

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 63292
LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION
RN101278307
Docket No. 2022-1516-PWS-E

Page 1 of 3

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

PWS

Small Business:

Yes

Location Where Violations Occurred:

approximately 0.17 miles north of the intersection of County Road 14 and Farm-to Market Road 3517, Lakeview, Hall County

Type of Operation:

public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, 2024-0141-PWS-E; 2025-0266-PWS-E

Past-Due Penalties: None

Past-Due Fees: None

Other: None

Interested Third Parties: None

Texas Register Publication Date: October 31, 2025

Comments Received: None

Penalty Information

Total Penalty Assessed: \$7,425

**Amount Deferred for Naturally
Occurring Constituent:** \$3,375

Total Paid to General Revenue: \$4,050

Total Due to General Revenue: \$0

Compliance History Classifications:

Person/CN – Unclassified

Site/RN – Unclassified

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: January 28, 2021

Investigation Information

Complaint Date: N/A

Dates of Investigation: September 12, 2022 through October 21, 2022

Dates of NOV: May 19, 2021; June 1, 2022; September 20, 2022

Date of NOE: October 21, 2022

Violation Information

1. Failed to comply with maximum contaminant level (“MCL”) of 0.080 milligrams per liter (“mg/L”) for total trihalomethanes (“TTHM”) based on the locational running annual average [TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.115(f)(1)].
2. Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level (“OEL”) for TTHM for Stage 2 Disinfection Byproducts (“DBP2”) at Site 1 during the fourth quarter of 2020 [30 TEX. ADMIN. CODE § 290.115(e)(2)].
3. Failed to comply with acute MCL of 10 mg/L for nitrate [TEX. HEALTH & SAFETY CODE § 341.031(a) and 30 TEX. ADMIN. CODE § 290.106(f)(2)].
4. Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11345 for calendar year 2021 [TEX. WATER CODE § 5.072 and 30 TEX. ADMIN. CODE § 291.76].

Corrective Actions/Technical Requirements

Corrective Action Completed:

None

Technical Requirements:

1. Within 30 days:
 - a. Conduct an operation evaluation and submit an operation evaluation report to the Executive Director; and
 - b. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 11345 for calendar year 2021.
2. Within 180 days submit an acceptable written plan, including a proposed schedule and any applicable planning materials, to the Executive Director that provides for an alternate water source, treatment technology, or other means of completing the necessary corrective actions to achieve compliance within 1,095 days after the effective date of this Order with the acute MCL for nitrate.
3. Within 365 days, on a semi-annual basis thereafter, submit written progress reports that shall include information regarding action taken to provide water which meets the acute MCL for nitrate.
4. Within 365 days return to compliance with the MCL for TTHM, based on the locational running annual average.
5. Within 1,095 return to compliance with the acute MCL for nitrate.
6. Submit written certification to demonstrate compliance:
 - a. Within 45 days for Technical Requirement No. 1.a.;
 - b. Within 195 days for Technical Requirement No. 2;
 - c. Within 380 days for Technical Requirement No. 4; and
 - d. Within 1,110 days for Technical Requirement No. 5.

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 63292
LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION
RN101278307
Docket No. 2022-1516-PWS-E

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Litigation Information

Date Petitions Filed: June 21, 2023; June 17, 2024; May 14, 2025
Dates of Service: July 10, 2023; June 20, 2024; May 21, 2025
Settlement Date: August 19, 2025

Contact Information

TCEQ Attorneys: Laney Foeller, 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: Wyatt Throm, Enforcement Division, (512) 239-1120
TCEQ Regional Contact: Gregory Nagel, Amarillo Regional Office, (806) 353-9251
Respondent Contact: Kelly D Clark, Director & President, LAKEVIEW WATER SUPPLY & SEWER
SERVICE CORPORATION, P.O. Box 60, Lakeview, Texas 79239-0060
Respondent's Attorney: N/A

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Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	24-Oct-2022	Screening	26-Oct-2022	EPA Due	31-Dec-2022
	PCW	25-Oct-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No. 1)				
Reg. Ent. Ref. No.	RN101278307				
Facility/Site Region	1-Amarillo	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	63292	No. of Violations	3
Docket No.	2022-1516-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Daniel Brill
		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	\$3,000
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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	35.0%	Adjustment	Subtotals 2, 3, & 7	\$1,050
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Notes: Enhancement for two NOV's with same/similar violations and one agreed order without 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 \$653
Estimated Cost of Compliance \$5,045
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$4,050
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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	\$4,050
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$4,050
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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	\$4,050
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Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63292			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			

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>)	0	0%
	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	1	25%
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) 35%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 35%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 35%

Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63292			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)			
Violation Description	Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts ("DBP2") were 0.96 mg/L at Site 1 and 0.100 mg/L at Site 2 for the second quarter of 2022.			
		Base Penalty	\$5,000	

>> Environmental, Property and Human Health Matrix					
OR	Release	Major	Moderate	Minor	
	Actual		x		Percent 25.0%
	Potential				

>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Exceeding the MCL for TTHM caused persons served by the Facility to be exposed to a significant amount of contaminants which did not exceed levels protective of human health.				
		Adjustment	\$3,750		
			\$1,250		

Violation Events					
Number of Violation Events		2	90		Number of violation days
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual	x			
	single event				
	Violation Base Penalty \$2,500				
	Two annual events are recommended (one for each site).				

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	\$2,500		

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$648	Violation Final Penalty Total	\$3,375
This violation Final Assessed Penalty (adjusted for limits)		\$3,375	

Economic Benefit Worksheet

Respondent LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No. 1)
Case ID No. 63292
Reg. Ent. Reference No. RN101278307
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)	\$5,000	30-Jun-2022	6-May-2024	1.85	\$31	\$617	\$648
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 other (as needed) cost includes the estimated amount to investigate, identify, and implement the necessary corrective actions to return to compliance with the MCL for TTHM, calculated from the last day of the first quarter of noncompliance 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

\$648

Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No.	<i>Policy Revision 5 (January 28, 2021)</i>		
Case ID No.	63292	<i>PCW Revision February 11, 2021</i>		
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 290.115(e)(2)			
Violation Description	Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level ("OEL") for TTHM for DBP2 at Site 1 during the fourth quarter of 2020.			
Base Penalty				\$5,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate	Minor		
	Actual					
	Potential					
					Percent	0.0%

>> Programmatic Matrix

OR	Harm					
	Release	Major	Moderate	Minor		
	Actual					
	Potential					
					Percent	10.0%

Matrix Notes	100% of the rule requirements were not met.
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Adjustment	\$4,500
\$500	

Violation Events

Number of Violation Events	1	Number of violation days	19														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td>x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x		
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%			
	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

Estimated EB Amount	\$5	Statutory Limit Test	
Violation Final Penalty Total		\$675	
This violation Final Assessed Penalty (adjusted for limits)		\$675	

Economic Benefit Worksheet

Respondent LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No. 1)
Case ID No. 63292
Reg. Ent. Reference No. RN101278307
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$45	29-Apr-2021	6-Jun-2023	2.10	\$5	n/a	\$5

Notes for DELAYED costs

The delayed cost includes the estimated amount to conduct an operation evaluation and submit an operation evaluation report to the Executive Director, calculated from the due date of the most recent operation evaluation report 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

\$5

Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No.	<i>Policy Revision 5 (January 28, 2021)</i>		
Case ID No.	63292	<i>PCW Revision February 11, 2021</i>		
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code § 291.76 and Tex. Water Code § 5.702			
Violation Description	Failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11345 for calendar year 2021.			
Base Penalty				\$5,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes					
Adjustment					\$5,000

\$0

Violation Events

Number of Violation Events		Number of violation days		
	daily weekly monthly quarterly semiannual annual single event			
Violation Base Penalty				\$0

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

Good Faith Efforts to Comply

	0.0%		Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary				
N/A				
Notes				
Violation Subtotal				\$0

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$0
Violation Final Penalty Total	\$0
This violation Final Assessed Penalty (adjusted for limits)	
\$0	

Economic Benefit Worksheet

Respondent LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION (PCW No. 1)
Case ID No. 63292
Reg. Ent. Reference No. RN101278307
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

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

Avoided Costs

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

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

Approx. Cost of Compliance \$0

TOTAL \$0



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	24-Oct-2022	Screening	26-Oct-2022	EPA Due	31-Dec-2022
	PCW	25-Oct-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	Lakeview Water Supply & Sewer Service Corporation (PCW No. 2)				
Reg. Ent. Ref. No.	RN101278307				
Facility/Site Region	1-Amarillo	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	63292	No. of Violations	1
Docket No.	2022-1516-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Daniel Brill
		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	\$2,500
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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	35.0%	Adjustment	Subtotals 2, 3, & 7	\$875
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Notes

Enhancement for two NOV's with same/similar violations and one agreed order without 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	\$10,080
Estimated Cost of Compliance	\$40,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,375
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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	\$3,375
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,375
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DEFERRAL	100.0%	Reduction	Adjustment	-\$3,375
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

The Executive Director recommends a conditional deferral for naturally occurring constituents.

PAYABLE PENALTY	\$0
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Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	Lakeview Water Supply & Sewer Service Corporation (PCW No. 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63292			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			

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>)	0	0%
	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	1	25%
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) 35%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 35%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 35%

Screening Date	26-Oct-2022	Docket No.	2022-1516-PWS-E	PCW
Respondent	Lakeview Water Supply & Sewer Service Corporation (PCW No. 2)	Policy Revision 5 (January 28, 2021)		
Case ID No.	63292	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN101278307			
Media	Public Water Supply			
Enf. Coordinator	Daniel Brill			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.106(f)(2) and Tex. Health & Safety Code § 341.031(a)			
Violation Description	Failed to comply with the acute maximum contaminant level ("MCL") of 10 milligrams per liter ("mg/L") for nitrate. Specifically, the single sample concentration for nitrate was 11 mg/L for the third quarter of 2022.			
Base Penalty				\$5,000

>> Environmental, Property and Human Health Matrix

OR		Release	Harm	Major	Moderate	Minor	
	Actual						
	Potential						
						Percent	50.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor			
						Percent	0.0%

Matrix Notes	Exceeding the acute MCL for nitrate caused the persons served by the Facility to be exposed to pollutants which exceed levels protective of human health.
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Adjustment	\$2,500
\$2,500	

Violation Events

Number of Violation Events	1	Number of violation days	91
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	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
One quarterly event is recommended				

Good Faith Efforts to Comply	0.0%	Reduction	\$0
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	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.			

Violation Subtotal	\$2,500
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$10,080	Statutory Limit Test	
		Violation Final Penalty Total	\$3,375
		This violation Final Assessed Penalty (adjusted for limits)	\$3,375

Economic Benefit Worksheet

Respondent Lakeview Water Supply & Sewer Service Corporation (PCW No. 2)
Case ID No. 63292
Reg. Ent. Reference No. RN101278307
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)	\$40,000	30-Sep-2022	6-May-2026	3.60	\$480	\$9,600	\$10,080
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 investigate, identify, and implement the necessary corrective actions to return to compliance with the acute MCL for nitrate, calculated from the last day of the monitoring period of noncompliance 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

\$40,000

TOTAL

\$10,080



Compliance History Report

Compliance History Report for CN600627848, RN101278307, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator: CN600627848, LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION
Classification: UNCLASSIFIED
Rating: -----

Regulated Entity: RN101278307, LAKEVIEW WSC
Classification: UNCLASSIFIED
Rating: -----

Complexity Points: 0
Repeat Violator: NO

CH Group: 08 - Sewage Treatment Facilities

Location: APPROXIMATELY 0.17 MILES NORTH OF THE INTERSECTION OF COUNTY ROAD 14 AND FARM-TO-MARKET ROAD 3517 NEAR LAKEVIEW, HALL COUNTY, TEXAS

TCEQ Region: REGION 01 - AMARILLO

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0960014

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

Date Compliance History Report Prepared: January 20, 2023

Agency Decision Requiring Compliance History: Enforcement

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

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Daniel Brill
Phone: (512) 239-2564

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: 07/25/2022 ADMINORDER 2020-1330-PWS-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
5A THSC Chapter 341, SubChapter A 341.031(a)
Description: NO3 AMCL 3Q2020 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/17/2020.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 1Q2020 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2020 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 YR2018 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 01/01/2018 to 12/31/2018.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 June 11, 2021 (1735502)

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: 06/01/2022 (1852858) | |
| | Self Report? NO | Classification: Moderate |
| | Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1) | |
| | Description: TTHM LRAA MCL 2Q2022 – During the 2nd quarter of 2022 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.096 mg/L at 504 Shoe-Bar, Lakeview (DBP2-01); and with a LRAA of 0.100 mg/L at 13400 HWY 256, Lakeview (DBP2-02). ETT Point Value = 5 | |
| | | |
| 2 | Date: 09/20/2022 (1852858) | |
| | Self Report? NO | Classification: Moderate |
| | Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2) | |
| | Description: NO3 AMCL 3Q2022 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/15/2022. ETT Point Value = 10 | |

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 1/20/2018 and 1/20/2023

Page 3

the maximum contaminant level for trihalomethanes with a LRAA of 0.096 mg/L at 504 Shoe-Bar, Lakeview (DBP2-01); and with a LRAA of 0.100 mg/L at 13400 HWY 256, Lakeview (DBP2-02). ETT Point Value = 5

7 Date: 09/20/2022 (1852858)
Self Report? NO Classification: Moderate
Citation:
Description: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
NO3 AMCL 3Q2022 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/15/2022. ETT Point Value = 10

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

Appendix B

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

Item 1	February 28, 2018**	(1461004)
Item 2	October 30, 2018**	(1511135)
Item 3	October 06, 2020**	(1679421)
Item 4	October 09, 2020**	(1679572)
Item 5*	June 11, 2021**	(1735502)
Item 6	September 15, 2022	(1841863)
Item 7	October 19, 2022	(1852858)
Item 8	October 21, 2022	(1853140)

* 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
LAKEVIEW WATER SUPPLY & SEWER
SERVICE CORPORATION;
RN101278307

§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2022-1516-PWS-E

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

Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, to request an evidentiary hearing, receive notice of an evidentiary hearing, and a right to appeal. By entering into this Order, Respondent agrees to waive all notice and procedural rights which might otherwise be authorized or required in this action.

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 Respondent.

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

FINDINGS OF FACT

1. Respondent owns and operates a public water system ("PWS") located approximately 0.17 miles north of the intersection of County Road 14 and Farm-to-Market Road 3517 near Lakeview, Hall County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 54 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS as defined in 30 TEX. ADMIN. CODE § 290.38.
2. During a record review conducted on September 12, 2022 through October 21, 2022, an investigator documented that Respondent:
 - a. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts ("DBP2") were 0.96 mg/L at Site 1 and 0.100 mg/L at Site 2 for the second quarter of 2022;
 - b. Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level ("OEL") for TTHM for DBP2 at Site 1 during the fourth quarter of 2020; and
 - c. Failed to comply with the acute MCL of 10 mg/L for nitrate. Specifically, the single sample concentration for nitrate was 11 mg/L for the third quarter of 2022.

3. During a record review conducted on October 24, 2022, TCEQ staff documented that Respondent failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11345 for calendar year 2021.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 5, and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a., Respondent failed to comply with the MCL of 0.080 mg/L for TTHM based on the locational running annual average, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.115(f)(1).
3. As evidenced by Finding of Fact No. 2.b., Respondent failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the OEL for TTHM for DBP2 at Site 1 during the fourth quarter of 2020, in violation of 30 TEX. ADMIN. CODE § 290.115(e)(2).
4. As evidenced by Finding of Fact No. 2.c., Respondent failed to comply with acute MCL of 10 mg/L for nitrate, in violation of TEX. HEALTH & SAFETY CODE § 341.031(a) and 30 TEX. ADMIN. CODE § 290.106(f)(2).
5. As evidenced by Finding of Fact No. 3, Respondent failed to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity No. 11345 for calendar year 2021, in violation of TEX. WATER CODE § 5.072 and 30 TEX. ADMIN. CODE § 291.76.
6. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a) TCEQ 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.
7. An administrative penalty in the amount of \$7,425 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). An administrative penalty in the amount of \$7,425 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). Respondent paid \$4,050 of the penalty. The TCEQ has determined that due to naturally occurring constituents, the penalty for the violation in Conclusion of Law No. 4 qualifies for 100% deferral. Therefore, the remaining amount of \$3,375 is deferred contingent upon Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions contained in this Order. If Respondent fails to timely and satisfactorily comply with any requirement contained in this Order, the Executive Director may demand payment of all or part of the conditionally deferred penalty.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty as set forth in Conclusion of Law No. 7 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all 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. Respondent shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Order:
 - i. Conduct an operation evaluation and submit an operation evaluation report to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.115. The operation evaluation report shall be submitted to:

Drinking Water Standards Section
Water Supply Division, MC 155 (Attn: DBP)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
 - ii. Submit payment for all outstanding regulatory assessment fees for the TCEQ Public Utility Account concerning Certificate of Convenience and Necessity No. 11345 for calendar year 2021. The payment, along with the associated Revenue and Regulatory Assessment Reports shall be sent to:

Financial Administration Division, Revenue Operations System
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
- b. Within 45 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 2.j., to demonstrate compliance with Ordering Provision No. 2.a.i.
- c. Within 180 days after the effective date of this Order, submit an acceptable written plan, including a proposed schedule and any applicable planning materials, to the Executive Director that provides for an alternate water source, treatment technology, or other means of completing the necessary corrective actions to achieve compliance within 1,095 days after the effective date of this Order with the acute MCL for nitrate to the addresses listed in Ordering Provision No. 2.j.
- d. Within 195 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 2.j., to demonstrate compliance with Ordering Provision No. 2.c.
- e. Within 365 days after the effective date of this Order, and on a semi-annual basis, thereafter, submit written progress reports to the addresses listed in Ordering Provision No. 2.j. These reports shall include information regarding action taken to provide water which meets the acute MCL for nitrate.
- f. Within 365 days after the effective date of this Order, return to compliance with the MCL for TTHM, based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115.
- g. Within 380 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 2.j., to demonstrate compliance with Ordering Provision No. 2.f.
- h. Within 1,095 days after the effective date of this Order, return to compliance with the acute MCL for nitrate, in accordance with 30 TEX. ADMIN. CODE § 290.106.
- i. Within 1,110 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 2.j., to demonstrate compliance with Ordering Provision No. 2.h.

- j. 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:

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

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
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 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.
6. This Order, issued by the Commission, shall not be admissible against Respondent in a civil proceeding, unless the proceeding is brought by the Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order, or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
7. 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.
8. 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.

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

Philip Ledwith

For the Executive Director

November 14, 2025

Date

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 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;
- Referral of this case to the Attorney General's office 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 Attorney General's office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

Kelly Clark

Signature

8-19-25

Date

LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION
13400 Highway 256
Lakeview, Texas 79239

Kelly Clark

Name (Printed or typed)

Kelly Clark

Mayor

Title

Mayor

Authorized representative of
LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION

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