Order Type:

1660 Agreed Order

**Findings Order Justification:** 

N/A **Media:** PWS

**Small Business:** 

Yes

Location(s) Where Violation(s) Occurred:

Rosewood Water System, 1188 Jaguar Road, Rosewood, Upshur 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: September 27, 2024

Comments Received: No

**Penalty Information** 

**Total Penalty Assessed:** \$24,239

**Amount Deferred for Expedited Settlement:** \$4,847

**Total Paid to General Revenue:** \$19,392

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:** 

Person/CN - Unclassified

Site/RN - N/A

Major Source: Yes

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 22, 2023

**Date(s) of NOE(s):** May 8, 2023

# Violation Information

- 1. Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 213 connections requiring a pressure tank capacity of 4,260 gallons. However, only 3,650 gallons were provided, indicating a 14% deficiency [30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c)].
- 2. 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, the BPA located at Harmony RV Resort and Grocery Store was not tested within the last year [30 Tex. ADMIN. CODE § 290.44(h)(4)].
- 3. 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)].
- 4. Failed to provide a device to readily determine air-water-volume for all pressure tanks greater than 1,000 gallons in capacity. Specifically, the 3,125-gallon pressure tank at the Rosewood Plant had an air-water-volume measuring device that was not readable due to the visi-probe being coated in a thick brown film on the inside [30 Tex. ADMIN. CODE § 290.43(d)(3)].
- 5. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical panel at the Rosewood Plant and the chlorine rooms at the Rosewood and Harmony Plants had electrical wiring that was not in the appropriate conduits [30 Tex. Admin. Code § 290.46(v)].
- 6. Failed to calibrate the Facility's two well meters at least once every three years [30 Tex. Admin. Code § 290.46(s)(1)].
- 7. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids. Specifically, there was a leak at Well No. 1 and a leak on the pipe going into the chlorination room at the Harmony Plant [30 Tex. ADMIN. CODE § 290.46(m)(4)].
- 8. Failed to ensure that all potable water storage facilities are covered and designed, fabricated, erected, tested, and disinfected in strict accordance with current American Water Works Association ("AWWA") standards. Specifically, the ground storage tank ("GST") at the Harmony Plant had a notable depression on the roof, patchwork in several areas, the hatch exhibited rust and corrosion, and the epoxy on the inside was starting to flake off and deteriorate. Additionally, the hatch on the GST at the Rosewood Plant exhibited rust and corrosion [30 Tex. Admin. Code § 290.43(c)].

9. Failed to provide a total storage capacity of 200 gallons per connection. Specifically, the Facility had 213 connections requiring a storage capacity of 42,600 gallons. However, 28,960 gallons were provided, indicating a 32% deficiency [30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c)].

# Corrective Actions/Technical Requirements

# **Corrective Action(s) Completed:**

N/A

# **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;
- ii. Secure the electrical wiring in compliance with a local or national code for the electrical panel at the Rosewood Plant and the chlorine rooms at the Rosewood and Harmony Plants; and
- iii. Calibrate the Facility's two well meters.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 60 days:
- i. 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;
- ii. Provide a device to readily determine air-water-volume for the Facility's pressure tank at the Rosewood Plant;
- iii. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to Well No. 1 and the pipe going into the chlorination room at the Harmony Plant; and
- iv. Replace or upgrade the Facility's storage tanks to meet current AWWA standards.
- d. Within 75 days, submit written certification to demonstrate compliance with c.

- e. Within 180 days:
- i. Provide a pressure tank capacity of at least 20 gallons per connection; and
- ii. Provide a total storage capacity of at least 200 gallons per connection.
- f. Within 195 days, submit written certification to demonstrate compliance with e.

# **Contact Information**

TCEQ Attorney: N/A

**TCEQ Enforcement Coordinator:** Mason Demasi, Enforcement Division, Enforcement Team 5, MC R-13, (210) 657-8425; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** James K. Brown, President, Texas Water Systems, Inc., 7891 Highway

271, Tyler, Texas 75708

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

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

**DATES** Assigned 15-May-2023

Screening 25-May-2023 PCW 31-May-2023 **EPA Due** 

RESPONDENT/FACILITY INFORMATION Respondent Texas Water Systems, Inc

Reg. Ent. Ref. No. RN101182475 Facility/Site Region 5-Tyler Major/Minor Source Major

**CASE INFORMATION** Enf./Case ID No. 64090 No. of Violations 9 **Docket No. 2023-0703-PWS-E** Order Type 1660 Media Program(s) Public Water Supply Government/Non-Profit No Multi-Media **Enf. Coordinator** Samantha Salas EC's Team Enforcement Team 5 Admin. Penalty \$ Limit Minimum Maximum \$5,000

Penalty Calculation Section **TOTAL BASE PENALTY (Sum of violation base penalties)** \$14,200 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 20.0% Adjustment Subtotals 2, 3, & 7 \$2,840 Notes Enhancement for one agreed order containing a denial of liability. Culpability Subtotal 4 \$0 No 0.0% Enhancement Notes The Respondent does not meet the culpability criteria. **Good Faith Effort to Comply Total Adjustments** Subtotal 5 \$0 \$7,100 50.0% Enhancement\* Subtotal 6 **Economic Benefit** Total EB Amounts Capped at the Total EB \$ Amount \$21,623 Estimated Cost of Compliance **SUM OF SUBTOTALS 1-7** Final Subtotal \$24,140 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.4% Adiustment \$99 Reduces or enhances the Final Subtotal by the indicated percentage. Enhancement to capture the avoided costs associated with Violation Nos Notes 2, 3, and 6. Final Penalty Amount \$24,239 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$24,239 20.0% DEFERRAL Reduction Adjustment -\$4,847 Reduces the Final Assessed Penalty by the indicated percentage. Notes Deferral offered for expedited settlement. **PAYABLE PENALTY** \$19,392

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

**Respondent** Texas Water Systems, Inc.

**Case ID No.** 64090

Reg. Ent. Reference No. RN101182475

Media Public Water Supply

Enf. Coordinator Samantha Salas

		Compliance History Worksheet			
>>	Compliance Hist Component	ory Site Enhancement (Subtotal 2) Number of	Number	Adjust.	
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%	
		Other written NOVs	0	0%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%	
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%	
		1		1	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment Per	centage (Sub	total 2)	20%
>>	Repeat Violator	(Subtotal 3)			
	N//	Adjustment Per	centage (Sub	total 3)	0%
>>	<b>Compliance Hist</b>	ory Person Classification (Subtotal 7)			
	Unclass	Adjustment Per	centage (Sub	total 7)	0%
>>	<b>Compliance Hist</b>	ory Summary			
	Compliance History Notes	Enhancement for one agreed order containing a denial of liability.			
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	<i>3,</i> & <i>7)</i> [	20%
>> F	inal Compliance	History Adjustment		_	
		Final Adjustment Percent	age *capped a	at 100%	20%

	Scree	ning Date	25-May-2023	Doc	<b>ket No.</b> 2023-0703-PWS-E		PCW
			Texas Water System	ns, Inc.		Policy Re	vision 5 (January 28, 2021)
		se ID No.				PCW I	Revision February 11, 2021
Reg.	Ent. Refe		RN101182475				
	_		Public Water Supply	/			
			Samantha Salas				
	Violati	on Number	1				
	F	Rule Cite(s)	30 Tex. Admin. C	Code § 290.45(b)(1)(C 341.03	)(iv) and Tex. Health & Safety ( 15(c)	Code §	
	Violation (	Description	Specifically, the Fa	acility had 213 connect	pacity of 20 gallons per connect ions requiring a pressure tank allons were provided, indicating ency.	capacity	
					Base	Penalty	\$5,000
>> Env	vironment	tal, Prone	rty and Human I	Health Matrix			
		,		Harm			
		Release		oderate Minor			
OR		Actual					
		Potential		Х	<b>Percent</b> 15.0%		
>>Proc	grammati	c Matrix					
//10		Falsification	Major Mo	oderate Minor			
					Percent 0.0%		
	Matrix				d expose persons served by the		
	Notes	to a signific	ant amount of conta		ot exceed levels that are protec	tive of	
				human health.			
					Adimatusant	#4.2E0	
					Adjustment	\$4,250	
							\$750
	_						
Violatio	on Events						
		Number of \	/iolation Events	1	64 Number of violation	davs	
		Number of V	Totation Events		1 variber of violation	aays	
			daily				
			weekly				
			monthly			_	
			quarterly	X	Violation Base	Penalty	\$750
			semiannual annual				
			single event				
		ne quarterly	v event is recommen	ided calculated from t	he March 22, 2023 investigation	n date to	
		one quarterry		e May 25, 2023 screen		ii date to	
				<u> </u>			
Good F	aith Effor	ts to Com	nlv	0.0%		Reduction	\$0
Coou I	J 21101	15 10 GOIII			PRP/Settlement Offer	Cadellon	40
			Extraordinary				
			Ordinary				
			N/A	Х	_		
			The	e Respondent does not	meet the good faith criteria		
			Notes		violation.		
					Violation	Subtotal	\$750
Econon	mic Benefi	it (EB) for	this violation		Statutory Limit	Test	
		Estimate	ed EB Amount	\$743	Violation Final Pena	Ity Total	\$1,280
						_	
			Th	nis violation Final As	ssessed Penalty (adjusted fo	r limits)	\$1,280

		conomic	Renetit	ro vv	rksneet		
Respondent	Texas Water S	Systems, Inc.					
Case ID No.	64090						
Reg. Ent. Reference No.	RN101182475						
Media	Public Water S	Supply				Dawasuk Tukawask	Years of
Violation No.	1	,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	\$2,000	21-Jan-2020	11-May-2025	5.31	\$35	\$708	\$743
Buildings	<b>\$27000</b>	22 30.1 2020	11 1107 2020	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
	The delayed	cost includes the	estimated amou	nt to pr	ovide a pressure ta	ank capacity of at le	ast 20 gallons
Notes for DELAYED costs					•	ocumenting the vio	-
	p 0. 00	,			,		lation to the
				d date d	of compliance.		lation to the
					of compliance.		
Avoided Costs	ANNU	ALIZE avoided c		tering	item (except for	one-time avoided	i costs)
Disposal	ANNU	ALIZE avoided o		tering 0.00	item (except for	one-time avoided	i costs)
Disposal Personnel	ANNU	ALIZE avoided o		0.00 0.00	item (except for \$0 \$0	one-time avoided \$0 \$0	\$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling	ANNU	ALIZE avoided o		0.00 0.00 0.00	(except for   \$0	one-time avoided \$0 \$0 \$0	\$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU	ALIZE avoided c		0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU	ALIZE avoided c		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	ANNU	ALIZE avoided o		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	ANNU	ALIZE avoided of		0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0

	ociceining bate	25-May-2023		Dock	<b>cet No.</b> 2023-0703-PWS-E	PCW
	Respondent	Texas Water S	ystems, Inc.		Policy	Revision 5 (January 28, 2021)
	Case ID No.	64090			PC	W Revision February 11, 2021
Reg. I	Ent. Reference No.	RN101182475				
	Media	Public Water St	upply			
	Enf. Coordinator	Samantha Sala	IS			
	Violation Number	2				
	Rule Cite(s)		30 T	ex. Admin. Code	e § 290.44(h)(4)	
					3 ( )( )	
					schlice (UDDA-II) teeted in stelletien	
					nblies ("BPAs") tested upon installation kflow assembly tester and certified that	
	<b>Violation Description</b>				cifically, the BPA located at Harmony R\	
					t tested within the last year.	
				,		
		,				4
					Base Penalty	\$5,000
>> Env	rironmental, Prope	rty and Hum		Matrix		
	Release	Major	<b>Harm</b> Moderate	Minor		
OR	Actual		Hoderate	MINO		
	Potential				Percent 30.0%	
					301070	
>>Prog	grammatic Matrix					
	Falsification	Major	Moderate	Minor		
					Percent 0.0%	
						_
	Matrix Failure to te	st BPA on an ar	nnual basis wo	ould not ensure	the device is operating properly which	
	Notes could result in	a reverse flow			water mains which would exceed levels	
			protecti	ve of human he	alth.	
						<del>-</del>
					Adjustment \$3,500	<u>)                                    </u>
						\$1,500
						42/555
<b>Violatio</b>	on Events					
	Number of \	Violation Events	3		64 Number of violation days	
		1. 11		1		
		daily				
		weekly	1			
		monthly				
		monthly	Х		Violation Rase Penalty	\$4 500
		quarterly	X		Violation Base Penalty	\$4,500
		quarterly semiannual	X		Violation Base Penalty	\$4,500
		quarterly semiannual annual	X		Violation Base Penalty	\$4,500
		quarterly semiannual	X		Violation Base Penalty	\$4,500
	Three months	quarterly semiannual annual single event		alculated from		1
	Three monthl	quarterly semiannual annual single event	commended, c		he March 22, 2023 investigation date to	1
	Three monthl	quarterly semiannual annual single event	commended, c	alculated from t 5, 2023 screenir	he March 22, 2023 investigation date to	1
Cood		quarterly semiannual annual single event	commended,	5, 2023 screenir	he March 22, 2023 investigation date to g date.	
Good Fa	Three monthly	quarterly semiannual annual single event  y events are rec	commended,	5, 2023 screenir	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are rec	commended,	5, 2023 screenir	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are reconstance  Extraordinary	commended,	5, 2023 screenir	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are reconstitution  Extraordinary Ordinary	the May 25  0.0%  Sefore NOE/NOV	5, 2023 screenir	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are reconstance  Extraordinary	commended,	5, 2023 screenir	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are reconstitution  Extraordinary Ordinary N/A	commended, control the May 25  0.0%  Sefore NOE/NOV	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date. Reduction	
Good Fa		quarterly semiannual annual single event  y events are reconstitution  Extraordinary Ordinary	commended, control the May 25  0.0%  Sefore NOE/NOV	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date.  Reduction  P/Settlement Offer  eet the good faith criteria for	
Good Fa		quarterly semiannual annual single event  y events are reconstitution  Extraordinary Ordinary N/A	commended, control the May 25  0.0%  Sefore NOE/NOV	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date.  Reduction  P/Settlement Offer  eet the good faith criteria for	
Good Fa		quarterly semiannual annual single event  y events are reconstitution  Extraordinary Ordinary N/A	commended, control the May 25  0.0%  Sefore NOE/NOV	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date.  Reduction  P/Settlement Offer  eet the good faith criteria for	\$0
	aith Efforts to Com	quarterly semiannual annual single event  y events are received  ply  Extraordinary Ordinary N/A  Notes	ommended, conthe May 25  0.0% Before NOE/NOV  X  The Respond	NOE/NOV to EDPR	Reduction P/Settlement Offer eet the good faith criteria for plation.  Violation Subtota	\$0
		quarterly semiannual annual single event  y events are received  ply  Extraordinary Ordinary N/A  Notes	ommended, conthe May 25  0.0% Before NOE/NOV  X  The Respond	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date.  Reduction  P/Settlement Offer  eet the good faith criteria for plation.	\$0
	aith Efforts to Com	quarterly semiannual annual single event  y events are received  ply  Extraordinary Ordinary N/A  Notes	onmended, conthe May 25  0.0% Before NOE/NOV  X  The Respond	NOE/NOV to EDPR	Reduction P/Settlement Offer eet the good faith criteria for plation.  Violation Subtota	\$4,500
	aith Efforts to Com	quarterly semiannual annual single event  y events are recomply  Extraordinary Ordinary N/A Notes	onmended, conthe May 25  0.0% Sefore NOE/NOV  x  The Respond	NOE/NOV to EDPR	he March 22, 2023 investigation date to g date.  Reduction  P/Settlement Offer  Leet the good faith criteria for plation.  Violation Subtota  Statutory Limit Test  Violation Final Penalty Tota	\$4,500
	aith Efforts to Com	quarterly semiannual annual single event  y events are recomply  Extraordinary Ordinary N/A Notes	onmended, conthe May 25  0.0% Sefore NOE/NOV  x  The Respond	NOE/NOV to EDPR	Reduction P/Settlement Offer  eet the good faith criteria for plation.  Violation Subtota  Statutory Limit Test	\$4,500

	E	conomic	Benefit	10W	ksheet				
Respondent	Texas Water S	Systems, Inc.							
Case ID No.	64090								
Reg. Ent. Reference No.	RN101182475								
Media	Public Water S	Supply				Percent Interest	Years of		
Violation No.	2					Percent Interest	Depreciation		
						5.0	15		
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount		
Item Description		•							
Delayed Costs									
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0	\$0	\$0		
Engineering/Construction				0.00	\$0	\$0	\$0		
Land				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)	\$31	22-Mar-2023	11-Jan-2025	1.81	\$3	n/a	\$3		
Notes for DELAYED costs	,	date of t	the investigation	to the	estimated date of				
Avoided Costs	ANNU	ALIZE avoided o	osts before en			one-time avoided			
Disposal				0.00	\$0	\$0	\$0		
Personnel				0.00	\$0	\$0	\$0		
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0		
Supplies/Equipment				0.00	\$0	\$0	\$0		
Financial Assurance ONE-TIME avoided costs	\$31	22-Mar-2023	25-May-2023	0.00	\$0 \$0	\$0 \$31	\$0 \$31		
Other (as needed)	\$31	22-Mai-2023	25-May-2023	0.18	\$0 \$0	\$31 \$0	\$31 \$0		
Other (as needed)				0.00	<b>\$</b> U	<b>\$</b> U	\$0		
Notes for AVOIDED costs	The avoided	The avoided cost includes the estimated amount to test the BPA (\$31 x one location), calculated from the date of the investigation to the date of screening.							
Approx. Cost of Compliance		\$62			TOTAL		\$34		

	Screening Date		<b>Docket No.</b> 2023-0703-PWS-E	PCW
	Respondent	Texas Water Systems, Inc.		Policy Revision 5 (January 28, 2021)
	Case ID No.	64090		PCW Revision February 11, 2021
Rea.	<b>Ent. Reference No.</b>	RN101182475		
		Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	3		
	Rule Cite(s)	30 Tex	. Admin. Code § 290.46(s)(2)(C)(i)	
		Failed to verify the accura	cy of the manual disinfectant residual analyzer a	t least
	Violation Description		using chlorine solutions of known concentrations.	
		office every 30 days	using chlorine solutions of known concentrations.	•
			Base I	Penalty \$5,000
				12,
>> En	vironmental, Prope	rty and Human Health	n Matrix	
		Harm		
	Release		Minor	
OR	Actual			
	Potential	X	Percent 15.0%	
>>Pro	grammatic Matrix			
	Falsification	Major Moderate	Minor	
			Percent 0.0%	
	Failure to yer	rify the accuracy of the manu	al disinfectant residual analyzer could result in th	no non-
			nd potentially expose persons served by the Faci	
			h would not exceed levels protective of human h	
	Significant	amount of contaminants wind	if would not exceed levels protective or numarring	ealtii.
			Adjustment	\$4,250
				\$750
				\$730
Violati	on Events			
1101010				
	Number of \	Violation Events 1	64 Number of violation da	iys
		daily		
		weekly		
		monthly	1	
		quarterly	Violation Base I	Penalty \$750
		semiannual	1	,
		annual	1	
		single event	╣	
		Siligle event	<u> </u>	
		One single	event is recommended.	
		one single	event is recommended.	
Good F	Faith Efforts to Com	0.0%	Re	eduction \$0
		Before NOE/NOV		
		Extraordinary		
		Ordinary		
		N/A x		
		17/ 八	JI.	
		Notes The Respon	dent does not meet the good faith criteria for	
		NOTES	this violation.	
			Violation S	ubtotal \$750
			violation 3	Ψ/30
Econo	mic Benefit (EB) for	this violation	Statutory Limit T	Test Test
	<b>-</b>	ad ED America	AF 141-11 - 1- 1-	h. Tatal
	Estimate	ed EB Amount	\$5 Violation Final Penalt	ty Total \$1,280
		This vio	olation Final Assessed Penalty (adjusted for	limits) \$1,280

Economic Benefit Worksheet								
Respondent	Texas Water S	Systems, Inc.						
Case ID No.		,						
Reg. Ent. Reference No.								
	Public Water S					Percent Interest	Years of Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
Item Description								
Delayed Costs								
Equipment	l e	1		0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0 \$0	\$0	
Other (as needed)				0.00	\$0	\$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)	\$5	22-Mar-2023	13-Dec-2024	1.73	\$0	n/a	\$0	
Notes for DELAYED costs	residual analy	zers at least once from the date	e every 90 days e of the investig	using chation to	nlorine solutions of the estimated dat	<u> </u>	ons, calculated	
Avoided Costs	ANNU	ALIZE avoided o	osts before en		item (except for	one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs	\$5	22-Mar-2023	25-May-2023	0.18	\$0	\$5	\$5	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs		The avoided cost includes the estimated amount to properly 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 to the date of screening.						
Approx. Cost of Compliance		\$10			TOTAL		\$5	

	Screening Date	25-May-2023	<b>Docket No.</b> 2023-0703-PW	S-E PCW
	Respondent	Texas Water Systems, Inc.		Policy Revision 5 (January 28, 2021)
	Case ID No.	64090		PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN101182475		
_	Media	Public Water Supply		
	<b>Enf. Coordinator</b>	Samantha Salas		
	Violation Number			
	Rule Cite(s)			
		30 1	ex. Admin. Code § 290.43(d)(3)	
		Failed to provide a device	to readily determine air-water-volume fo	r all pressure
	Violetian Description	tanks greater than 1,000 ga	allons in capacity. Specifically, the 3,125-	gallon pressure
	Violation Description	tank at the Rosewood Plant	had an air-water-volume measuring device	ce that was not
		readable due to the visi-p	probe being coated in a thick brown film o	n the inside.
				Base Penalty \$5,000
_				
>> Env	rironmental, Prope	rty and Human Health	ı Matrix	
	Release	Harm Major Madarata	Minor	
OR	Actual		Minor	
OK	Potential		Percent 15	00/
	Potential	X	Percent 15	.0%
>> Dro	grammatic Matrix			
>>P100	Falsification	Major Moderate	Minor	
	T districation	Major Moderate		.0%
	L		reicent 0	.0 70
	E-thousand		atti atau atau atau atau atau atau atau	
			adily determine air-water-volume could ex nount of contaminants which would not ex	
	Notes Served by		ive of human health.	cced levels
		protect	ive of fluffialf fleaters.	
			Adinatusant	\$4,250
			Adjustment	\$4,230
				\$750
Violatio	on Events			
			_	
	Number of '	Violation Events 1	64 Number of viola	ation days
		daily		
		weekly	]	
		monthly	]	
		quarterly x	Violation	Base Penalty \$750
		semiannual	]	
		annual	]	
		single event	]	
	One quarterly	event is recommended calcu	ulated from the March 22, 2023 investigation	tion date to the
	one quarterly	•	2023 screening date.	
		, -,		
Cood =	aith Effauta ta Cam	0.00		Dadada da d
9000 F	aith Efforts to Com	Defore NOE/NOV		Reduction \$0
		Extraordinary	NOL/NOV to EDINI/Settlement offer	
		Ordinary		
		N/A x	<u> </u>	
		The Respon	dent does not meet the good faith criteria	for
		Notes	this violation.	
			321 - 1-	ation Subtatal
			Viola	ation Subtotal \$750
Econon	nic Benefit (FR) for	this violation	Statutory I	imit Test
Econon	nic Benefit (EB) for	this violation	Statutory L	imit Test
Econon		this violation	Statutory L  \$38 Violation Final	
Econon		ed EB Amount	\$38 Violation Final	Penalty Total \$1,280
Econon		ed EB Amount		Penalty Total \$1,280

Economic Benefit Worksheet									
Respondent	Texas Water S	Systems, Inc.							
Case ID No.	64090								
Reg. Ent. Reference No.	RN101182475	5							
Media	Public Water 9	Supply				Percent Interest	Years of		
Violation No.	4					reicent Interest	Depreciation		
						5.0	15		
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	<b>EB Amount</b>		
Item Description									
Delayed Costs				_					
Équipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)	\$300	22-Mar-2023	11-Jan-2025	1.81	\$2	\$36	\$38		
Engineering/Construction				0.00	\$0	\$0	\$0		
Land				0.00	\$0	n/a	\$0		
Record Keeping System				0.00	\$0	n/a	\$0		
Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0 \$0		
Remediation/Disposal Permit Costs				0.00	\$0	n/a	\$0		
Other (as needed)				0.00	\$0	n/a	\$0		
Notes for DELAYED costs	water-volum	e on the pressure	tank, calculated	d from th complia	ne date of the inve	e device to readily destigation to the esti	mated date of		
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	l 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 \$0	\$0		
Other (as needed)  Notes for AVOIDED costs		JI II		0.00	1 \$0	1 \$0 1	\$0		
Approx. Cost of Compliance		\$300			TOTAL		\$38		

Sci	eening Date	25-May-2023	Docket No. 2	023-0703-PWS-E	PCW
	Respondent	Texas Water Systems, Inc		Policy R	evision 5 (January 28, 2021)
	Case ID No.			PCW	/ Revision February 11, 2021
Reg. Ent. R	eference No.				
		Public Water Supply			
	Coordinator	Samantha Salas			
Vio	olation Number	5			
	Rule Cite(s)	3	30 Tex. Admin. Code § 290.46	5(v)	
Violat	ion Description	local or national electrical Plant and the chlorine ro	electrical wiring is securely in al code. Specifically, the electr oms at the Rosewood and Ha hat was not in the appropriate	rical panel at the Rosewood armony Plants had electrical	
				Base Penalty	\$5,000
>> Environm	ental, Prope	rty and Human Heal	th Matrix		
	D-1	Harm	Mina		
OR	<b>Release</b> Actual	Major Moderate	e Minor		
OK	Potential		ь .	Percent 30.0%	
	roteritiai	Λ		30.0 %	
>>Programm	natic Matrix				
	Falsification	Major Moderate	e Minor		
			P	Percent 0.0%	
Matrix Notes	cause equip	ment malfunctions resulting	nstalled in compliance with a g in low pressure or outages w which would exceed levels pr	which could expose persons	
			Auju	\$5,500	•
				[	\$1,500
	-				
Violation Eve	nts				
	Number of \	/iolation Events 3	64 N	lumber of violation days	
	Number of V	Toldton Events		difficil of violation days	
		daily			
		weekly			
		monthly x			
		quarterly		Violation Base Penalty	\$4,500
		semiannual			
		annual			
		single event			
	Three monthly		, calculated from the March 2 25, 2023 screening date.	2, 2023 investigation date to	
Good Faith Ef	forts to Com	ply 0.0	%	Reduction	\$0
		Before NOE/NO	NOE/NOV to EDPRP/Settlement	_	
		Extraordinary			
		Ordinary			
		N/A x			
		Notes The Respo	ndent does not meet the goo this violation.	d faith criteria for	
				Violation Subtotal	\$4,500
Economic Ber	nefit (EB) for	this violation	S	Statutory Limit Test	
	Ectimate	ed EB Amount	\$37 <b>Vi</b>	olation Final Penalty Total	\$7,681
	Latiniati	Cu ED AMOUNT	Ψ3/	old for i mai remaily 10tal	Ψ1,001
		This v	iolation Final Assessed Pe	enalty (adjusted for limits)	\$7,681

Economic Benefit Worksheet								
Respondent	Texas Water S	Systems, Inc.						
Case ID No.	64090							
Reg. Ent. Reference No.	RN101182475							
	Public Water S					Percent Interest	Years of Depreciation	
Violation No.	3					5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description		Dute Required	i iliai bate	5	Interest Savea	costs saveu	LD Amount	
Item Description								
Delayed Coate								
Delayed Costs Equipment		1		0.00	\$0	\$0	\$0	
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Other (as needed)	\$300	22-Mar-2023	12-Dec-2024	1.73	\$2	\$35	\$37	
Engineering/Construction	<del>- 4300</del>	22 1101 2023	IE DCC EUE I	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	national cod	le at the Rosewoo	d and Harmony estimate	Plants, d date	calculated from the of compliance.	viring in compliance e date of the investi	gation to the	
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 ¢0	
Other (as needed)  Notes for AVOIDED costs		JI JI		0.00	1 \$0	\$0	\$0	
Approx. Cost of Compliance		\$300			TOTAL		\$37	

		ening Date			Dock	<b>et No.</b> 2023-0703-PWS-E		PCW
	R	Respondent	Texas Water Sy	stems, Inc.			Policy R	evision 5 (January 28, 2021)
		Case ID No.					PCW	/ Revision February 11, 2021
Rea.	Ent. Ref	ference No.	RN101182475					
			Public Water Su	nnly				
	Fnf. C		Samantha Salas					
		ation Number	6	,				
	VIOI	Rule Cite(s)	0					
		Rule Cite(S)		30 Te	ex. Admin. Code	§ 290.46(s)(1)		
	violatio	n Description	Falled to call	rate the Facil	ity's two well me	ters at least once every the	ree years.	
								I
						D-	se Penalty	\$5,000
						Ве	ise Penalty	\$3,000
>> En	vironme	ntal. Proper	rty and Hum	an Health	Matrix			
· ·		,	c, and main	Harm				
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential			X	Percent 7.0%	6	
		'					_	
>>Pro	gramma	itic Matrix						
		Falsification	Major	Moderate	Minor		_	
						Percent 0.0%	6	
		Failure to cali	brate the Facility	's well meter	s could result in	inaccurate or unavailable w	ater usage	
	Matrix					cility being exposed to an ir		
	Notes				•	els protective of human he	-	
								ı
						Adjustment	\$4,650	
						Aujustillelit	φ <del>-</del> 7,050	
								\$350
Violati	on Even	ts						
					,			
		Number of \	iolation Events/	2		64 Number of violatio	n days	
			daily					
			weekly					
			monthly					+700
			quarterly 			Violation Ba	ise Penalty	\$700
			semiannual					
			annual					
			single event	X				
			Two single ov	onts are rece	mmandad (ana	event per well meter).		
			i wo single ev	ents are reco	mineriaea (one i	event per wen meter).		
Good I	Faith Eff	orts to Com	ply	0.0%			Reduction	\$0
					NOE/NOV to EDPRE	/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	х				
			, i					
			Notes	The Responde		et the good faith criteria for		
					this viol	ation.		
			<u>L</u>				<u>=1</u>	
						Violatio	on Subtotal	\$700
_		e				a		
Econo	mic Bene	efit (EB) for	this violation	n		Statutory Lim	it Test	
		Fetimate	ed EB Amount		\$68	Violation Final Pe	nalty Total	\$1,195
		Latiniate	LE AIIIOUIIL		ΨΟΟ	Fiolation i mai Pe	arty rotar	Ψ1,133
				This viol	ation Final Ass	essed Penalty (adjusted	for limits)	\$1,195

	E	conomic	Benefit	Woı	rksheet		
Respondent		Systems, Inc.					
Case ID No.		_					
Reg. Ent. Reference No. Media Violation No.	Public Water 9					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0 #0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)	\$62	22-Mar-2023	12-Dec-2024	1.73	\$0 \$5	n/a	\$0 \$5
Notes for DELAYED costs	two well r	neters), calculate	d from the date	of the in	nvestigation to the	well meters (\$31 p estimated date of c	compliance.
Avoided Costs Disposal	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$62	22-Mar-2023	25-May-2023	0.18	\$1	\$62	\$63
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs						well meters (\$31 p to the date of scree	
Approx. Cost of Compliance		\$124			TOTAL		\$68

Screening Da	<b>te</b> 25-May-2023	<b>Docket No.</b> 2023-0703-PWS-E	PCW
Responde	<b>nt</b> Texas Water Systems, Inc.	Poli	cy Revision 5 (January 28, 2021)
Case ID N	<b>0.</b> 64090		PCW Revision February 11, 2021
Reg. Ent. Reference N	O. RN101182475		
	ia Public Water Supply		
Enf. Coordinat	or Samantha Salas		
Violation Numb	er 7		
Rule Cite	(s)	Tex. Admin. Code § 290.46(m)(4)	
Violation Descripti	on facilities, distribution system condition and free of exce	ter treatment units, storage and pressure maintenance stem lines, and related appurtenances in a watertight essive solids. Specifically, there was a leak at Well No. going into the chlorination room at the Harmony Plant.	
		Base Pena	\$5,000
>> Environmental, Pro		h Matrix	
	Harm		
Relea		Minor	
OR Act		Powert 15 00/	
Poten	tial x	Percent 15.0%	
>>Programmatic Matri	<b>y</b>		
Falsification		Minor	
, dismission	1.000.000	Percent 0.0%	
<u> </u>	<u> </u>	0.070	
Failure t	o maintain the well and related	l appurtenances in a watertight condition could expose	
Matrix		ficant amount of contaminants which would not exceed	
Notes		tective of human health.	
	· ·		
		Adjustment \$4,2	50
		<u> </u>	
			\$750
Violation Events			
Number	of Violation Events 1	64 Number of violation days	
Number	or violation Events 1	Number of violation days	
	daily		
	weekly		
	monthly	<b>i</b>	
	quarterly x	Violation Base Pena	lty \$750
	semiannual		
	annual		
	single event		
One quarte	rly event is recommended, calc	culated from the March 22, 2023 investigation date to	he
	•	, 2023 screening date.	
Good Faith Efforts to Co	omply 0.0%	% Reducti	on \$0
Good Faith Ellorts to Co	Before NOE/NOV		UII \$0
	Extraordinary		
	Ordinary		
	N/A ×		
	Notes The Respon	ndent does not meet the good faith criteria for	
		this violation.	
		Violation Subto	<b>tal</b> \$750
Economic Benefit (EB)	or this violation	Statutory Limit Test	
Fetin	ated EB Amount	\$63 Violation Final Penalty To	tal \$1 280
Estin	ated EB Amount	\$63 Violation Final Penalty To	\$1,280

	E	conomic	Benefit	Woi	<b>'ksheet</b>		
Respondent	Texas Water S	Systems, Inc.					
Case ID No.	64090						
Reg. Ent. Reference No.	RN101182475	i					
	Public Water 9					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
•							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	22-Mar-2023	11-Jan-2025	1.81	\$3	\$60	\$63
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	chlorinatio	on room, calculated	d from the date	of the i	nvestigation to the	Well No. 1 and the He estimated date of o	compliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				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		\$63

	E	conomic	Benefit	Wor	ksheet		
Respondent	Texas Water S	Systems, Inc.					
Case ID No.	64090						
Reg. Ent. Reference No.	RN101182475						
	Public Water S						Years of
Violation No.		,				Percent Interest	Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Equipment	\$4,000	28-Jul-2014	11-Jan-2025	10.47	\$140	\$2,791	\$2,931
Buildings	Ψ+,000	20 Jul 2014	11 3411 2023	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	AWWA stand	dards, calculated	from the date o estimate	f the inved date of	restigation initially of compliance.	he Facility's GSTs to documenting the vi	olation to the
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				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							

	25-May-2023	<b>Docket No.</b> 2023-0703-PWS-E	PCW
Respondent	Texas Water Systems, Inc.	Policy I	Revision 5 (January 28, 2021)
Case ID No		PCI	W Revision February 11, 2021
Reg. Ent. Reference No.			
	Public Water Supply		
Enf. Coordinator			
Violation Number			<b>a</b>
Rule Cite(s)	30 Tex. Admin. Code §	290.45(b)(1)(C)(ii) and Tex. Health & Safety Code §	
		341.0315(c)	
	Failed to provide a total sto	rage capacity of 200 gallons per connection. Specifically,	
Violation Description	,	ections requiring a storage capacity of 42,600 gallons.	
	However, 28,960 ga	llons were provided, indicating a 32% deficiency.	
			+F 000
		Base Penalty	\$5,000
>> Environmental, Prope	rtv and Human Health	n Matrix	
	Harm		
Release		Minor	
OR Actua			
Potentia	Х	<b>Percent</b> 15.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0.0%	
	'		_
Failure to	provide adequate storage cap	acity could expose persons served by the Facility to a	1
Matrix Significant a	amount of contaminants which	n would not exceed levels that are protective of human	
Notes		health.	
		44.250	- -
		Adjustment \$4,250	1
			\$750
Violation Events			I
	Violation Events 1	64 Number of violation days	
	Violation Events 1	64 Number of violation days	l
	Violation Events 1	64 Number of violation days	
		64 Number of violation days	
	daily		
	daily weekly monthly quarterly x	64 Number of violation days  Violation Base Penalty	\$750
	daily weekly monthly quarterly x		\$750
	daily weekly monthly quarterly x semiannual annual		\$750
	daily weekly monthly quarterly x		\$750
Number of	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalty	1
Number of	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the	1
Number of	daily weekly monthly quarterly semiannual annual single event	Violation Base Penalty	1
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calce May 25,	Violation Base Penalty  William Base Penalty  Ulated from the March 22, 2023 investigation date to the 2023 screening date.	
Number of	daily weekly monthly quarterly semiannual annual single event vevent is recommended, calce May 25,	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calce May 25,  poly Before NOE/NOV	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calce May 25,  apply  Defore NOE/NOV Extraordinary	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  poly  Before NOE/NOV Extraordinary Ordinary	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  ply  O.0% Before NOE/NOV Extraordinary Ordinary N/A x	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  ply  O.0% Before NOE/NOV Extraordinary Ordinary N/A x	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  poly  Extraordinary Ordinary N/A x  The Respon	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer	
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  poly  Extraordinary Ordinary N/A x  The Respon	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.	\$0
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  poly  Extraordinary Ordinary N/A x  The Respon	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for	\$0
Number of	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  ply  Octionary Ordinary N/A X  Notes  The Respon	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.	\$0
One quarterly  Good Faith Efforts to Con  Economic Benefit (EB) fo	daily weekly monthly quarterly semiannual annual single event  vevent is recommended, calc May 25,  ply  Cordinary Ordinary N/A Notes  The Respon  r this violation	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.  Violation Subtotal  Statutory Limit Test	\$0 \$750
One quarterly  Good Faith Efforts to Con  Economic Benefit (EB) fo	daily weekly monthly quarterly semiannual annual single event  event is recommended, calc May 25,  ply  Octionary Ordinary N/A X  Notes  The Respon	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.  Violation Subtotal	\$0 \$750
One quarterly  Good Faith Efforts to Con  Economic Benefit (EB) fo	daily weekly monthly quarterly semiannual annual single event  vevent is recommended, calce May 25,  ply Ordinary Ordinary N/A Notes The Response  r this violation  seed EB Amount	Violation Base Penalty  ulated from the March 22, 2023 investigation date to the 2023 screening date.  Reduction  NOE/NOV to EDPRP/Settlement Offer  dent does not meet the good faith criteria for this violation.  Violation Subtotal  Statutory Limit Test	\$750 \$1,280

	E	conomic	Benefit	Woı	rksheet		
Respondent	Texas Water S	Systems, Inc.					
Case ID No.							
Reg. Ent. Reference No.	RN101182475	;					
Media	Public Water S					Percent Interest	Years of
Violation No.	9						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$29,326	27-Sep-2016	11-May-2025	8.62	\$843	\$16,862	\$17,705
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 (\$2.15 x 13,640	gallons), calcu	lated fro		ge capacity of at lead investigation initial sance.	_
Avoided Costs	ANNU	ALIZE avoided o	osts before en	terina	item (except for	one-time avoide	l 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		\$29,326			TOTAL		\$17,705

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

Compliance History Report for CN600629893, RN101182475, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or CN600629893, Texas Water Systems, Inc. Classification: UNCLASSIFIED Rating: -----

Owner/Operator:

Regulated Entity: RN101182475, ROSEWOOD WATER SYSTEM Classification: NOT APPLICABLE Rating: N/A

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

CH Group: 14 - Other

Location: 1188 JAGUAR ROAD IN ROSEWOOD, UPSHUR COUNTY, TEXAS

TCEQ Region: REGION 05 - TYLER

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2300026

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

**Date Compliance History Report Prepared:** July 15, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 15, 2019 to July 15, 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:

Effective Date: 03/21/2023 ADMINORDER 2022-1322-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.

#### **B.** Criminal convictions:

N/A

#### C. Chronic excessive emissions events:

N/A

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

Item 1 March 18, 2021 (1705224)

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

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

N/A

	N/A
G.	Type of environmental management systems (EMSs): $\ensuremath{N/A}$
н.	Voluntary on-site compliance assessment dates: $\ensuremath{N}\xspace/\ensuremath{A}$
I.	Participation in a voluntary pollution reduction program: $\ensuremath{N/A}$
J.	Early compliance: N/A
	es Outside of Texas: N/A

F. Environmental audits:

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
TEXAS WATER SYSTEMS, INC.	§	
RN101182475	§	ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2023-0703-PWS-E

# I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCEO	(") considered this agreement of the parties, resolving an enforcement
action regarding Texas	Water Systems, Inc. (the "Respondent") under the authority of Tex.
HEALTH & SAFETY CODE	ch. 341. The Executive Director of the TCEQ, through the Enforcement
Division, and the Resp	ondent together stipulate that:

- 1. The Respondent owns and operates a public water supply located at 1188 Jaguar Road in Rosewood, Upshur County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 213 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).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code § 7.002 and Tex. Health & Safety Code § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 and Tex. Health & Safety Code § 341.031 because it alleges violations of Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$24,239 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$19,392 of the penalty and \$4,847 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

required in this action, are waived in the interest of a more timely resolution of the matter.

- 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 or conditions in this Order.
- 7. 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.
- 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.

#### II. ALLEGATIONS

During an investigation at the Facility conducted on March 22, 2023, an investigator documented that the Respondent:

- 1. Failed to provide a pressure tank capacity of 20 gallons per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Facility had 213 connections requiring a pressure tank capacity of 4,260 gallons. However, only 3,650 gallons were provided, indicating a 14% deficiency.
- 2. 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, in violation of 30 Tex. Admin. Code § 290.44(h)(4). Specifically, the BPA located at Harmony RV Resort and Grocery Store was not tested within the last year.
- 3. 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).
- 4. Failed to provide a device to readily determine air-water-volume for all pressure tanks greater than 1,000 gallons in capacity, in violation of 30 Tex. Admin. Code § 290.43(d)(3). Specifically, the 3,125-gallon pressure tank at the Rosewood Plant had an air-water-volume measuring device that was not readable due to the visi-probe being coated in a thick brown film on the inside.
- 5. 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). Specifically, the electrical panel at the Rosewood Plant and the chlorine rooms at the Rosewood and Harmony Plants had electrical wiring that was not in the appropriate conduits.
- 6. Failed to calibrate the Facility's two well meters at least once every three years, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(1).
- 7. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free

of excessive solids, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4). Specifically, there was a leak at Well No. 1 and a leak on the pipe going into the chlorination room at the Harmony Plant.

- 8. Failed to ensure that all potable water storage facilities are covered and designed, fabricated, erected, tested, and disinfected in strict accordance with current American Water Works Association ("AWWA") standards, in violation of 30 Tex. ADMIN. CODE § 290.43(c). Specifically, the ground storage tank ("GST") at the Harmony Plant had a notable depression on the roof, patchwork in several areas, the hatch exhibited rust and corrosion, and the epoxy on the inside was starting to flake off and deteriorate. Additionally, the hatch on the GST at the Rosewood Plant exhibited rust and corrosion.
- 9. 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). Specifically, the Facility had 213 connections requiring a storage capacity of 42,600 gallons. However, 28,960 gallons were provided, indicating a 32% deficiency.

#### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas Water Systems, Inc., Docket No. 2023-0703-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Verify the accuracy of the manual disinfectant residual analyzers using chlorine solutions of known concentrations, in accordance 30 Tex. ADMIN. CODE § 290.46;
    - ii. Secure the electrical wiring in compliance with a local or national code for the electrical panel at the Rosewood Plant and the chlorine rooms at the Rosewood and Harmony Plants, in accordance with 30 Tex. Admin. Code § 290.46; and

- iii. Calibrate the Facility's two well meters, in accordance with 30 Tex. ADMIN. CODE § 290.46.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.f 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.iii.
- c. Within 60 days after the effective date of this Order:
  - i. 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, in accordance with 30 Tex. ADMIN. CODE § 290.44;
  - ii. Provide a device to readily determine air-water-volume for the Facility's pressure tank at the Rosewood Plant, in accordance with 30 Tex. ADMIN. CODE § 290.43;
  - iii. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to Well No. 1 and the pipe going into the chlorination room at the Harmony Plant, in accordance with 30 Tex. Admin. Code § 290.46; and
  - iv. Replace or upgrade the Facility's storage tanks to meet current AWWA standards, in accordance with 30 Tex. ADMIN, CODE §290.43.
- d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.f 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.iv.
- e. Within 180 days after the effective date of this Order:
  - i. Provide a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45; and
  - ii. Provide a total storage capacity of at least 200 gallons per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- f. 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.e.i and 2.e.ii. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I Texas Water Systems, Inc. DOCKET NO. 2023-0703-PWS-E Page 5

> 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 Tyler Regional Office Texas Commission on Environmental Quality 2916 Teague Drive Tyler, Texas 75701-3734

- 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. 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.
- 7. 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,

Texas Water Systems, Inc. DOCKET NO. 2023-0703-PWS-E Page 6

the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

8. 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.

Texas Water Systems, Inc. DOCKET NO. 2023-0703-PWS-E Page 7

#### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEAS COMMISSION ON ENVIRONMENT E QUIENT	•
For the Commission	Date
	10/11/2024
For the Executive Director	Date
I, the undersigned, have read and understand the at the attached Order, and I do agree to the terms and acknowledge that the TCEQ, in accepting payment fon such representation.	conditions specified therein. I further
I also understand that failure to comply with the Or and/or failure to timely pay the penalty amount, m	
<ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications so</li> <li>Referral of this case to the OAG for contempt and/or attorney fees, or to a collection agency</li> <li>Increased penalties in any future enforcement</li> <li>Automatic referral to the OAG of any future e</li> <li>TCEQ seeking other relief as authorized by law</li> </ul>	, injunctive relief, additional penalties, /; t actions; nforcement actions; and
In addition, any falsification of any compliance doc	uments may result in criminal prosecution.
Signature K. Brow	Date Presulat
Name (Printed or typed)	Title
Authorized Representative of	
Texas Water Systems, Inc.	

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