

Executive Summary – Enforcement Matter – Case No. 62234
GLENDALE WATER SUPPLY CORPORATION
RN101436319
Docket No. 2022-0454-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Glendale Water Supply, 10668 State Highway 94, Trinity, Trinity County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 19, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,250

Total Paid to General Revenue: \$235

Total Due to General Revenue: \$8,015

Payment Plan: 35 payments of \$229 each

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - Unclassified

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 4, 2022 through April 15, 2022

Date(s) of NOE(s): April 15, 2022

Violation Information

1. Failed to provide the results of Stage 2 Disinfection Byproducts ("DBP2") sampling to the Executive Director ("ED") [30 TEX. ADMIN CODE § 290.115(e)].

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2. Failed to provide the results of synthetic organic chemical contaminants (Methods 504, 515, and 531) sampling to the ED [30 TEX. ADMIN CODE § 290.107(e)].
3. Failed to provide the results of nitrate and nitrite sampling to the ED [30 TEX. ADMIN CODE § 290.106(e)].
4. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN CODE §§ 290.271(b) and 290.274(a) and (c)].
5. Failed to meet the adequacy, availability, and/or content requirements for the CCR [30 TEX. ADMIN. CODE §§ 290.272 and 290.274(a)].
6. Failed to provide a consumer lead tap water monitoring results to persons served at the sites (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements [30 TEX. ADMIN. CODE § 290.117(i)(6) and (j)].
7. Failed to provide the results of volatile organic chemical contaminants sampling to the ED [30 TEX. ADMIN CODE § 290.107(e)].
8. Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11224 [30 TEX. ADMIN. CODE § 291.76 and TEX. WATER CODE § 5.702].
9. Failed to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92280012 [30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On April 19, 2022, reported the delinquent water chemical analysis results for nitrate and nitrite, DBP2 sampling, synthetic organic chemical contaminants (Methods 504, 515, and 531), and volatile organic chemical contaminants sampling;
- b. On July 29, 2022, provided consumer notification of lead tap water monitoring results; and

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c. On August 9, 2022, submitted the corrected 2019 CCR.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers;

ii. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 11224 for calendar years 2021 through 2022.; and

iii. Submit payment for all outstanding Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92280012 for Fiscal Years 2022 through 2023.

b. Within 45 days:

i. Submit written certification a to demonstrate compliance with a.i.; and

ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.

c. Within 60 days, submit written certification to demonstrate compliance with b.ii.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Claudia Bartley, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-1116; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: B. L. Baldwin, President, GLENDALE WATER SUPPLY CORPORATION, P.O. Box 1404, Trinity, Texas

Lynn Swidersky, Vice President, GLENDALE WATER SUPPLY CORPORATION, P.O. Box 1404, Trinity, Texas

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	18-Apr-2022	Screening	19-Apr-2022	EPA Due	30-Jun-2022
	PCW	27-Apr-2022				

RESPONDENT/FACILITY INFORMATION	
Respondent	GLENDALE WATER SUPPLY CORPORATION
Reg. Ent. Ref. No.	RN101436319
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	62234	No. of Violations	9
Docket No.	2022-0454-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Claudia Bartley
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit	Minimum \$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$5,125
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	70.0%	Adjustment	Subtotals 2, 3, & 7	\$3,587
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Notes: Enhancement for one agreed order containing a denial of liability, one agreed order without a denial of liability, and one default order.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$462
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$93
Estimated Cost of Compliance \$1,430
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$8,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$8,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$8,250
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$8,250
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Screening Date 19-Apr-2022

Docket No. 2022-0454-PWS-E

PCW

Respondent GLENDALE WATER SUPPLY CORPORATION

Policy Revision 5 (January 28, 2021)

Case ID No. 62234

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101436319

Media Public Water Supply

Enf. Coordinator Claudia Bartley

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 70%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one agreed order containing a denial of liability, one agreed order without a denial of liability, and one default order.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 70%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 70%

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
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Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$214	10-Oct-2021	19-Apr-2022	0.52	\$6	n/a	\$6

Notes for DELAYED costs

The Other (as needed) cost includes the estimated amount to pay any outstanding lab fees (\$106.96 for DBP2 x two samples) so that the lab will release all drinking water chemical analysis results, calculated from the earliest date the sampling results were due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$214

TOTAL

\$6

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
Case ID No. 62234 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				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)	\$459	10-Jan-2022	19-Apr-2022	0.27	\$6	n/a	\$6

Notes for DELAYED costs

The Other (as needed) cost includes the estimated amount to pay any outstanding lab fees [(\$77.94 for SOC contaminants Method 504 + \$322.65 for SOC contaminants Method 515 + \$58.72 for SOC contaminants Method 531) x one sample] so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$459

TOTAL

\$6

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
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Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual	<input type="text"/>	<input type="text"/>	
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$9	10-Jan-2022	19-Apr-2022	0.27	\$0	n/a	\$0

Notes for DELAYED costs

The Other (as needed) cost includes the estimated amount to pay any outstanding lab fees [(\$8.74 for nitrate and nitrite) x one sample] so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$9

TOTAL

\$0

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
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Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number 4

Rule Cite(s) 30 Tex. Admin Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description
 Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar year 2020.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			10.0%

Matrix Notes
 100% of rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 1 292 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

One single event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes
 The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$42 **Violation Final Penalty Total** \$850

This violation Final Assessed Penalty (adjusted for limits) \$850

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$286	1-Jul-2021	15-Jun-2024	2.96	\$42	n/a	\$42

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and mail or directly deliver the most recent CCR to the customers of the Facility and to the TCEQ [(((\$0.50 x 471 connections) + \$50) x one year)], calculated from the due date of the most recent CCR to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$286

TOTAL

\$42

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
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Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 290.272 and 290.274(a)

Violation Description
 Failed to meet the adequacy, availability, and/or content requirements for the CCR for the year of 2019. Specifically, the CCR did not include the following: complete contact information, a Spanish contact number, disinfectant residual, and wholesale provider data.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
		x		2.5%

Matrix Notes
 Between 30% and 70% of the rule requirements were not met.

Adjustment \$4,875

\$125

Violation Events

Number of Violation Events 1 657 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$125

One single event is recommended.

Good Faith Efforts to Comply 10.0% Reduction \$12

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

Notes
 The Respondent achieved compliance on August 9, 2022.

Violation Subtotal \$113

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$30 **Violation Final Penalty Total** \$201

This violation Final Assessed Penalty (adjusted for limits) \$201

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)	\$286	1-Jul-2020	9-Aug-2022	2.11	\$30	n/a	\$30

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and mail or directly deliver the complete and accurate 2019 CCR to the customers of the Facility and to the TCEQ [(((\$0.50 x 471 connections) + \$50) x one year)], calculated from the date the 2019 CCR was due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$286

TOTAL

\$30

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
Case ID No. 62234 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.117(i)(6) and (j)

Violation Description
 Failed to provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the July 1, 2020 through December 31, 2020 and the January 1, 2021 through June 30, 2021 monitoring periods.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			10.0%

Matrix Notes
 100% of rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 2 384 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

Two single events are recommended (one for each monitoring period).

Good Faith Efforts to Comply 10.0% Reduction \$100

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

Notes
 The Respondent achieved compliance on July 29, 2022.

Violation Subtotal \$900

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$8 **Violation Final Penalty Total** \$1,600

This violation Final Assessed Penalty (adjusted for limits) \$1,600

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

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)	\$120	31-Mar-2021	29-Jul-2022	1.33	\$8	n/a	\$8

Notes for DELAYED costs
 The delayed cost includes the estimated amount to prepare and mail the consumer notification for the July 1, 2020 through December 31, 2020 and the January 1, 2021 through June 30, 2021 monitoring periods, to persons served at the locations which were sampled and to the TCEQ ((\$0.50 x 20 sampled locations + \$50) x two monitoring periods), calculated from the date the earliest consumer notification was due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$120

TOTAL \$8

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
Case ID No. 62234 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number
Rule Cite(s)
Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual	<input type="text"/>	<input type="text"/>	
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	
<input type="text" value="100% of the rule requirements were not met."/>					

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

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)	\$57	10-Jan-2022	19-Apr-2022	0.27	\$1	n/a	\$1

Notes for DELAYED costs

The Other (as needed) cost includes the estimated amount to pay any outstanding lab fees (\$56.77 for VOC contaminants x one sample) so that the lab will release all drinking water chemical analysis results, calculated from the date the sampling results were due to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$57

TOTAL \$1

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
Case ID No. 62234 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 291.76 and Tex. Water Code § 5.702

Violation Description Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11224 for calendar years 2021 through 2022.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

Adjustment \$5,000

\$0

Violation Events

Number of Violation Events Number of violation days

- daily
- weekly
- monthly
- quarterly
- semiannual
- annual
- single event

Violation Base Penalty \$0

All penalties and interest will be determined by the Financial Administration Division at the next billing cycle.

Good Faith Efforts to Comply **0.0%** Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$0

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$0

This violation Final Assessed Penalty (adjusted for limits) \$0

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs: N/A							

Avoided Costs

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

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

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 19-Apr-2022 **Docket No.** 2022-0454-PWS-E **PCW**
Respondent GLENDALE WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*
Case ID No. 62234 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Enf. Coordinator Claudia Bartley

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual	<input type="text"/>	<input type="text"/>	
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

- daily
- weekly
- monthly
- quarterly
- semiannual
- annual
- single event

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GLENDALE WATER SUPPLY CORPORATION
Case ID No. 62234
Reg. Ent. Reference No. RN101436319
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs: N/A							

Avoided Costs

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

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

Approx. Cost of Compliance \$0

TOTAL \$0



Compliance History Report

Compliance History Report for CN600680409, RN101436319, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN600680409, GLENDALE WATER SUPPLY CORPORATION **Classification:** UNCLASSIFIED **Rating:** -----

Regulated Entity: RN101436319, GLENDALE WATER SUPPLY **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 10668 STATE HIGHWAY 94 NEAR TRINITY, TRINITY COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
2280012

MUNICIPAL SOLID WASTE NON PERMITTED ID NUMBER
R10101436319

AIR QUALITY NON PERMITTED ID NUMBER
R10101436319

Compliance History Period: September 01, 2018 to August 31, 2023 **Rating Year:** 2023 **Rating Date:** 09/01/2023

Date Compliance History Report Prepared: November 20, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 20, 2018 to November 20, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Claudia Bartley

Phone: (512) 239-1116

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

- 1 Effective Date: 12/04/2018 ADMINORDER 2018-0376-PWS-E (1660 Order-Agreed Order With Denial)
 - Classification: Moderate
 - Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(G)
 - Description: Failed to obtain an exception, in accordance with 30 Tex. Admin. Code § 290.39(l), prior to using blended water containing free chlorine and water containing chloramines. Specifically, water treated with free chlorine at the Glendale Plant is blended with chloraminated water purchased from the Trinity River Authority; however, the Respondent had not obtained an exception.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 290, SubChapter D 290.46(u)
 - Description: Failed to plug an abandoned public water supply well with cement in accordance with 16 Tex. Admin. Code ch. 76 or submit the test results proving that the well is in a non-deteriorated condition. Specifically, Well No. 2, which is located at the Glendale Plant, was not plugged or tested every five years.
 - Classification: Minor
 - Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
 - Description: Failed to provide the Executive Director with a list of all the operators and operating companies that the public water system uses on an annual basis.
 - Classification: Minor
 - Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)
 - Description: Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the protocols to be utilized in the event of a natural or man-made catastrophe were not included in the plant operations manual.

Classification: Minor

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

Description: Failed to have the interior surface of the pressure tank at the Smith Plant inspected every five years.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)

Description: Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled.

Classification: Minor

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Specifically, the monitoring plan did not have the frequency, method, and compliance calculations for lead and copper sampling.

Classification: Moderate

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

Description: Failed to create a nitrification action plan ("NAP") for a system distributing chloraminated water.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failed to maintain pumps, motors, valves, and other mechanical devices in good working condition. Specifically, a leak was noted on one of the service pumps at the Peach Island Plant.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(B)

Description: Failed to provide a day tank to minimize the possibility of severely overfeeding liquid chemicals from bulk storage facilities or employ adequate process control instrumentation and procedures to prevent chemical overfeed incidents. Specifically, an orthophosphate tank at the Peach Island Plant holds more than a 15-day supply but did not provide a day tank.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)

Description: Failed to provide adequate containment facilities for all liquid chemical storage tanks. Specifically, an orthophosphate tank at the Peach Island Plant holds 50 gallons and does not have any secondary containment.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failed to seal wellheads and pump bases by a gasket or sealing compound. Specifically, caulk on Well No. 3 at the Peach Island Plant was not providing an adequate seal.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.118(b)

Description: Failed to comply with the maximum secondary constituent level ("MSCL") for pH of greater than 7.0 standard units. Specifically, the pH level at Entry Point No. 2 measured 6.89 standard units.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(C)(i)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to provide a well capacity of 0.6 gallon per minute ("gpm") per connection. Specifically, with 100 connections in Pressure Plane No. 3, the Facility is required to provide 60 gpm in well capacity. However, only 56 gpm was provided, indicating a 7% deficiency.

2 Effective Date: 06/16/2020 ADMINORDER 2018-1399-PWS-E (Findings Order-Default)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 2Q2018 - During the second quarter of 2018 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.090 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 1Q2018 - During the first quarter of 2018 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.084 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 4Q2017 - During the fourth quarter of 2017 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.091 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 3Q2017 - During the third quarter of 2017 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.085 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 2Q2017 - During the second quarter of 2017 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 1Q2017 - During the first quarter of 2017 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.087 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 4Q2016 - During the fourth quarter of 2016 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.081 mg/L at 318 Ruby Lane, Groveton (DBP2-02).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2)

Description: DBP2 TTHM OEL Reporting - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at 318 Ruby Lane, Groveton (DBP2-02) within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RT MR 2nd 6M2017 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 07/01/2017 to 12/31/2017 within the required timeline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(i)(6)
30 TAC Chapter 290, SubChapter F 290.117(j)

Description: LCR LCN 1st 6M2017- The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the six-month monitoring period from 01/01/2017 to 06/30/2017.

Classification: Moderate

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

Description: LCR WQP PN 1st 6M2017 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a water quality parameter monitoring and reporting violation for the monitoring period from 01/01/2017 to 06/30/2017 at the entry point and/or the distribution system.

3 Effective Date: 08/19/2021 ADMINORDER 2019-1781-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(f)(3)
30 TAC Chapter 290, SubChapter F 290.117(i)(7)

Description: LCR OCCT - The system failed to submit the Optimal Corrosion Control Treatment (OCCT) Recommendation in accordance with TCEQ rules after exceeding the lead/copper action level during reduced monitoring period from 01/01/2016 to 12/31/2016 plus 180 days.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(g)(2)(A)
30 TAC Chapter 290, SubChapter F 290.117(i)(7)

Description: LCR SOWT - The system failed to submit the Source Water Treatment Recommendation for alternative treatment including ion exchange, reverse osmosis, lime softening, coagulation/filtration, or none from the end of the reduced monitoring period from 01/01/2016 to 12/31/2016 plus 180 days.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(i)(5)
30 TAC Chapter 290, SubChapter F 290.117(k)

Description: LCR PE - The system failed to deliver the public education materials in accordance with TCEQ rules 290.117(k)(4) 290.117(i)(5) after exceeding the lead action level during the reduced monitoring period from 01/01/2016 to 12/31/2016.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: LCR PE PN 06/01/2016 to 09/30/2016 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122

during the time period that public notice was required for a violation for a failure to deliver the public education materials after an action level exceedance during the monitoring period from 01/01/2016 to 12/31/2016.

Classification: Moderate

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

Description: LCR RD MR PN 3Y2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a distribution lead and copper reduced monitoring and reporting violation for the triennial reduced monitoring period from 01/01/2013 to 12/31/2015.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.117(f)(3)(A)
Rqmt Prov: 2017-0963-PWS-E ORDER

Description: Failure to submit a recommendation to the Executive Director for optimal corrosion control treatment within six months after the end of the January 1, 2016 through December 31, 2016 monitoring period during which the lead action level was exceeded. Failure to comply with Agreed Order Docket No. 2017-0963-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.117(g)(2)(A)
Rqmt Prov: 2017-0963-PWS-E ORDER

Description: Failure to submit a recommendation to the Executive Director for source water treatment within six months after the end of the January 1, 2016 through December 31, 2016 monitoring period during which the lead action level was exceeded. Failure to comply with Agreed Order Docket No. 2017-0963-PWS-E.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 1st 6M2019 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 1st 6M2019 monitoring period at the distribution system.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 2nd 6M2018 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 2nd 6M2018 monitoring period at the distribution system.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 1st 6M2018 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 1st 6M2018 monitoring period at the distribution system.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 2nd 6M2017 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 2nd 6M2017 monitoring period at the distribution system.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 1st 6M2017 - The system failed to monitor for water quality parameters in accordance with TCEQ rules two times during the 1st 6M2017 monitoring period at the distribution system.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(f)
30 TAC Chapter 290, SubChapter F 290.117(i)(7)

Description: LCR SCC 06/01/2016 to 09/30/2016 - The system failed to submit the Study for Corrosion (SCC) in accordance with TCEQ rules 290.117(f) and 290.117(i) after exceeding the lead/copper action level from the end of the reduced monitoring period from 01/01/2016 to 12/31/2016 plus 365 days.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2019 - The system failed to provide the Consumer Confidence Report (CCR) for 2019 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1.

7 Date: 11/05/2020 (1745620)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: TTHM DBP2 MCL PN 2Q2020 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for trihalomethanes during the 2nd quarter of 2020.

8 Date: 11/06/2020 (1745620)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 2Q2019 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the second quarter of 2019.

9 Date: 12/17/2020 (1745620)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 3Q2020 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the third quarter of 2020 within the required timeline.

10 Date: 01/26/2021 (1745620)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: TTHM DBP2 MCL PN 3Q2020 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for trihalomethanes during the 3rd quarter of 2020.

11 Date: 03/16/2021 (1700029)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
Description: Failure by Glendale WSC to maintain a complete record of the dates that dead-end mains were flushed.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
Description: Failure by Glendale WSC to have a complete distribution map.

- 12 Date: 03/19/2021 (1745620)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.117(h)
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
 Description: LCR RT MR 2nd 6M2020 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 07/01/2020 to 12/31/2020 within the required timeline.
- 13 Date: 04/01/2021 (1745620)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2020 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2020 within the required timeline.
- 14 Date: 05/06/2021 (1806190)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.117(i)(6)
 30 TAC Chapter 290, SubChapter F 290.117(j)
 Description: LCR LCN 2nd 6M2020- The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the six-month monitoring period from 07/01/2020 to 12/31/2020. ETT Point Value = 1
- 15 Date: 06/23/2021 (1745620)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2021 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2021 within the required timeline.
- 16 Date: 08/19/2021 (1709269)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
 Description: Failure by Glendale WSC to have a complete distribution map.
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure by Glendale WSC to maintain plant equipment in a good working condition and appearance.
- 17 Date: 09/30/2021 (1806190)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter H 290.272
 30 TAC Chapter 290, SubChapter H 290.274(a)
 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2020 - The system's Consumer Confidence Report (CCR) failed to meet the adequacy, availability, and/or content requirements for the 2020 CCR year. (Specifically, the report was missing for the 2020 CCR.) ETT Point Value = 1

- 18 Date: 11/10/2021 (1806190)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.117(i)(6)
 30 TAC Chapter 290, SubChapter F 290.117(j)
 Description: LCR LCN 1st 6M2021- The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the six-month monitoring period from 01/01/2021 to 06/30/2021. ETT Point Value = 1
- 19 Date: 11/22/2021 (1806190)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
 30 TAC Chapter 290, SubChapter F 290.115(e)
 30 TAC Chapter 290, SubChapter F 290.115(f)(2)
 30 TAC Chapter 290, SubChapter F 290.115(f)(4)
 Description: DBP2 MR 3Q2021 - This system failed to monitor and/or report disinfectant byproduct levels in its distribution system to the TCEQ for the quarterly monitoring period from 07/01/2021 to 09/30/2021. ETT Point Value = 1; SAMPLE RESULTS NOT SUBMITTED, SAMPLE COLLECTED ON 09/09/2021
- 20 Date: 03/24/2022 (1806190)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
 30 TAC Chapter 290, SubChapter F 290.115(e)
 30 TAC Chapter 290, SubChapter F 290.115(f)(2)
 30 TAC Chapter 290, SubChapter F 290.115(f)(4)
 Description: DBP2 MR 4Q2021 - This system failed to monitor and/or report disinfectant byproduct levels in its distribution system to the TCEQ for the quarterly monitoring period from 10/01/2021 to 12/31/2021. ETT Point Value = 1; SAMPLE RESULTS NOT SUBMITTED, SAMPLE COLLECTED ON 11/15/2021
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(c)(7)
 30 TAC Chapter 290, SubChapter F 290.106(c)(9)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO32 MR YR2021 - The system failed to monitor and/or report nitrate and nitrite levels to the TCEQ for the annual monitoring period from 01/01/2021 to 12/31/2021 within the required timeline. ETT Point Value = 5; SAMPLE RESULTS NOT SUBMITTED, SAMPLE COLLECTED ON 09/09/2021
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
 30 TAC Chapter 290, SubChapter F 290.107(c)(1)
 30 TAC Chapter 290, SubChapter F 290.107(e)
 Description: SOC 504, 515, 531 MR 3Y2021 - The system failed to monitor and/or report synthetic organic contaminants (method 504, 515, and 531) levels to the TCEQ for the triennial monitoring period from 01/01/2019 to 12/31/2021 within the required timeline. ETT Point Value = 1; SAMPLE RESULTS NOT SUBMITTED, SAMPLE COLLECTED ON 09/09/2021
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter D 290.46(f)(4)
 30 TAC Chapter 290, SubChapter F 290.107(c)(2)
 30 TAC Chapter 290, SubChapter F 290.107(e)
 Description: VOC MR YR2021 - The system failed to monitor and/or report volatile organic contaminants levels to the TCEQ for the annual monitoring period from 01/01/2021 to 12/31/2021 within the required timeline. ETT Point Value = 1; SAMPLE RESULTS NOT SUBMITTED, SAMPLE COLLECTED ON 09/09/2021

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B

All Investigations Conducted During Component Period November 20, 2018 and November 20, 2023

Item 1	November 20, 2019**	(1605306)
Item 2	December 05, 2019**	(1612558)
Item 3	December 13, 2019**	(1612630)
Item 4*	June 03, 2021**	(1724556)
Item 5	July 20, 2021**	(1745620)
Item 6	July 23, 2021**	(1746022)
Item 7	August 18, 2021**	(1709269)
Item 8	April 13, 2022**	(1806190)
Item 9	April 15, 2022**	(1810136)
Item 10	March 24, 2023**	(1886673)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
GLENDALE WATER SUPPLY
CORPORATION
RN101436319

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0454-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GLENDALE WATER SUPPLY CORPORATION (the "Respondent") under the authority of TEX. WATER CODE ch. 5 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 10668 State Highway 94 near Trinity, Trinity County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 471 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
2. During a record review for the Facility conducted on April 4, 2022 through April 15, 2022, an investigator documented that:
 - a. The Respondent did not provide the results of Stage 2 Disinfection Byproducts ("DBP2") sampling to the Executive Director for the third and fourth quarters of 2021;
 - b. The Respondent did not provide the results of synthetic organic chemical ("SOC") contaminants (Methods 504, 515, and 531) sampling to the Executive Director for the January 1, 2019 through December 31, 2021 monitoring period;

- c. The Respondent did not provide the results of nitrate and nitrite sampling to the Executive Director for the January 1, 2021 through December 31, 2021 monitoring period;
 - d. The Respondent did not mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar year 2020;
 - e. The 2019 CCR did not include the following: complete contact information, a Spanish contact number, disinfectant residual, and wholesale provider data;
 - f. The Respondent did not provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the July 1, 2020 through December 31, 2020 and January 1, 2021 through June 30, 2021 monitoring periods; and
 - g. The Respondent did not provide the results of volatile organic chemical ("VOC") contaminants sampling to the Executive Director for the January 1, 2021 through December 31, 2021 monitoring period.
3. During a record review for the Facility conducted on April 19, 2022, an investigator documented that:
- a. The Respondent did not pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11224 for calendar years 2021 through 2022; and
 - b. The Respondent did not pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92280012 for Fiscal Years 2022 through 2023.
4. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
- a. On April 19, 2022, reported the delinquent water chemical analysis results for nitrate and nitrite, DBP2 sampling, SOC contaminants (Methods 504, 515, and 531), and VOC contaminants sampling;
 - b. On July 29, 2022, provided consumer notification of lead tap water monitoring results; and
 - c. On August 9, 2022, submitted the corrected 2019 CCR.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 5, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to provide the results of Stage 2 DBP2 sampling to the Executive Director, in violation of 30 TEX. ADMIN CODE § 290.115(e).
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide the results of SOC contaminants (Methods 504, 515, and 531) sampling to the Executive Director, in violation of 30 TEX. ADMIN CODE § 290.107(e).
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to provide the results of nitrate and nitrite sampling to the Executive Director, in violation of 30 TEX. ADMIN CODE § 290.106(e).
5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 TEX. ADMIN CODE §§ 290.271(b) and 290.274(a) and (c).
6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to meet the adequacy, availability, and/or content requirements for the CCR, in violation of 30 TEX. ADMIN. CODE §§ 290.272 and 290.274(a).
7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements, in violation of 30 TEX. ADMIN. CODE § 290.117(i)(6) and (j).
8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to provide the results of VOC contaminants sampling to the Executive Director, in violation of 30 TEX. ADMIN CODE § 290.107(e).
9. As evidenced by Finding of Fact No. 3.a, the Respondent failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11224, in violation of 30 TEX. ADMIN. CODE § 291.76 and TEX. WATER CODE § 5.702.
10. As evidenced by Finding of Fact No. 3.b, the Respondent failed to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92280012, in violation of 30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702.

11. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
12. An administrative penalty in the amount of \$8,250 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid \$235 of the penalty. The remaining amount of \$8,015 shall be paid in 35 monthly payments of \$229 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 12 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the 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 that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: GLENDALE WATER SUPPLY CORPORATION, Docket No. 2022-0454-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE §§ 290.271 and 290.274;

- ii. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 11224 for calendar years 2021 through 2022. The payment, along with the associated Revenue and Regulatory Assessment Reports, shall be sent to the address listed in Ordering Provision No. 1; and
 - iii. Submit payment for all outstanding Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account No. 92280012 for Fiscal Years 2022 through 2023. The payment, along with the associated Revenue and Regulatory Assessment Reports, shall be sent to the address listed in Ordering Provision No. 1.
- b. Within 45 days after the effective date of this Order:
- i. Submit written certification as described in Ordering Provision No. 2.c below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.i; and
 - ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:
- CCR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
- c. Within 60 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.b.ii. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
7. 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.
8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed,

substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

5/3/2024

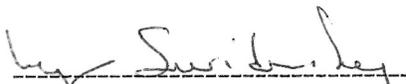
Date

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

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

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

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


Signature

Date

Lynn Swidersky

March 5, 2024

Name (Printed or typed)

Title

Authorized Representative of
GLENDALE WATER SUPPLY CORPORATION

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

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