

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 63141
CANYON RIDGE INVESTMENT COMPANY
RN101262483
Docket No. 2022-1309-UTL-E

Page 1 of 2

Order Type:
Default Order

Media:
PWS

Small Business:
Yes

Location Where Violation Occurred:
adjacent to 1001 Tempe Street, Amarillo, Randall County (the “Utility”)

Type of Operation:
a retail public utility, exempt utility, or provider or conveyor of potable or raw water service

Other Significant Matters:

Additional Pending Enforcement Actions:	Yes, Case Nos. 61993, 63141, and 64091
Past-Due Penalties:	None
Past-Due Fees:	\$9,149
Other:	None
Interested Third-Parties:	None

Texas Register Publication Date: June 13, 2025

Comments Received: None

Penalty Information

Total Penalty Assessed: \$610

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$610

Compliance History Classifications:

Person/CN – High
Site/RN – Not Applicable

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: January 28, 2021

Investigation Information

Complaint Date: N/A

Dates of Investigation: September 9, 2022 through September 22, 2022

Date of NOV: November 15, 2022

Date of NOE: September 29, 2022

Violation Information

Failed to adopt and submit to the TCEQ for approval an emergency preparedness plan (“EPP”) that demonstrates the Utility’s ability to provide emergency operations [TEX. WATER CODE § 13.1394(b)(2)].

Corrective Actions/Technical Requirements

Corrective Action Completed:

None

Technical Requirements:

1. Within 90 days develop and submit to TCEQ for approval an EPP that demonstrates the Utility's ability to provide emergency operations.
2. Within 105 days submit written certification to demonstrate compliance with Technical Requirement No. 1.
3. Within 270 days obtain approval from TCEQ for the EPP submitted pursuant to Technical Requirement No. 1.
4. Within 285 days submit written certification to demonstrate compliance with Technical Requirement No. 3.

Litigation Information

Date Petitions Filed: October 4, 2024

Dates of Service: October 11, 2024

Date Answer Filed: N/A

Contact Information

TCEQ Attorneys: Misty James, Litigation Division, (512) 239-3400
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

TCEQ Enforcement Coordinator: Daphne Greene, Enforcement Division, (903) 535-5157

TCEQ Regional Contact: Gregory Nagel, Amarillo Regional Office, 806-353-9251

Respondent Contact: Daniel Rogers, President, CANYON RIDGE INVESTMENT COMPANY, 506 South Lipscomb Street, Amarillo, Texas 79101

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	4-Oct-2022	Screening	7-Oct-2022	EPA Due	
	PCW	31-Oct-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	CANYON RIDGE INVESTMENT COMPANY
Reg. Ent. Ref. No.	RN101262483
Facility/Site Region	1-Amarillo
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	63141	No. of Violations	1
Docket No.	2022-1309-UTL-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Ecko Beggs
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$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	12.0%	Adjustment	Subtotals 2, 3, & 7	\$60
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Notes: Enhancement for one NOV with dissimilar violations and one agreed order containing a denial of liability. Reduction for High Performer classification.

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 \$8
Estimated Cost of Compliance \$180

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$560
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OTHER FACTORS AS JUSTICE MAY REQUIRE	8.9%	Adjustment	\$50
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to offset the reduction for High Performer classification.

Final Penalty Amount	\$610
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$610
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$610
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Screening Date	7-Oct-2022	Docket No.	2022-1309-UTL-E	PCW
Respondent	CANYON RIDGE INVESTMENT COMPANY			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63141			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101262483			
Media	Public Water Supply			
Enf. Coordinator	Ecko Beggs			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	1	2%
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) 22%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with dissimilar violations and one agreed order containing a denial of liability. Reduction for High Performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 12%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 12%

Screening Date 7-Oct-2022 Respondent CANYON RIDGE INVESTMENT COMPANY Case ID No. 63141 Reg. Ent. Reference No. RN101262483 Media Public Water Supply Enf. Coordinator Ecko Beggs	Docket No. 2022-1309-UTL-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1		
Rule Cite(s)	Tex. Water Code § 13.1394(b)(2)		
Violation Description	Failed to adopt and submit to the TCEQ for approval an emergency preparedness plan ("EPP") that demonstrates the Facility's ability to provide emergency operations.		
Base Penalty			\$5,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes		Falsification			
		Major	Moderate	Minor	
		x			Percent 10.0%
100% of the rule requirements were not met.					
Adjustment					\$4,500

\$500

Violation Events

Number of Violation Events	1	28	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
One single event is recommended.			
Violation Base Penalty			\$500

Good Faith Efforts to Comply

	0.0%		
		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	\$8
Violation Final Penalty Total	\$610
This violation Final Assessed Penalty (adjusted for limits)	
\$610	

Economic Benefit Worksheet

Respondent CANYON RIDGE INVESTMENT COMPANY
Case ID No. 63141
Reg. Ent. Reference No. RN101262483
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$180	9-Sep-2022	15-Jul-2023	0.85	\$8	n/a	\$8
Notes for DELAYED costs The delayed cost includes the estimated amount to develop and submit to the TCEQ for approval an EPP that demonstrates the Facility's ability to provide emergency operations, 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 \$180

TOTAL \$8



Compliance History Report

Compliance History Report for CN600694525, RN101262483, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator: CN600694525, CANYON RIDGE INVESTMENT COMPANY
Classification: HIGH
Rating: 0.00

Regulated Entity: RN101262483, AMBERWOOD WATER SYSTEM
Classification: NOT APPLICABLE
Rating: N/A

Complexity Points: N/A
Repeat Violator: N/A

CH Group: 14 - Other

Location: LOCATED ADJACENT TO 1001 TEMPE STREET NEAR AMARILLO, RANDALL COUNTY, TEXAS

TCEQ Region: REGION 01 - AMARILLO

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1910026

Compliance History Period: September 01, 2017 to August 31, 2022
Rating Year: 2022
Rating Date: 09/01/2022

Date Compliance History Report Prepared: December 15, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 15, 2017 to December 15, 2022

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Ecko Beggs
Phone: (512) 239-2905

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: 10/01/2019 ADMINORDER 2017-1105-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description: LCR RD MR YR2016 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2016 to 12/31/2016 within the required timeline.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(C)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description: LCR RD MR 3Y2015 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the triennial reduced monitoring period from 01/01/2013 to 12/31/2015 within the required timeline.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: LCR RD MR PN YR2016 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a distribution lead and copper reduced monitoring and reporting violation for the annual reduced monitoring period from 01/01/2016 to 12/31/2016.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: JULY/2014 TCR Routine MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct routine coliform monitoring for the month of

07/2014.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.122(f)

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

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: MAY/2013 TCR Repeat MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct repeat coliform monitoring for the month of 05/2013.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: JUNE/2013 TCR Increase MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct increase coliform monitoring for the month of 06/2013.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 October 23, 2018 (1519573)

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:	11/15/2022	(1847044)		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)			
	Description:	Failure to conduct inspections annually on each of the system's ground, elevated, and pressure tanks.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(d)(6)			
	Description:	Failure to maintain a written RTCR Sample Siting Plan.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.121(a)			
	Description:	Failure to maintain an up-to-date monitoring plan.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)			
	Description:	Failure to provide a sealed wellhead and a well casing vent 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.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)			
	Description:	Failure to maintain a thorough plant operation manual.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)			
	Description:	Failure to adopt a plumbing ordinance and regulations with proper enforcement to insure cross connections or other unacceptable plumbing practices are not permitted.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)			
	Description:	Failure to verify the manual disinfectant residual analyzer for accuracy every 90 days using chlorine solutions of known concentrations.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)			
	Description:	Failure to maintain the good working condition of the system well meter.			
	Self Report?	NO		Classification:	Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
Description: Failure to calibrate well flow meter once every 3 years.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
Description: Failure to maintain an accurate and up to date map of the distribution system.

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

Appendix A
All NOV's Issued During Component Period 12/15/2017 and 12/15/2022

All NOV's Issued During Component Period 12/15/2017 and 12/15/2022

- Page 4

- | | | | | | |
|-----|--------------|------------|--|-----------------|----------|
| 7 | Date: | 03/19/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(1) | | |
| | Description: | | LCR RT MR 2nd 6M2020 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 07/01/2020 to 12/31/2020 within the required timeline. | | |
| 8 | Date: | 04/26/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f) | | |
| | Description: | | LCR RT MR PN 2nd 6M2019 - Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a follow-up distribution lead and copper monitoring and reporting violation for the 6 month monitoring period from 07/01/2019 to 12/31/2019. | | |
| 9* | Date: | 09/01/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(1) | | |
| | Description: | | LCR RT MR 1st 6M2021 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 01/01/2021 to 06/30/2021 within the required timeline. | | |
| 10* | Date: | 09/09/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f) | | |
| | Description: | | LCR RT MR PN 1st 6M2020 - Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a follow-up distribution lead and copper monitoring and reporting violation for the 6 month monitoring period from 01/01/2020 to 06/30/2020. | | |
| 11* | Date: | 09/30/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c) | | |
| | Description: | | CCR 2020 - The system failed to provide the Consumer Confidence Report (CCR) for 2020 to its bill-paying customers and/or the TCEQ by July 1st of the following year. | | |
| 12* | Date: | 10/28/2021 | (1794725) | | |
| | Self Report? | NO | | Classification: | Moderate |
| | Citation: | | | | |
| | | | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) | | |

Description: 30 TAC Chapter 290, SubChapter F 290.122(f)
DLQOR MR PN 2Q2020 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 2nd quarter of 2020.

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Date: 11/15/2022 (1847044)

Self Report? NO Classification: Moderate

Citation:

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

Description: Failure to conduct inspections annually on each of the system's ground, elevated, and pressure tanks.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.109(d)(6)

Description: Failure to maintain a written RTRC Sample Siting Plan.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to maintain an up-to-date monitoring plan.

Self Report? NO Classification: Moderate

Citation:

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

Description: Failure to provide a sealed wellhead and a well casing vent 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.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failure to maintain a thorough plant operation manual.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failure to adopt a plumbing ordinance and regulations with proper enforcement to insure cross connections or other unacceptable plumbing practices are not permitted.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: Failure to verify the manual disinfectant residual analyzer for accuracy every 90 days using chlorine solutions of known concentrations.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain the good working condition of the system well meter.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure to calibrate well flow meter once every 3 years.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure to maintain an accurate and up to date map of the distribution system.

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

Appendix B

All Investigations Conducted During Component Period December 15, 2017 and December 15, 2022

Item 1*	October 23, 2018**	(1519573)
Item 2	February 17, 2022**	(1794725)
Item 3	February 18, 2022**	(1794965)
Item 4	April 01, 2022**	(1789380)

Item 5	September 23, 2022	(1846076)
Item 6	November 10, 2022	(1847044)

* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CANYON RIDGE INVESTMENT
COMPANY;
RN101262483

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

DEFAULT ORDER DOCKET NO. 2022-1309-UTL-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's First Amended Report and Petition, filed pursuant to TEX. WATER CODE ch. 13, TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is CANYON RIDGE INVESTMENT COMPANY ("Respondent").

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

FINDINGS OF FACT

1. Respondent owns and/or operates a retail public utility, exempt utility, or provider or conveyor of potable or raw water service located adjacent to 1001 Tempe Street in Amarillo, Randall County, Texas (the "Utility"). The Utility furnishes water service to more than one customer and is not located in a county with a population of 3.3 million or more or in a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more. As such, the Utility is an "affected utility" as defined in TEX. WATER CODE § 13.1394(a)(1). Therefore, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 13.
2. During an investigation and record review conducted on September 9, 2022 through September 22, 2022, an investigator documented that Respondent failed to adopt and submit to the TCEQ for approval an emergency preparedness plan ("EPP") that demonstrates the Utility's ability to provide emergency operations.
3. The Executive Director filed the "Executive Director's First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of CANYON RIDGE INVESTMENT COMPANY" (the "EDFARP") in the TCEQ Chief Clerk's office on October 4, 2024.
4. By letter dated October 4, 2024, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDFARP. According to the return receipt "green card," Respondent received notice of the EDFARP on October 11, 2024, as evidenced by the signature on the card.
5. More than 20 days have elapsed since Respondent received notice of the EDFARP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 13, TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, Respondent failed to adopt and submit to the TCEQ for approval an EPP that demonstrates the Utility's ability to provide emergency operations, in violation of TEX. WATER CODE § 13.1394(b)(2).
3. As evidenced by Findings of Fact Nos. 3 and 4, the Executive Director timely served Respondent with proper notice of the EDFARP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(b)(1).
4. As evidenced by Finding of Fact No. 5, Respondent failed to file a timely answer as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
5. Pursuant to TEX. WATER CODE § 13.4151(a) and TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of \$610 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. WATER CODE § 13.4151(b).
7. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of \$610 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: CANYON RIDGE INVESTMENT COMPANY; Docket No. 2022-1309-UTL-E" to:

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

3. Respondent shall undertake the following technical requirements:
 - a. Within 90 days after the effective date of this Order, develop and submit to the TCEQ for approval an EPP that demonstrates the Utility's ability to provide emergency operations, in accordance with TEX. WATER CODE § 13.1394(b)(2). The EPP must demonstrate Respondent's ability to provide emergency operations, as described by TEX. WATER CODE § 13.1394(b)(1), and shall be submitted to:

Emergency Response and Preparedness Section, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711

Respondent shall respond completely and adequately, as determined by the TCEQ, within 10 days or by any other deadline specified in writing, to all requests for information about the submitted or forthcoming EPP;

- b. Within 105 days after the effective date of this Order, submit written certification in accordance with Ordering Provision No. 3.e., to demonstrate compliance with Ordering Provision No. 3.a.;
- c. Within 270 days after the effective date of this Order, obtain approval from the TCEQ for the EPP submitted pursuant to Ordering Provision No. 3.a. in accordance with TEX. WATER CODE § 13.1394(b)(2);
- d. Within 285 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.e., to demonstrate compliance with Ordering Provision No. 3.c.; and
- e. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

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

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

and:

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

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

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
8. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
9. 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.
10. 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.
11. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

S I G N A T U R E P A G E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF MISTY JAMES

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of CANYON RIDGE INVESTMENT COMPANY' (the "EDFARP") was filed in the TCEQ Chief Clerk's office on October 4, 2024.

The EDFARP was mailed to Respondent's last known address on October 4, 2024, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDFARP on October 11, 2024, as evidenced by the signature on the card.

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

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

Executed in _____ Travis _____ County,
State of Texas,
on the _____ 4th _____ day of _____ April _____, 2025

A handwritten signature in black ink, appearing to read "Misty James", written over a horizontal line.

Declarant