

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: *MBC* Melissa Cordell, Assistant Deputy Director
Enforcement Division

From: *MP* Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: April 9, 2025

Subject: Supplemental Information
April 17, 2025 Commission Agenda
Draft Item No. 9 – MELROSE Water Supply Corporation
Docket No. 2022-0753-MLM-E

Enclosed please find the following:

Compliance History

- Compliance History Component Appendices

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: Garrett Arthur, Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Melissa Cordell, Assistant Deputy Director, Enforcement Division
Rebecca Margain-Nunez, Executive Assistant, Enforcement Division
Megan Hamilton, Manager, Drinking Water Section, Enforcement Division
Samantha Salas, Enforcement Coordinator, Drinking Water Enforcement
Division

Component Appendices

Appendix A

All NOV's Issued During Component Period 8/21/2019 and 8/21/2024

- 1 Date: 09/18/2019 (1591875)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.44(d)
Failure by Melrose Water Supply Corporation to maintain the pressure throughout distribution above 35 pounds per square inch (psi).
- 2 Date: 11/14/2019 (1597185)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
Failure by Melrose WSC to have operating records accessible for review upon request.
- Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(B)
Failure by Melrose WSC to monitor the disinfectant residual at representative locations in the distribution system daily.
- Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)
Failure by Melrose WSC to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances tight against leakage.
- 3 Date: 03/30/2020 (1629966)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
Failure by Melrose WSC to have operating records accessible for review upon request.
- 4 Date: 09/18/2020 (1665457)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
Failure by Melrose WSC to have operating records accessible for review upon request.
- 5 Date: 09/22/2021 (1760927)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
Failure by Melrose WSC to have operating records accessible for review upon request.
- 6 Date: 02/09/2024 (1945901)
Self Report? NO Classification: Minor
Citation:
Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(ii)
Failure by Melrose WSC to have operating records accessible for review upon request.

7 Date: 08/15/2024 (1996320)
 Self Report? NO Classification: Minor
 Citation:
 Description: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
 Failure by Melrose WSC to maintain a record of the amount of each chemical used each day.
 Self Report? NO Classification: Minor
 Citation:
 Description: 30 TAC Chapter 290, SubChapter D 290.46(l)
 Failure by Melrose WSC to flush all dead-end mains at least monthly.

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

Appendix B
All Investigations Conducted During Component Period August 21, 2019 and August 21, 2024

Item 1	July 22, 2020**	(1656781)
Item 2	January 06, 2021**	(1686570)
Item 3	October 21, 2021**	(1761798)
Item 4	June 01, 2022**	(1817441)
Item 5	September 15, 2022**	(1842178)

* No violations documented during this investigation

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

Executive Summary – Enforcement Matter – Case No. 62501
MELROSE Water Supply Corporation
RN102689346
Docket No. 2022-0753-MLM-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:

MLM – PWS, WR

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Melrose WSC, 12542 East State Highway 21, Nacogdoches, Nacogdoches 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: January 10, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$100,788

Total Paid to General Revenue: \$2,823

Total Due to General Revenue: \$97,965

Payment Plan: 35 payments of \$2,799 each

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: PWS: Yes; WR: 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: March 29, 2022

Date(s) of NOE(s): May 31, 2022

Executive Summary – Enforcement Matter – Case No. 62501
MELROSE Water Supply Corporation
RN102689346
Docket No. 2022-0753-MLM-E

Violation Information

1. 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)].
2. 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)].
3. Failed provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].
4. 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)].
5. Failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch [30 TEX. ADMIN. CODE § 290.43(c)(3)].
6. Failed to ensure the discharge opening of the overflows of the Facility's storage tanks are above the surface of the ground and were not subject to submergence [30 TEX. ADMIN. CODE § 290.43(c)(3)].
7. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].
8. Failed to provide a total storage capacity of 200 gallons per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
9. Failed to provide two or more wells having a total capacity of 0.6 gallon per minute ("gpm") per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
10. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition [30 TEX. ADMIN. CODE § 290.46(m)(6)].
11. 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 [30 TEX. ADMIN. CODE § 290.46(p)(2)].

Executive Summary – Enforcement Matter – Case No. 62501
MELROSE Water Supply Corporation
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12. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), (f)(3)(A)(ii)(II), (f)(3)(A)(ii)(IV), and (f)(3)(A)(iii)].
13. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted [30 TEX. ADMIN. CODE § 290.46(i)].
14. Failed to flush all dead-end mains at monthly intervals [30 TEX. ADMIN. CODE § 290.46(l)].
15. Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency [30 TEX. ADMIN. CODE § 290.42(e)(4)(A)].
16. Failed to provide adequate containment facilities for all liquid chemical storage tanks [30 TEX. ADMIN. CODE § 290.42(f)(1)(E)(ii)(I)].
17. Failed to seal the wellhead by a gasket or sealing compound and provide a well casing vent that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)].
18. Failed to provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity [30 TEX. ADMIN. CODE § 290.43(d)(3)].
19. Failed to provide all ground storage tanks ("GSTs") with a liquid level indicator [30 TEX. ADMIN. CODE § 290.43(c)(4)].
20. Failed to provide forced air ventilation, which includes high level and floor level screened and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch outside, for enclosures containing more than one 150-pound cylinder of chlorine [30 TEX. ADMIN. CODE § 290.42(e)(4)(C)].
21. Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use [30 TEX. ADMIN. CODE § 290.42(e)(3)(D)].
22. Failed to use a chemical feed system designed to minimize the possibility of leaks and spills and provide protection against backpressure and siphoning [30 TEX. ADMIN. CODE § 290.42(f)(2)(D)].

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23. Failed to use a water works operator who holds an applicable, valid license issued by the Executive Director [30 TEX. ADMIN. CODE § 290.46(e) and TEX. HEALTH & SAFETY CODE § 341.033(a)].
24. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].
25. Failed to 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 monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
26. Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations [30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i)].
27. Failed to meet the maximum secondary constituent levels ("MSCLs") of greater than 7.0 for pH or receive written approval from the Executive Director to use the water source for public drinking water [30 TEX. ADMIN. CODE § 290.118(a) and (b)].
28. Failed to have all BPAs tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications [30 TEX. ADMIN. CODE § 290.44(h)(4)].
29. Failed to review and update the drought contingency plan at least every five years to include all elements for municipal use by a retail public water supplier [30 TEX. ADMIN. CODE § 288.20(a) and (c) and TEX. WATER CODE § 11.1272(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. Provided adequate containment facilities for the polyphosphate storage containers at the Oakridge and Pace Plants by April 20, 2022.
- b. Submitted a statement that the unlicensed individual will no longer conduct operational duties until a license is obtained by May 20, 2022.
- c. Repaired the fan in the chlorinator room at the Chireno Plant by July 14, 2022.
- d. Secured the electrical wiring in compliance with a local or national code for the pump room at the Greer Plant by July 14, 2022.

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e. Provided a small bottle of fresh ammonia solution for testing for chlorine leakage that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency at the Oakridge, Pace, Parker, Chireno, and Greer Plants by July 28, 2022.

f. Repaired the 16-mesh screening on the well casing vent for Well No. 9 at the Pace Plant and provided a well casing vent with 16-mesh screening for Well No. 8 at the Oakridge Plant by July 28, 2022.

g. Repaired or replaced Service Pump No. 1 at the Pace Plant and Service Pump No. 2 at the Crossroads Plant by July 28, 2022.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Verify the accuracy of the manual disinfectant residual analyzers using chlorine solutions of known concentrations and purchase current secondary standards;

ii. Secure the electrical wiring in compliance with a local or national code for the solenoids at the Pace Plant and Parmer Plant;

iii. Provide the Executive Director with a written list of all operators and operating companies that the public water system employs on an annual basis;

iv. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the records of the amount of chemical used each day, the amount of water distributed each day, the amount of water treated each day, and the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation;

v. Begin flushing all dead-end mains at monthly intervals or more often as needed if water quality complaints are received from water customers or if disinfectant residuals fall below acceptable levels. This provision will be satisfied upon three months of consecutive compliant monthly flushing;

vi. Provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity including but not limited to the 2,000-gallon and 3,000-gallon pressure tanks at the Pace Plant;

vii. Provide facilities at the Chireno, Greer and Parmer Plants for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use; and

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viii. Provide a flow measuring device for the Oakridge, Greer, Sandhill, and Crossroads Plants to measure production yield and provide for the accumulation of water production data.

b. Within 45 days, submit written certification to demonstrate compliance with a.i. through a.iv. and a.vi. through a.viii.

c. Within 60 days:

i. Begin maintaining an up-to-date and thorough plant operations manual for operator review and reference;

ii. Maintain 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;

iii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the vegetation from the fence at the Crossroads Plant and repairing the sealing block at Well No. 7 so that there are no openings underneath it;

iv. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the vegetation from each fence at the Oakridge Plant, Pace Plant, Greer Plant, Parmer Plant, and Blackjack Plant, repairing or replacing the fence along the left and back sides of the Sandhill Plant and repairing or replacing the barbed wire on the right side of the fence at the Crossroads Plant;

v. Provide an overflow pipe for the 30,000-gallon GST at the Pace Plant, the 100,000-gallon GST at the Greer Plant, the 30,000-gallon GST at the Crossroads Plant, and the 20,000-gallon GST at the Blackjack Plant that fits tightly with no gap over 1/16 inch in accordance with AWWA standards and repair or replace the broken probes and the gravity-hinged weighted cover on the overflow located on the 20,000-gallon GST at the Parmer Plant;

vi. Provide overflow pipes at the 40,000-gallon GST at the Sandhill Plant and the 50,000-gallon GST at the Pace Plant that are above the surface of the ground and are not subject to submergence;

vii. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition including, but not limited to the clay valve at the Crossroads Plant; and

viii. Provide the 40,000-gallon GST at the Sandhill Plant and the 30,000-gallon GST at the Crossroads Plant with a liquid level indicator; and

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ix. Ensure that all BPAs are tested upon installation and on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, including but not limited to Melrose RV Park, Thrall's Grocery & Deli, Tran & PO (Andrew Farm 1252), Joey Michelle, Todd Binning, Kenneth Garrett, Jack Miley, Pope #3, Perry Parker, Chireno Car Wash, Travis McCouley, and Brad Moody.

d. Within 75 days, submit written certification to demonstrate compliance with c.

e. Within 90 days:

i. Review and update the drought contingency plan to include all of the minimum elements specific to the Facility;

ii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing or replacing the 62,000-gallon GST at the Oakridge Plant, the 40,000-gallon and 50,000-gallon GSTs at the Sandhill Plant, the 30,000-gallon and the 50,000-gallon GSTs at the Pace Plant, the 30,000-gallon GST at the Crossroads Plant and the 20,000-gallon GST at the Parmer Plant;

iii. Adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted;

iv. Provide adequate containment facilities for the polyphosphate storage container at the Parmer Plant;

v. Provide a well casing vent for Well No. 4 at the Greer Plant with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; and

vi. Provide protection against backpressure and siphoning between the treated water line and the chemical make-up water line for the gas chlorine at the Chireno Plant.

f. Within 105 days, submit written certification to demonstrate compliance with e.

g. Within 135 days, submit written certification to demonstrate compliance with a.v.

h. Within 180 days:

i. Provide a total storage capacity of at least 200 gallons per connection at Pressure Plane No. 6;

ii. Provide two or more wells with a total capacity of at least 0.6 gpm per connection at Pressure Plane No. 4; and

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iii. Provide water that complies with the MSCL for pH at the Oakridge Plant and Pace Plants.

i. Within 195 days, submit written certification to demonstrate compliance with h.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Salas, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Keith Millard, President, MELROSE Water Supply Corporation, 12574 East State Highway 21, Nacogdoches, Texas

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Jun-2022	Screening	14-Jun-2022	EPA Due	
	PCW	21-Jun-2022				

RESPONDENT/FACILITY INFORMATION	
Respondent	MELROSE Water Supply Corporation (PCW No. 1)
Reg. Ent. Ref. No.	RN102689346
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	62501	No. of Violations	28
Docket No.	2022-0753-MLM-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media	Water Rights	Enf. Coordinator	Samantha Salas
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$79,250
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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	30.0% Adjustment	Subtotals 2, 3, & 7	\$23,775
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Notes: Enhancement for two NOV's with the same/similar violations and one agreed order containing a denial of liability.

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	-\$2,887
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$76,706
 Estimated Cost of Compliance: \$144,204
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$100,138
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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	\$100,138
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$100,138
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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	\$100,138
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Screening Date 14-Jun-2022

Docket No. 2022-0753-MLM-E

PCW

Respondent MELROSE Water Supply Corporation (PCW No. 1)

Policy Revision 5 (January 28, 2021)

Case ID No. 62501

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102689346

Media Public Water Supply

Enf. Coordinator Samantha Salas

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>)	2	10%
	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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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) 30%

>> 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 History Notes

Enhancement for two NOVs with the same/similar violations and one agreed order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 30%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 30%

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)
Violation Description
 Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the 62,000-gallon ground storage tank ("GST") at the Oakridge Plant and the 40,000-gallon and 50,000-gallon GSTs at the Sandhill Plant had severe corrosion throughout each tank with severe rusting on the roof access. The 30,000-gallon GST at the Pace Plant had minor corrosion on the interior of the roof and the 50,000-gallon GST had some rusting on the interior and exterior of the roof access. Additionally, the 20,000-gallon GST at the Parmer Plant had issues with the protective interior coating and the 30,000-gallon GST at the Crossroads Plant had issues with the protective interior coating and the exterior had rust.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0.0%

Failure to maintain the good working condition and general appearance of the Facility could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events: 7 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$5,250

Seven quarterly events are recommended (one per GST), calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$5,250

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

Estimated EB Amount \$62,789 **Violation Final Penalty Total** \$6,825

This violation Final Assessed Penalty (adjusted for limits) \$6,825

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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)	\$100,000	29-Mar-2016	16-Mar-2025	8.97	\$2,990	\$59,799	\$62,789
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

The delayed cost includes the estimated amount to repair or replace the 62,000-gallon GST at the Oakridge Plant, the 40,000-gallon and 50,000-gallon GSTs at the Sandhill Plant, the 30,000-gallon and the 50,000-gallon GSTs at the Pace Plant, the 30,000-gallon GST at the Crossroads Plant and the 20,000-gallon GST at the Parmer Plant, calculated from the date of the investigation initially documenting the violation 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

\$100,000

TOTAL

\$62,789

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number

Rule Cite(s)

Violation Description

Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the Crossroads Plant, the back and left fences had vegetation on them. Additionally, there was an opening underneath the concrete sealing block at Well No. 7 on two sides of the sealing block.

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" value="x"/>		

>> 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

Failure to maintain the good working condition and general appearance of the Facility could expose persons served by the Facility to insignificant amounts of contaminants which would not exceed levels protective of human health.

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

Two single events are recommended (one for each facility).

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	<input type="text" value="x"/>	<input type="text"/>

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

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 MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	5-Mar-2019	14-Feb-2025	5.95	\$20	\$397	\$417
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

The delayed cost includes the estimated amount to remove the vegetation from the fence at the Crossroads Plant and repair the sealing block at Well No. 7 so that there is no opening under it, calculated from the date of the investigation initially documenting the violation 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

\$1,000

TOTAL

\$417

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 3
Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(N)
Violation Description Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data. Specifically, at the Oakridge, Greer, Sandhill, and Crossroads Plants, the flow meters were nonfunctioning.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				30.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide a flow measuring device for the well could result in inaccurate water production data which would affect treatment practices, thereby exposing persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$3,500

\$1,500

Violation Events

Number of Violation Events 12 77 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$18,000

Twelve monthly events are recommended (three events per flow meter), calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$18,000

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

Estimated EB Amount \$235 **Violation Final Penalty Total** \$23,400

This violation Final Assessed Penalty (adjusted for limits) \$23,400

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment	\$1,200	29-Mar-2022	15-Jan-2025	2.80	\$11	\$224	\$235
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

The delayed cost includes the estimated amount to provide flow meters at the Oakridge, Greer, Sandhill, and Crossroads Plants, calculated from the date of the investigation 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

\$1,200

TOTAL

\$235

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number

Rule Cite(s)

Violation Description

Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the Oakridge Plant and Pace Plant, there was vegetation along the back and right fence line, at the Greer Plant, there was vegetation along the back and both sides of the fence line, at the Parmer Plant, there was vegetation along the right fence line, and at the Blackjack Plant, there was vegetation along all sides of the fence line. Additionally, at the Sandhill Plant, the fence along the left and back sides was falling down due to erosion and at the Crossroads Plant, the barbed wire on the right side of the fence was out of the separator.

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="7.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	

>> Programmatic Matrix

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

Failure to maintain the good working condition and general appearance of the Facility could expose persons served by the Facility to insignificant amounts of contaminants which would not exceed levels protective of human health.

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

Seven single events are recommended (one for each facility).

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 type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

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

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 MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	29-Mar-2022	14-Feb-2025	2.88	\$10	\$192	\$202
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
 The delayed cost includes the estimated amount to remove the vegetation along each fence at the Oakridge Plant, Pace Plant, Greer Plant, Parmer Plant, and Blackjack Plant, repair or replace the fence along the left and back sides of the Sandhill Plant and repair or replace the barbed wire on the right side of the fence at the Crossroads Plant, calculated from the date of the investigation 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
 (This section is currently blank)

Approx. Cost of Compliance \$1,000

TOTAL \$202

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.43(c)(3)

Violation Description
 Failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch. Specifically, the gap between the overflow and cover was greater than 1/16 inch at the 30,000-gallon GST at the Pace Plant, the 100,000-gallon GST at the Greer Plant, the 30,000-gallon GST at the Crossroads Plant, and the 20,000-gallon GST at the Blackjack Plant. Additionally, at the Parmer Plant, the 20,000-gallon GST had broken probes and a gravity-hinged weighted cover on the overflow that had rust and was falling apart.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					15.0%
Potential			x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes
 Failure to provide the GST with an overflow pipe with a tightly fitting cover could allow a significant amount of contaminants to enter the water supply which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 5 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

Five quarterly events are recommended (one event per GST), calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$3,750

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

Estimated EB Amount \$1,251 **Violation Final Penalty Total** \$4,875

This violation Final Assessed Penalty (adjusted for limits) \$4,875

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$3,000	5-Mar-2019	14-Feb-2025	5.95	\$60	\$1,191	\$1,251
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

The delayed cost includes the estimated amount to provide an overflow pipe for the 30,000-gallon GST at the Pace Plant, the 100,000-gallon GST at the Greer Plant, the 30,000-gallon GST at the Crossroads Plant, and the 20,000-gallon GST at the Blackjack Plant that fits tightly with no gap over 1/16 inch in accordance with AWWA standards and replace or repair the probes and gravity-hinged weighted cover on the over flow for the 20,000-gallon GST at the Parmer Plant, calculated from the date of the investigation initially documenting the violation 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

\$3,000

TOTAL

\$1,251

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

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="15.0%"/>
	Potential	<input type="text"/>	<input type="text" value="x"/>	<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	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

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	<input type="text" value="x"/>	<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 MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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)	\$2,000	29-Mar-2022	14-Feb-2025	2.88	\$19	\$385	\$404
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

The delayed cost includes the estimated amount to ensure the overflows at the 40,000-gallon GST at the Sandhill Plant and the 50,000-gallon GST at the Pace Plant are above the surface of the ground and are not subject to submergence, calculated from the date of the investigation 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

\$2,000

TOTAL

\$404

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 7
Rule Cite(s) 30 Tex. Admin. Code § 290.46(v)
Violation Description Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, at the Greer Plant, two electrical boxes in the pump room did not have covers and at the Pace and Parmer Plants, electrical wires on the solenoids were exposed.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential	x				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

Failure to ensure all electrical wiring is installed in compliance with a local or national code could cause equipment malfunctions resulting in low pressure or outages which could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$3,500

\$1,500

Violation Events

Number of Violation Events 3 77 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$4,500

Three monthly events are recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$4,500

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

Estimated EB Amount \$108 **Violation Final Penalty Total** \$5,850

This violation Final Assessed Penalty (adjusted for limits) \$5,850

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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)	\$250	5-Mar-2019	14-Jul-2022	3.36	\$3	\$56	\$59
Other (as needed)	\$250	29-Mar-2022	15-Jan-2025	2.80	\$2	\$47	\$49
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

The first delayed cost includes the estimated amount to secure all electrical wiring in compliance with a local or national code at the pump room at the Greer Plant, calculated from the date of the investigation initially documenting the violation to the date of compliance.

The second delayed cost includes the estimated amount to secure all electrical wiring in compliance with a local or national code at the pump room at the Pace Plant and the Parmer Plant, calculated from the date of the investigation 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

\$500

TOTAL

\$108

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 8
Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c)
Violation Description Failed to provide a total storage capacity of 200 gallons per connection. Specifically, Pressure Plane No. 6 had 124 connections requiring a storage capacity of 24,800 gallons. However, only 20,000 gallons of storage capacity were provided, indicating a 19% deficiency.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide adequate storage capacity could expose persons served by the Facility to a significant amount of contaminants that would not exceed levels that are protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$750

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

Estimated EB Amount \$4,538 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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	\$10,320	5-Mar-2019	14-Jun-2025	6.28	\$216	\$4,322	\$4,538
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

The delayed cost includes the estimated amount to provide a total storage capacity of at least 200 gallons per connection (\$2.15 x 4,800 gallons), calculated from the date of the investigation initially documenting the violation 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

\$10,320

TOTAL

\$4,538

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 9
Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(D)(i) and Tex. Health & Safety Code § 341.0315(c)
Violation Description Failed to provide two or more wells having a total capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, Pressure Plane No. 4 had 340 connections requiring a total well capacity of 204 gpm. However, the system only had one well which provided 195 gpm of total well capacity, indicating a 4% deficiency.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				7.0%
	Potential			x	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide adequate well capacity could expose persons served by the Facility to an insignificant amount of contaminants that would not exceed levels that are protective of human health.

Adjustment \$4,650

\$350

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$350

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 \$350

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

Estimated EB Amount \$1,125 **Violation Final Penalty Total** \$455

This violation Final Assessed Penalty (adjusted for limits) \$455

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	29-Mar-2022	14-Jun-2025	3.21	\$54	\$1,071	\$1,125
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

The delayed cost includes the estimated amount to provide two or more wells with a total capacity of at least 0.6 gpm per connection, calculated from the date of the investigation 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

\$5,000

TOTAL

\$1,125

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 10

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(6)

Violation Description
 Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition. Specifically, at the Crossroads Plant, Service Pump No. 2 was out of service and a clay valve was broken. Additionally, Service Pump No. 1 at the Pace Plant was out of service.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to maintain all pumps and valves at the Facility in good working condition could result in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$750

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

Estimated EB Amount \$1,339 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 10

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	\$1,500	5-Mar-2019	14-Feb-2025	5.95	\$30	\$595	\$625
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$3,000	5-Mar-2019	28-Jul-2022	3.40	\$34	\$680	\$714
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

The delayed cost includes the estimated amount to repair or replace the clay valve at the Crossroads Plant, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

The other delayed cost includes the estimated amount to repair or replace Service Pump No. 2 at the Crossroads Plant and Service Pump No. 1 at the Pace Plant, calculated from the date of the investigation initially documenting the violation 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

\$4,500

TOTAL

\$1,339

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 11

Rule Cite(s) 30 Tex. Admin. Code § 290.46(p)(2)

Violation 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.

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			20.0%

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$4,000

\$1,000

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

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 \$1,000

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

Estimated EB Amount \$6 **Violation Final Penalty Total** \$1,300

This violation Final Assessed Penalty (adjusted for limits) \$1,300

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 11

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)	\$45	29-Mar-2022	15-Jan-2025	2.80	\$6	n/a	\$6

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide the Executive Director with a written list of all operators and operating companies that the public water system employs, calculated from the date of the investigation 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 \$45

TOTAL \$6

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 12
Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(i)(II), (f)(3)(A)(ii)(II), (f)(3)(A)(ii)(IV), and (f)(3)(A)(iii)
Violation Description Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, records of the amount of chemical used each day, the amount of water distributed each day, the amount of water treated each day, and the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation were not maintained on-site for review.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				x	

Less than 30% of the rule requirements were not met.

Adjustment \$4,950

\$50

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

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 \$50

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

Estimated EB Amount \$6 **Violation Final Penalty Total** \$65

This violation Final Assessed Penalty (adjusted for limits) \$65

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 12

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	\$45	29-Mar-2022	15-Jan-2025	2.80	\$6	n/a	\$6
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

The delayed cost includes the estimated amount to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, calculated from the date of the investigation 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 \$45

TOTAL \$6

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code § 290.46(i)

Violation Description

Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted. Specifically, the Customer Service Agreement form prohibited pipe or pipe fittings which contain more than 8.0% lead, which is greater than the current regulatory level of 0.25% lead.

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	1.0%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$4,950

\$50

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

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 \$50

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

Estimated EB Amount \$7 **Violation Final Penalty Total** \$65

This violation Final Assessed Penalty (adjusted for limits) \$65

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 13

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)	\$45	29-Mar-2022	16-Mar-2025	2.97	\$7	n/a	\$7

Notes for DELAYED costs

The delayed cost includes the estimated amount to update the plumbing ordinance, regulations, or service agreement to include prohibited pipe or pipe fittings which contain more than 0.25% lead, calculated from the date of the investigation 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

\$45

TOTAL

\$7

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 14

Rule Cite(s) 30 Tex. Admin. Code § 290.46(l)

Violation Description
 Failed to flush all dead-end mains at monthly intervals. Specifically, the following dead-end mains were not flushed each month: Highway ("Hwy") 21 Skillern Subdivision ("Sub"), Melrose East Vigilante, Melrose East Long Fork, County Road ("CR") 331 Dichard, Moody Lane, Hwy 21 Middlebrook Sub, Hwy 21 Butler, CR 449 Strickland, CR 508 and Hwy 21, 1058 CR 226, Across from Oakridge Plant, Ross Hardmen Road, CR 4192, 801 CR 425, 15433 Hwy 21, 18640 Hwy 21, 19967 Hwy 21, CR 336 end, CR 337 Freshour Lane, Farm-to-Market ("FM") 95 Licking Lane, FM 95 ID Layton Lane, CR 448 P Moore Rd, CR 425 Browns F McBride, CR 338 Wall, CR 446 Chireno ISD, Hwy 21 Dukes Lane, CR 411 end, CR 425 Browns F Sub, 1066 CR 349, 9988 Hwy 21, FM Cottingham B Road, FM 226 Risinger, CR 404 #1 Atasocite Ridge, Hwy 21 Garret Lane, 201 Majestic Lane, 7511 Hwy 21, 634 CR 313, 9788 Hwy 21, CR 408 and CR 4082, CR 4082, and 21110 Hwy 21.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes
 Failure to flush all dead-end mains at monthly intervals could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$750

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

Estimated EB Amount \$14 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 14

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)	\$100	29-Mar-2022	15-Jan-2025	2.80	\$14	n/a	\$14

Notes for DELAYED costs

The delayed cost includes the estimated amount to initiate a monthly flushing program, calculated from the date of the investigation 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 \$100

TOTAL \$14

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 15

Rule Cite(s) 30 Tex. Admin. Code § 290.42(e)(4)(A)

Violation Description
 Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency. Specifically, the small bottle of fresh ammonia solution was stored inside the chlorinator room at the Oakridge, Pace, Parker, and Chireno Plants. Additionally, the ammonia bottle at the Greer Plant was empty.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				30.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to provide a bottle of fresh ammonia solution for testing for chlorine leakage outside of the chlorine enclosure could expose employees of the Facility to chlorine gas which would exceed levels protective of human health.

Adjustment \$3,500

\$1,500

Violation Events

Number of Violation Events 15 77 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$22,500

Fifteen monthly events are recommended (three per Plant), calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 10.0% Reduction \$2,250

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

Notes The Respondent achieved compliance on July 28, 2022.

Violation Subtotal \$20,250

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$27,000

This violation Final Assessed Penalty (adjusted for limits) \$27,000

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 15

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)	\$25	29-Mar-2022	28-Jul-2022	0.33	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to place a small bottle of ammonia solution outside the chlorinator room (\$5 per chlorinator room x five chlorinator rooms), calculated from the date of the investigation 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

\$25

TOTAL

\$0

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 16

Rule Cite(s) 30 Tex. Admin. Code § 290.42(f)(1)(E)(ii)(I)

Violation Description Failed to provide adequate containment facilities for all liquid chemical storage tanks. Specifically, at the Oakridge, Pace, and Parmer Plants, the 55-gallon polyphosphate containers did not have secondary containment.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential		x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide adequate containment for the polyphosphate could expose employees or the environment to a significant amount of contaminants which would not exceed levels protective of human health or environmental receptors.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$750

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

Estimated EB Amount \$108 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 16

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)	\$500	29-Mar-2022	16-Mar-2025	2.97	\$5	\$99	\$104
Other (as needed)	\$1,000	29-Mar-2022	20-Apr-2022	0.06	\$0	\$4	\$4
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

The first delayed cost includes the estimated amount to provide adequate containment facilities for the 55-gallon polyphosphate container at the Parmer Plant, calculated from the date of the investigation to the estimated date of compliance.

The second delayed cost includes the estimated amount to provide adequate containment facilities for the 55-gallon polyphosphate container at the Oakridge and Pace Plants, calculated from the date of the investigation 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

\$1,500

TOTAL

\$108

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 17
Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(K)
Violation Description Failed to seal the wellhead by a gasket or sealing compound and provide a well casing vent that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, Well Nos. 4 and 8 did not have 16-mesh screening on the well casing vents. Additionally, at Well No. 9, the 16-mesh screening on the well casing vent was falling off.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide a 16-mesh screen on the well casing vent could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 3 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,250

Three quarterly events are recommended (one event per well), calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$2,250

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

Estimated EB Amount \$58 **Violation Final Penalty Total** \$2,925

This violation Final Assessed Penalty (adjusted for limits) \$2,925

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 17

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	\$125	29-Mar-2022	15-Mar-2025	2.96	\$1	\$25	\$26
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$125	29-Mar-2022	28-Jul-2022	0.33	\$0	\$3	\$3
Other (as needed)	\$125	5-Mar-2019	28-Jul-2022	3.40	\$1	\$28	\$29
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

The delayed cost includes the estimated amount to provide a casing vent that is covered with a 16-mesh screen for Well No. 4 at the Greer Plant, calculated from the date of the investigation to the estimated date of compliance.

The first other delayed cost includes the estimated amount to provide a casing vent that is covered with a 16-mesh screen for Well No. 8 at the Oakridge Plant, calculated from the date of the investigation to the date of compliance.

The second other delayed cost includes the estimated amount to provide an adequate casing vent that is covered with a 16-mesh screen for Well No. 9 at the Pace Plant, calculated from the date of the investigation initially documenting the violation 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

\$375

TOTAL

\$58

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 18

Rule Cite(s) 30 Tex. Admin. Code § 290.43(d)(3)

Violation Description Failed to provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity. Specifically, at the Pace Plant, there was one sight glass for the 2,000-gallon and 3,000-gallon pressure tanks.

Base Penalty \$5,000

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide each pressure tank with a device to determine air-water-volume may not allow the operator to make necessary pressure adjustments which could expose customers of the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$750

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

Estimated EB Amount \$98 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 18

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	\$500	29-Mar-2022	15-Jan-2025	2.80	\$5	\$93	\$98
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

The delayed cost includes the estimated amount to equip each pressure tank with a device to readily determine air-water-volume, calculated from the date of the investigation 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

\$500

TOTAL

\$98

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 19
Rule Cite(s) 30 Tex. Admin. Code § 290.43(c)(4)
Violation Description Failed to provide all GSTs with a liquid level indicator. Specifically, at the Sandhill Plant, the 40,000-gallon GST did not have a liquid level indicator and at the Crossroads Plant, the liquid level indicator on the 30,000-gallon GST was nonfunctioning.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				7.0%
	Potential			x	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide a liquid level indicator may not allow the operator to make necessary adjustments for production and usage calculations which could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,650

\$350

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$350

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 \$350

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

Estimated EB Amount \$123 **Violation Final Penalty Total** \$455

This violation Final Assessed Penalty (adjusted for limits) \$455

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 19

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	\$200	29-Mar-2022	14-Feb-2025	2.88	\$2	\$38	\$40
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	15-Mar-2019	14-Feb-2025	5.93	\$4	\$79	\$83
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

The first delayed cost includes the estimated amount to provide a liquid level indicator for the 40,000-gallon GST at the Sandhill Plant, calculated from the date of the investigation to the estimated date of compliance.

The second delayed cost includes the estimated amount to provide a liquid level indicator for the 30,000-gallon GST at the Crossroads Plant, calculated from the investigation date initially documenting the violation 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

\$400

TOTAL

\$123

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 20

Rule Cite(s) 30 Tex. Admin. Code § 290.42(e)(4)(C)

Violation Description
 Failed to provide forced air ventilation, which includes high level and floor level screened and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch outside, for enclosures containing more than one 150-pound cylinder of chlorine. Specifically, at the Chireno Plant, the fan at the top of the chlorinator room was not working.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				30.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to provide ventilation could expose employees to contaminants which would exceed levels protective of human health.

Adjustment \$3,500

\$1,500

Violation Events

Number of Violation Events 3 Number of violation days 77

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$4,500

Three monthly events are recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

Good Faith Efforts to Comply 10.0% Reduction \$450

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

Notes
 The Respondent achieved compliance on July 14, 2022.

Violation Subtotal \$4,050

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

Estimated EB Amount \$10 **Violation Final Penalty Total** \$5,400

This violation Final Assessed Penalty (adjusted for limits) \$5,400

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 20

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	\$500	29-Mar-2022	14-Jul-2022	0.29	\$0	\$10	\$10
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

The delayed cost includes the estimated amount to repair the fan in the chlorinator room at the Chireno Plant, calculated from the date of the investigation 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

\$500

TOTAL

\$10

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 21
Rule Cite(s) 30 Tex. Admin. Code § 290.42(e)(3)(D)
Violation Description Failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use. Specifically, at the Chireno Plant, only one of the two gas chlorine cylinders had a scale and at the Greer and Parmer Plants, the rotameters for the gas chlorine were non-functioning.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use could result in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$750

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

Estimated EB Amount \$39 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 21

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)	\$200	29-Mar-2022	15-Jan-2025	2.80	\$2	\$37	\$39
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	The delayed cost includes the estimated amount to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use, calculated from the date of the investigation 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 \$200

TOTAL \$39

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 22

Rule Cite(s) 30 Tex. Admin. Code § 290.42(f)(2)(D)

Violation Description
 Failed to use a chemical feed system designed to minimize the possibility of leaks and spills and provide protection against backpressure and siphoning. Specifically, at the Chireno Plant, the treated water line after the service pumps provides water to the chemical make-up water line for the gas chlorine and no protection is provided.

Base Penalty \$5,000

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to provide a chemical feed system designed to minimize the possibility of leaks and spills and provide protection against backpressure and siphoning could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$750

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

Estimated EB Amount \$208 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 22

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	\$1,000	29-Mar-2022	16-Mar-2025	2.97	\$10	\$198	\$208
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

The delayed cost includes the estimated amount to provide protection against backpressure and siphoning between the treated water line and the chemical make-up water line for the gas chlorine at the Chireno Plant, calculated from the date of the investigation 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

\$1,000

TOTAL

\$208

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 23
Rule Cite(s) 30 Tex. Admin. Code § 290.46(e) and Tex. Health & Safety Code § 341.033(a)
Violation Description Failed to use a water works operator who holds an applicable, valid license issued by the Executive Director. Specifically, an unlicensed individual was collecting chlorine residuals that were used for compliance and conducting adjustments to plant equipment.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					15.0%
Potential		x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to use a licensed water works operator could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 52 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$750

One quarterly event is recommended, calculated from the date of the investigation, March 29, 2022, to the date of compliance, May 20, 2022.

Good Faith Efforts to Comply 25.0% Reduction \$187

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

Notes The Respondent achieved compliance on May 20, 2022.

Violation Subtotal \$563

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

Estimated EB Amount \$1 **Violation Final Penalty Total** \$788

This violation Final Assessed Penalty (adjusted for limits) \$788

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 23

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)	\$100	29-Mar-2022	20-May-2022	0.14	\$1	n/a	\$1

Notes for DELAYED costs

The delayed cost includes the estimated amount to use a water works operator who holds an applicable, valid license issued by the Executive Director, calculated from the date of the investigation 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

\$100

TOTAL

\$1

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 24

Rule Cite(s) 30 Tex. Admin. Code § 290.42(I)

Violation Description
 Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the procedures for natural and man-made disasters were missing from the plant operations manual.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR			Harm		Percent 0.0%
	Release	Major	Moderate	Minor	
	Actual				
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent 1.0%
				x	

Matrix Notes
 Less than 30% of the rule requirements were not met.

Adjustment \$4,950

\$50

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

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 \$50

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

Estimated EB Amount \$20 **Violation Final Penalty Total** \$65

This violation Final Assessed Penalty (adjusted for limits) \$65

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 24

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)	\$45	29-Mar-2016	14-Feb-2025	8.89	\$20	n/a	\$20

Notes for DELAYED costs

The delayed cost includes the estimated amount to maintain a thorough and up-to-date plant operations manual, calculated from the date of the investigation initially documenting the violation 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

\$45

TOTAL

\$20

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 25

Rule Cite(s) 30 Tex. Admin. Code § 290.121(a) and (b)

Violation Description
 Failed to 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 monitoring requirements. Specifically, the information regarding the plant equipment and lead and copper compliance calculations were incorrect and the schematic was missing from the monitoring plan. Additionally, in the asbestos section the laboratory used, the sampling locations, and compliance calculations were not specified.

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	1.0%

Matrix Notes
 Less than 30% of the rule requirements were not met.

Adjustment \$4,950

\$50

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

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 \$50

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

Estimated EB Amount \$20 **Violation Final Penalty Total** \$65

This violation Final Assessed Penalty (adjusted for limits) \$65

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 25

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)	\$45	29-Mar-2016	14-Feb-2025	8.89	\$20	n/a	\$20

Notes for DELAYED costs

The delayed cost includes the estimated amount to update and begin maintaining a chemical and microbiological monitoring plan, calculated from the date of the investigation initially documenting the violation 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

\$45

TOTAL

\$20

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 26
Rule Cite(s) 30 Tex. Admin. Code § 290.46(s)(2)(C)(i)
Violation Description Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations. Specifically, the secondary standard solution expired in March 2021.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		x		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Failure to verify the accuracy of the manual disinfectant residual analyzer could result in non-detection of improperly disinfected water and potentially expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,250

\$750

Violation Events

Number of Violation Events 1 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$750

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 \$750

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

Estimated EB Amount \$8 **Violation Final Penalty Total** \$975

This violation Final Assessed Penalty (adjusted for limits) \$975

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 26

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	\$5	5-Mar-2019	15-Jan-2025	5.87	\$1	n/a	\$1
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5	5-Mar-2019	15-Jan-2025	5.87	\$1	n/a	\$1

Notes for DELAYED costs

The Training/Sampling cost includes the estimated amount to purchase current secondary standards, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

The Other delayed cost includes the estimated amount to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations, calculated from the date of the investigation initially documenting the violation 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	\$5	5-Mar-2019	14-Jun-2022	3.28	\$1	\$5	\$6
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations, calculated from the date of the investigation initially documenting the violation to the date of screening.

Approx. Cost of Compliance \$15

TOTAL \$8

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 27

Rule Cite(s) 30 Tex. Admin. Code § 290.118(a) and (b)

Violation Description
 Failed to meet the maximum secondary constituent levels ("MSCLs") of greater than 7.0 for pH or receive written approval from the Executive Director to use the water source for public drinking water. Specifically, pH measurements of 6.47 and 6.95 were obtained at the Oakridge Plant and the Pace Plant, respectively.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				7.0%
	Potential			x	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to comply with the MSCLs for pH could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$4,650

\$350

Violation Events

Number of Violation Events 2 77 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$700

Two single events are recommended (one for each location).

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 \$700

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

Estimated EB Amount \$3,141 **Violation Final Penalty Total** \$910

This violation Final Assessed Penalty (adjusted for limits) \$910

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 27

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)	\$10,000	5-Mar-2019	14-Jun-2025	6.28	\$3,141	n/a	\$3,141

Notes for DELAYED costs

The delayed cost includes the estimated amount to begin providing water that meets the MSCL for pH, calculated from the date of the investigation initially documenting the violation 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

\$10,000

TOTAL

\$3,141

Screening Date 14-Jun-2022 **Docket No.** 2022-0753-MLM-E **PCW**
Respondent MELROSE Water Supply Corporation (PCW No. 1) *Policy Revision 5 (January 28, 2021)*
Case ID No. 62501 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Enf. Coordinator Samantha Salas

Violation Number 28

Rule Cite(s) 30 Tex. Admin. Code § 290.44(h)(4)

Violation Description
 Failed to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Specifically, BPAs at the following locations had not been tested since 2019: Melrose RV Park, Thrall's Grocery & Deli, Tran & PO (Andrew Farm 1252), Joey Michelle, Todd Binning, Kenneth Garrett, Jack Miley, Pope #3, Perry Parker, Chireno Car Wash, Travis McCouley, and Brad Moody.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				30.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Failure to test BPAs on an annual basis would not ensure the device is operating properly which could result in a reverse flow of contaminants entering into the water mains which would exceed levels protective of human health.

Adjustment \$3,500

\$1,500

Violation Events

Number of Violation Events 3 77 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$4,500

Three monthly events are recommended, calculated from the date of the investigation, March 29, 2022, to the date of screening, June 14, 2022.

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 \$4,500

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

Estimated EB Amount \$430 **Violation Final Penalty Total** \$5,850

This violation Final Assessed Penalty (adjusted for limits) \$5,850

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 1)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Public Water Supply
Violation No. 28

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)	\$372	29-Mar-2022	14-Feb-2025	2.88	\$54	n/a	\$54

Notes for DELAYED costs

The delayed cost includes the estimated amount to test the BPAs (\$31 x twelve locations), calculated from the date of the investigation 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)	\$372	29-Mar-2022	14-Jun-2022	0.21	\$4	\$372	\$376

Notes for AVOIDED costs

The avoided cost includes the estimated amount to test the BPAs (\$31 x twelve locations), calculated from the date of the investigation to the date of screening.

Approx. Cost of Compliance

\$744

TOTAL

\$430



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Jun-2022			
	PCW	21-Jun-2022	Screening	14-Jun-2022	EPA Due

RESPONDENT/FACILITY INFORMATION	
Respondent	MELROSE Water Supply Corporation (PCW No. 2)
Reg. Ent. Ref. No.	RN102689346
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	62501	No. of Violations	1
Docket No.	2022-0753-MLM-E	Order Type	Findings
Media Program(s)	Water Rights	Government/Non-Profit	Yes
Multi-Media	Public Water Supply	Enf. Coordinator	Samantha Salas
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$500
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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	30.0%	Adjustment	Subtotals 2, 3, & 7	\$150
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Notes: Enhancement for two NOV's with the same/similar violations and one agreed order containing a denial of liability.

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	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$45	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$100	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$650
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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	\$650
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$650
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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	\$650
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Screening Date 14-Jun-2022

Docket No. 2022-0753-MLM-E

PCW

Respondent MELROSE Water Supply Corporation (PCW No. 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 62501

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102689346

Media Water Rights

Enf. Coordinator Samantha Salas

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>)	2	10%
	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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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) 30%

>> 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 History Notes

Enhancement for two NOVs with the same/similar violations and one agreed order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 30%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 30%

Screening Date 14-Jun-2022

Docket No. 2022-0753-MLM-E

PCW

Respondent MELROSE Water Supply Corporation (PCW No. 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 62501

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102689346

Media Water Rights
Enf. Coordinator Samantha Salas

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 288.20(a) and (c) and Tex. Water Code § 11.1272(c)

Violation Description Failed to review and update the drought contingency plan at least every five years to include all elements for municipal use by a retail public water supplier. Specifically, the drought contingency plan was last updated in 2016, and the public education and public involvement sections were missing.

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 the rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 1 77 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 EDPRP/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 \$45

Violation Final Penalty Total \$650

This violation Final Assessed Penalty (adjusted for limits) \$650

Economic Benefit Worksheet

Respondent MELROSE Water Supply Corporation (PCW No. 2)
Case ID No. 62501
Reg. Ent. Reference No. RN102689346
Media Water Rights
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)	\$100	29-Mar-2016	16-Mar-2025	8.97	\$45	n/a	\$45

Notes for DELAYED costs

The delayed cost includes the estimated amount to review and update the drought contingency plan to include all the minimum elements specific to the Facility, calculated from the date of the investigation initially documenting the violation 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 \$100

TOTAL \$45



Compliance History Report

Compliance History Report for CN601358682, RN102689346, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN601358682, MELROSE Water Supply Corporation	Classification: NOT APPLICABLE	Rating: N/A
Regulated Entity:	RN102689346, MELROSE WSC	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator:	N/A
CH Group:	14 - Other		
Location:	12542 EAST STATE HIGHWAY 21 NEAR NACOGDOCHES, NACOGDOCHES COUNTY, TEXAS		
TCEQ Region:	REGION 10 - BEAUMONT		
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1740006		

Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	August 21, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	August 21, 2019 to August 21, 2024				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Salas			Phone:	(512) 239-1543

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: 02/28/2023 ADMINORDER 2022-1269-UTL-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2B TWC Chapter 13, SubChapter A 13.1394(b)(2)
Description: Failure to submit to the TCEQ for approval an emergency preparedness plan ("EPP") that demonstrates the Facility's ability to provide emergency operations. As of the date of this investigation, System has not submitted EPP for approval. ETT Point Value = 0.

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.

- 1 Date: 02/09/2024 (1945901)
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(ii)
Description: Failure by Melrose WSC to have operating records accessible for review upon request.

2 Date: 08/15/2024 (1996320)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
Description: Failure by Melrose WSC to maintain a record of the amount of each chemical used each day.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(l)
Description: Failure by Melrose WSC to flush all dead-end mains at least monthly.

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MELROSE WATER SUPPLY
CORPORATION
RN102689346

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0753-MLM-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding MELROSE Water Supply Corporation (the "Respondent") under the authority of TEX. WATER CODE ch. 11 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 it has 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 12542 East State Highway 21 near Nacogdoches, Nacogdoches County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 1,252 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(73). 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(52).
2. During an investigation conducted at the Facility on March 29, 2022, an investigator documented that:
 - a. The 62,000-gallon ground storage tank ("GST") at the Oakridge Plant and the 40,000-gallon and 50,000-gallon GSTs at the Sandhill Plant had severe corrosion throughout each tank with severe rusting on the roof access. The 30,000-gallon GST at the Pace Plant had minor corrosion on the interior of the roof and the 50,000-gallon GST had some rusting on the interior and exterior of the roof access. Additionally, the 20,000-gallon GST at the Parmer Plant had issues with

the protective interior coating and the 30,000-gallon GST at the Crossroads Plant had issues with the protective interior coating and the exterior had rust.

- b. At the Crossroads Plant, the back and left fences had vegetation on them. Additionally, there was an opening underneath the concrete sealing block at Well No. 7 on two sides of the sealing block.
- c. At the Oakridge, Greer, Sandhill, and Crossroads Plants, the flow meters were nonfunctioning.
- d. At the Oakridge Plant and Pace Plant, there was vegetation along the back and right fence line, at the Greer Plant, there was vegetation along the back and both sides of the fence line, at the Parmer Plant, there was vegetation along the right fence line, and at the Blackjack Plant, there was vegetation along all sides of the fence line. Additionally, at the Sandhill Plant, the fence along the left and back sides was falling down due to erosion and at the Crossroads Plant, the barbed wire on the right side of the fence was out of the separator.
- e. The gap between the overflow and cover was greater than 1/16 inch at the 30,000-gallon GST at the Pace Plant, the 100,000-gallon GST at the Greer Plant, the 30,000-gallon GST at the Crossroads Plant, and the 20,000-gallon GST at the Blackjack Plant. Additionally, at the Parmer Plant, the 20,000-gallon GST had broken probes and a gravity-hinged weighted cover on the overflow that had rust and was falling apart.
- f. The overflow pipes for the 40,000-gallon GST at the Sandhill Plant and the 50,000-gallon GST at the Pace Plant each terminated underground.
- g. At the Greer Plant, two electrical boxes in the pump room did not have covers and at the Pace and Parmer Plants, electrical wires on the solenoids were exposed.
- h. Pressure Plane No. 6 had 124 connections requiring a storage capacity of 24,800 gallons. However, only 20,000 gallons of storage capacity were provided, indicating a 19% deficiency.
- i. Pressure Plane No. 4 had 340 connections requiring a total well capacity of 204 gallons per minute ("gpm"). However, the system only had one well which provided 195 gpm of total well capacity, indicating a 4% deficiency.
- j. At the Crossroads Plant, Service Pump No. 2 was out of service and a clay valve was broken. Additionally, Service Pump No. 1 at the Pace Plant was out of service.
- k. The Respondent did not provide the Executive Director with a list of all the operators and operating companies that the public water system uses on an annual basis.

- l. Records of the amount of chemical used each day, the amount of water distributed each day, the amount of water treated each day, and the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation were not maintained on-site for review.
- m. The Customer Service Agreement form prohibited pipe or pipe fittings which contain more than 8.0% lead, which is greater than the current regulatory level of 0.25% lead.
- n. The following dead-end mains were not flushed each month: Highway ("Hwy") 21 Skillern Subdivision ("Sub"), Melrose East Vigilante, Melrose East Long Fork, County Road ("CR") 331 Dichard, Moody Lane, Hwy 21 Middlebrook Sub, Hwy 21 Butler, CR 449 Strickland, CR 508 and Hwy 21, 1058 CR 226, Across from Oakridge Plant, Ross Hardmen Rd, CR 4192, 801 CR 425, 15433 Hwy 21, 18640 Hwy 21, 19967 Hwy 21, CR 336 end, CR 337 Freshour Lane, Farm-to-Market ("FM") 95 Licking Lane, FM 95 ID Layton Lane, CR 448 P Moore Rd, CR 425 Browns F McBride, CR 338 Wall, CR 446 Chireno ISD, Hwy 21 Dukes Lane, CR 411 end, CR 425 Browns F Sub, 1066 CR 349, 9988 Hwy 21, FM Cottingham B Road, FM 226 Risinger, CR 404 #1 Atasocite Ridge, Hwy 21 Garret Lane ("Ln"), 201 Majestic Ln, 7511 Hwy 21, 634 CR 313, 9788 Hwy 21, CR 408 and CR 4082, CR 4082, and 21110 Hwy 21.
- o. The small bottle of fresh ammonia solution was stored inside the chlorinator room at the Oakridge, Pace, Parmer, and Chireno Plants. Additionally, the ammonia bottle at the Greer Plant was empty.
- p. At the Oakridge, Pace, and Parmer Plants, the 55-gallon polyphosphate containers did not have secondary containment.
- q. Well Nos. 4 and 8 did not have 16-mesh screening on the well casing vents. Additionally, at Well No. 9, the 16-mesh screening on the well casing vent was falling off.
- r. At the Pace Plant, there was one sight glass for the 2,000-gallon and 3,000-gallon pressure tanks.
- s. At the Sandhill Plant, the 40,000-gallon GST did not have a level indicator and at the Crossroads Plant, the liquid level indicator on the 30,000-gallon GST was nonfunctioning.
- t. At the Chireno Plant, the fan at the top of the chlorinator room was not working.
- u. At the Chireno Plant, only one of the two gas chlorine cylinders had a scale and at the Greer and Parmer Plants, the rotameters for the gas chlorine were non-functioning.

- v. At the Chireno Plant, the treated water line after the service pumps provides water to the chemical make-up water line for the gas chlorine and no protection is provided.
 - w. An unlicensed individual was collecting chlorine residuals that were used for compliance and conducting adjustments to plant equipment.
 - x. The procedures for natural and man-made disasters were missing from the plant operations manual.
 - y. The information regarding the plant equipment and lead and copper compliance calculations were incorrect and the schematic was missing from the monitoring plan. Additionally, in the asbestos section, the laboratory used, the sampling locations, and compliance calculations were not specified.
 - z. The secondary standard solution expired in March 2021.
 - aa. pH measurements of 6.47 and 6.95 were obtained at the Oakridge Plant and the Pace Plant, respectively.
 - bb. The backflow prevention assemblies (“BPAs”) at the following locations had not been tested since 2019: Melrose RV Park, Thrall's Grocery & Deli, Tran & PO (Andrew Farm 1252), Joey Michelle, Todd Binning, Kenneth Garrett, Jack Miley, Pope #3, Perry Parker, Chireno Car Wash, Travis McCouley, and Brad Moody.
 - cc. The drought contingency plan was last updated in 2016, and the public education and public involvement sections were missing.
3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
- a. Provided adequate containment facilities for the polyphosphate storage containers at the Oakridge and Pace Plants by April 20, 2022.
 - b. Submitted a statement that the unlicensed individual will no longer conduct operational duties until a license is obtained by May 20, 2022.
 - c. Repaired the fan in the chlorinator room at the Chireno Plant by July 14, 2022.
 - d. Secured the electrical wiring in compliance with a local or national code for the pump room at the Greer Plant by July 14, 2022.
 - e. Provided a small bottle of fresh ammonia solution for testing for chlorine leakage that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency at the Oakridge, Pace, Parker, Chireno, and Greer Plants by July 28, 2022.

- f. Repaired the 16-mesh screening on the well casing vent for Well No. 9 at the Pace Plant and provided a well casing vent with 16-mesh screening for Well No. 8 at the Oakridge Plant by July 28, 2022.
- g. Repaired or replaced Service Pump No. 1 at the Pace Plant and Service Pump No. 2 at the Crossroads Plant by July 28, 2022.

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. 11, 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 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).
3. As evidenced by Finding of Fact No. 2.b, the 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).
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(N).
5. As evidenced by Finding of Fact No. 2.d, the 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).
6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to maintain the Facility's storage tanks in strict accordance with current American Water Works Association ("AWWA") standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3).
7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to ensure the discharge opening of the overflows of the Facility's storage tanks are above the surface of the ground and were not subject to submergence, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3).
8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v).

9. As evidenced by Finding of Fact No. 2.h, the Respondent failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
10. As evidenced by Finding of Fact No. 2.i, the Respondent failed to provide two or more wells having a total capacity of 0.6 gpm per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
11. As evidenced by Finding of Fact No. 2.j, the Respondent failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(6).
12. As evidenced by Finding of Fact No. 2.k, the Respondent 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, in violation of 30 TEX. ADMIN. CODE § 290.46(p)(2).
13. As evidenced by Finding of Fact No. 2.l, the Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), (f)(3)(A)(ii)(II), (f)(3)(A)(ii)(IV), and (f)(3)(A)(iii).
14. As evidenced by Finding of Fact No. 2.m, the Respondent failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i).
15. As evidenced by Finding of Fact No. 2.n, the Respondent failed to flush all dead-end mains at monthly intervals, in violation of 30 TEX. ADMIN. CODE § 290.46(l).
16. As evidenced by Finding of Fact No. 2.o, the Respondent failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(A).
17. As evidenced by Finding of Fact No. 2.p, the Respondent failed to provide adequate containment facilities for all liquid chemical storage tanks, in violation of 30 TEX. ADMIN. CODE § 290.42(f)(1)(E)(ii)(I).
18. As evidenced by Finding of Fact No. 2.q, the Respondent failed to seal the wellhead by a gasket or sealing compound and provide a well casing vent that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K).
19. As evidenced by Finding of Fact No. 2.r, the Respondent failed to provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3).

20. As evidenced by Finding of Fact No. 2.s, the Respondent failed to provide all GSTs with a liquid level indicator, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4).
21. As evidenced by Finding of Fact No. 2.t, the Respondent failed to provide forced air ventilation, which includes high level and floor level screened and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch outside, for enclosures containing more than one 150-pound cylinder of chlorine, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(C).
22. As evidenced by Finding of Fact No. 2.u, the Respondent failed to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(3)(D).
23. As evidenced by Finding of Fact No. 2.v, the Respondent failed to use a chemical feed system designed to minimize the possibility of leaks and spills and provide protection against backpressure and siphoning, in violation of 30 TEX. ADMIN. CODE § 290.42(f)(2)(D).
24. As evidenced by Finding of Fact No. 2.w, the Respondent failed to use a water works operator who holds an applicable, valid license issued by the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.46(e) and TEX. HEALTH & SAFETY CODE § 341.033(a).
25. As evidenced by Finding of Fact No. 2.x, the Respondent failed to maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
26. As evidenced by Finding of Fact No. 2.y, the Respondent failed to 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 monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
27. As evidenced by Finding of Fact No. 2.z, the Respondent failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i).
28. As evidenced by Finding of Fact No. 2.aa, the Respondent failed to meet the maximum secondary constituent levels ("MSCLs") of greater than 7.0 for pH or receive written approval from the Executive Director to use the water source for public drinking water, in violation of 30 TEX. ADMIN. CODE § 290.118(a) and (b).
29. As evidenced by Finding of Fact No. 2.bb, the Respondent failed to have all BPAs tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(4).
30. As evidenced by Finding of Fact No. 2.cc, the Respondent failed to review and update the drought contingency plan at least every five years to include all elements for

municipal use by a retail public water supplier, in violation of 30 TEX. ADMIN. CODE § 288.20(a) and (c) and TEX. WATER CODE § 11.1272(c).

31. Pursuant to TEX. WATER CODE § 11.0842(a) and 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.
32. An administrative penalty in the amount of \$100,788 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 11.0842(c) and TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid \$2,823 of the penalty. The remaining amount of \$97,965 shall be paid in 35 monthly payments of \$2,799 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. 32 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: MELROSE Water Supply Corporation, Docket No. 2022-0753-MLM-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. Verify the accuracy of the manual disinfectant residual analyzers using chlorine solutions of known concentrations and purchase current secondary standards, in accordance 30 TEX. ADMIN. CODE § 290.46;
 - ii. Secure the electrical wiring in compliance with a local or national code for the solenoids at the Pace Plant and Parmer Plant, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iii. Provide the Executive Director with a written list of all operators and operating companies that the public water system employs on an annual basis, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iv. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the records of the amount of chemical used each day, the amount of water distributed each day, the amount of water treated each day, and the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - v. Begin flushing all dead-end mains at monthly intervals or more often as needed if water quality complaints are received from water customers or if disinfectant residuals fall below acceptable levels, in accordance with 30 TEX. ADMIN. CODE § 290.46. This provision will be satisfied upon three months of consecutive compliant monthly flushing;
 - vi. Provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity including but not limited to the 2,000-gallon and 3,000-gallon pressure tanks at the Pace Plant, in accordance with 30 TEX. ADMIN. CODE § 290.43;
 - vii. Provide facilities at the Chireno, Greer and Parmer Plants for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use, in accordance with 30 TEX. ADMIN. CODE § 290.42; and
 - viii. Provide a flow measuring device for the Oakridge, Greer, Sandhill, and Crossroads Plants to measure production yield and provide for the accumulation of water production data, in accordance with 30 TEX. ADMIN. CODE § 290.41.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.i below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.iv and 2.a.vi through 2.a.viii.
 - c. Within 60 days after the effective date of this Order:

- i. Begin maintaining an up-to-date and thorough plant operations manual for operator review and reference, in accordance with 30 TEX. ADMIN. CODE § 290.42;
- ii. Maintain up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 TEX. ADMIN. CODE § 290.121;
- iii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the vegetation from the fence at the Crossroads Plant and repairing the sealing block at Well No. 7 so that there are no openings underneath it, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- iv. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including removing the vegetation from each fence at the Oakridge Plant, Pace Plant, Greer Plant, Parmer Plant, and Blackjack Plant, repairing or replacing the fence along the left and back sides of the Sandhill Plant and repairing or replacing the barbed wire on the right side of the fence at the Crossroads Plant, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- v. Provide an overflow pipe for the 30,000-gallon GST at the Pace Plant, the 100,000-gallon GST at the Greer Plant, the 30,000-gallon GST at the Crossroads Plant, and the 20,000-gallon GST at the Blackjack Plant that fits tightly with no gap over 1/16 inch in accordance with AWWA standards and repair or replace the broken probes and the gravity-hinged weighted cover on the overflow located on the 20,000-gallon GST at the Parmer Plant, in accordance with 30 TEX. ADMIN. CODE § 290.43;
- vi. Provide overflow pipes at the 40,000-gallon GST at the Sandhill Plant and the 50,000-gallon GST at the Pace Plant that are above the surface of the ground and are not subject to submergence, in accordance with 30 TEX. ADMIN. CODE § 290.43;
- vii. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition including, but not limited to the clay valve at the Crossroads Plant, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
- viii. Provide the 40,000-gallon GST at the Sandhill Plant and the 30,000-gallon GST at the Crossroads Plant with a liquid level indicator, in accordance with 30 TEX. ADMIN. CODE § 290.43; and

- ix. Ensure that all BPAs are tested upon installation and on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, including but not limited to Melrose RV Park, Thrall's Grocery & Deli, Tran & PO (Andrew Farm 1252), Joey Michelle, Todd Binning, Kenneth Garrett, Jack Miley, Pope #3, Perry Parker, Chireno Car Wash, Travis McCouley, and Brad Moody, in accordance with 30 TEX. ADMIN. CODE § 290.44.
- d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.i below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.i through 2.c.ix.
- e. Within 90 days after the effective date of this Order:
 - i. Review and update the drought contingency plan to include all of the minimum elements specific to the Facility, in accordance with 30 TEX. ADMIN. CODE § 288.20;
 - ii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including repairing or replacing the 62,000-gallon GST at the Oakridge Plant, the 40,000-gallon and 50,000-gallon GSTs at the Sandhill Plant, the 30,000-gallon and the 50,000-gallon GSTs at the Pace Plant, the 30,000-gallon GST at the Crossroads Plant and the 20,000-gallon GST at the Parmer Plant, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iii. Adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - iv. Provide adequate containment facilities for the polyphosphate storage container at the Parmer Plant, in accordance with 30 TEX. ADMIN. CODE § 290.42;
 - v. Provide a well casing vent for Well No. 4 at the Greer Plant with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well, in accordance with 30 TEX. ADMIN. CODE § 290.41; and
 - vi. Provide protection against backpressure and siphoning between the treated water line and the chemical make-up water line for the gas chlorine at the Chireno Plant, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- f. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.i below, and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.e.i through 2.e.vi.

- g. Within 135 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.i below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.v.
- h. Within 180 days after the effective date of this Order:
 - i. Provide a total storage capacity of at least 200 gallons per connection at Pressure Plane No. 6, in accordance with 30 TEX. ADMIN. CODE § 290.45;
 - ii. Provide two or more wells with a total capacity of at least 0.6 gpm per connection at Pressure Plane No. 4, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
 - iii. Provide water that complies with the MSCL for pH at the Oakridge Plant and Pace Plants, in accordance with 30 TEX. ADMIN. CODE § 290.118.
- i. Within 195 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.h.i through 2.h.iii. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1830

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



3/10/2025

For the Executive Director

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

3-26-2025

Date

Keith Millard

Name (Printed or typed)

President

Title

Authorized Representative of
MELROSE Water Supply Corporation

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