 9328 Little Big Horn Drive, 9420 Little Big Horn Drive, 735 Cluster Road, and 9476 Little Big Horn Drive;
 - b. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the record for the amount of each chemical used each week was not maintained on-site for review;
 - c. Failed to provide the Executive Director with a list of all the operators and operating companies that the PWS uses on an annual basis;
 - d. Failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, Respondent did not notify the Executive Director prior to replacing one of the 557-gallon pressure tanks with a 900-gallon pressure tank;

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- e. Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") Standard 60 for Drinking Water Treatment Chemicals. Specifically, no ANSI/NSF Standard 60 certification was provided for the hypochlorite used at the water plant;
- f. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the manual did not include emergency contact information, emergency protocols for man-made and natural disasters, and monthly operation procedures;
- g. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, most of the fence was covered with excessive vegetation and had loose barbed wire that was tangled with excessive vegetation; and
- h. Failed to review and update, as appropriate, the drought contingency plan at least every five years.
- 3. The Executive Director recognizes that Respondent implemented the following corrective measures at the Facility:
 - a. Respondent submitted a completed Operator Notice Form containing a list of all the operators and operating companies that the PWS uses on an annual basis by April 19, 2022;
 - b. Respondent submitted the missing information from the plant operations manual by April 19, 2022; and
 - c. Respondent removed the excessive vegetation from the fence and barbed wire, and tightened the loose barbed wire by April 19, 2022.
- 4. 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 Dolores Luke dba Little Big Horn Services" (the "EDPRP") in the TCEQ Chief Clerk's office on December 5, 2022.
- 5. By letter dated December 5, 2022, 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 15, 2022.
- 6. 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, Tex. WATER CODE ch. 11, and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a., Respondent failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4).
- 3. As evidenced by Finding of Fact No. 2.b., 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) and (f)(3)(A)(i)(III).

- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to provide the Executive Director with a list of all the operators and operating companies that the PWS uses on an annual basis, in violation of 30 TEX. ADMIN. CODE § 290.46(p)(2).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities, in violation of TEX. HEALTH & SAFETY CODE § 341.0351 and 30 TEX. ADMIN. CODE § 290.39(j).
- 6. As evidenced by Finding of Fact No. 2.e., Respondent failed to use an approved chemical or media for the disinfection of potable water that conforms to ANSI/NSF Standard 60 for Drinking Water Treatment Chemicals, in violation of 30 Tex. ADMIN. CODE § 290.42(j).
- 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to maintain a thorough and upto-date plant operations manual for operator review and reference, in violation of 30 Tex. ADMIN. CODE § 290.42(l).
- 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 Tex. ADMIN. CODE § 290.46(m).
- 9. As evidenced by Finding of Fact No. 2.h., Respondent failed to review and update, as appropriate, the drought contingency plan at least every five years, in violation of 30 Tex. ADMIN. CODE § 288.20(c).
- 10. As evidenced by Findings of Fact Nos. 4 and 5, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. HEALTH & SAFETY CODE § 341.049, TEX. WATER CODE § 11.0842, and 30 TEX. ADMIN. CODE § 70.104(b)(1).
- 11. As evidenced by Finding of Fact No. 6 Respondent failed to file a timely answer as required by Tex. HEALTH & SAFETY CODE § 341.049, Tex. WATER CODE § 11.0842, and 30 Tex. ADMIN. CODE § 70.105. Pursuant to Tex. HEALTH & SAFETY CODE § 341.049, Tex. WATER CODE § 11.0842, 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.
- 12. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a) and TEX. WATER CODE § 11.0842(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.
- 13. An administrative penalty in the amount of one thousand four hundred ninety-one dollars (\$1,491.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b) and TEX. WATER CODE § 11.0842(C).
- 14. 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 one thousand four hundred ninety-one dollars (\$1,491.00) 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: Dolores Luke dba Little Big Horn Services; Docket No. 2022-0412-MLM-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 but not limited to, the record for the amount of each chemical used each week, in accordance with 30 Tex. ADMIN. CODE § 290.46;
 - ii. Begin using a disinfectant that is ANSI/NSF Standard 60 certified, in accordance with 30 Tex. ADMIN. CODE § 290.42; and
 - iii. Review and update the drought contingency plan as appropriate, in accordance with 30 TEX. ADMIN. CODE § 288.20.
 - b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.iii.
 - c. Within 60 days after the effective date of this Order, begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including the four leaks in the distribution lines at 9328 Little Big Horn Drive, 9420 Little Big Horn Drive, 735 Cluster Road, and 9476 Little Big Horn Drive, in accordance with 30 Tex. ADMIN. CODE § 290.46.
 - d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i. to demonstrate compliance with Ordering Provision No. 3.c.
 - e. Within 180 days after the effective date of this Order, submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including replacing one of the 557-gallon pressure tanks with a 900-gallon pressure tank, in accordance with 30 Tex. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team Water Supply Division, MC 159 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

- f. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i. to demonstrate compliance with Ordering Provision No. 3.e.
- g. Within 270 days after the effective date of this Order, obtain approval of the asbuilt plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.
- h. Within 285 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.i. to demonstrate compliance with Ordering Provision No. 3.g.
- i. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, 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 Beaumont Regional Office Texas Commission on Environmental Quality 3870 Eastex Freeway Beaumont Texas 77703-1830

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.
- 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.

- 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.

Dolores Luke dba Little Big Horn Services Docket No. 2022-0412-MLM-E Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF CASEY KURNATH

"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 Dolores Luke dba Little Big Horn Services' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on December 5, 2022.

The EDPRP was mailed to Respondent's last known address on December 5, 2022, 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 15, 2022.

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 Casey Kurnath 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 Travis County,

State of Texas,

on the 12th day of June, 2023

Casey Kurnath

Declarant