

**Executive Summary – Enforcement Matter – Case No. 64090**

**Texas Water Systems, Inc.**

**RN101182475**

**Docket No. 2023-0703-PWS-E**

**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

**Executive Summary – Enforcement Matter – Case No. 64090**  
**Texas Water Systems, Inc.**  
**RN101182475**  
**Docket No. 2023-0703-PWS-E**

***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)].

**Executive Summary – Enforcement Matter – Case No. 64090**  
**Texas Water Systems, Inc.**  
**RN101182475**  
**Docket No. 2023-0703-PWS-E**

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.

**Executive Summary – Enforcement Matter – Case No. 64090**  
**Texas Water Systems, Inc.**  
**RN101182475**  
**Docket No. 2023-0703-PWS-E**

- 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

<b>DATES</b>	<b>Assigned</b>	15-May-2023	<b>Screening</b>	25-May-2023	<b>EPA Due</b>	
	<b>PCW</b>	31-May-2023				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Texas Water Systems, Inc.				
<b>Reg. Ent. Ref. No.</b>	RN101182475				
<b>Facility/Site Region</b>	5-Tyler	<b>Major/Minor Source</b>	Major		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	64090	<b>No. of Violations</b>	9
<b>Docket No.</b>	2023-0703-PWS-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Samantha Salas
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$5,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$14,200
---	-------------------	----------

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	20.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$2,840
---------------------------	-------	-------------------	--------------------------------	---------

<b>Notes</b>	Enhancement for one agreed order containing a denial of liability.			
--------------	--	--	--	--

<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
--------------------	----	------	--------------------	-------------------	-----

<b>Notes</b>	The Respondent does not meet the culpability criteria.			
--------------	--	--	--	--

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
--	-------------------	-----

<b>Economic Benefit</b>	50.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$7,100
-------------------------	-------	---------------------	-------------------	---------

Total EB Amounts	\$21,623	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$36,622	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$24,140
-----------------------------	-----------------------	----------

<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.4%	<b>Adjustment</b>	\$99
---	------	-------------------	------

Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	Enhancement to capture the avoided costs associated with Violation Nos. 2, 3, and 6.			
--------------	--	--	--	--

<b>Final Penalty Amount</b>	\$24,239
-----------------------------	----------

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$24,239
-----------------------------------	-------------------------------	----------

<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$4,847
-----------------	-------	------------------	-------------------	----------

Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.			
--------------	--	--	--	--

<b>PAYABLE PENALTY</b>	\$19,392
------------------------	----------

<b>Screening Date</b>	25-May-2023	<b>Docket No.</b>	2023-0703-PWS-E	<b>PCW</b>
<b>Respondent</b>	Texas Water Systems, Inc.			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	64090			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN101182475			
<b>Media</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Samantha Salas			

## Compliance History Worksheet

### >> Compliance History Site Enhancement (Subtotal 2)

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

**Adjustment Percentage (Subtotal 2)** 20%

### >> Repeat Violator (Subtotal 3)

N/A

**Adjustment Percentage (Subtotal 3)** 0%

### >> Compliance History Person Classification (Subtotal 7)

Unclassified

**Adjustment Percentage (Subtotal 7)** 0%

### >> Compliance History Summary

**Compliance History Notes**

Enhancement for one agreed order containing a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 20%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 20%

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas <b>Violation Number</b> 1 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c)  <b>Violation Description</b> 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.	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

  

	<b>Base Penalty</b> \$5,000
--	-----------------------------

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

  

<b>Matrix Notes</b>	Failure to provide adequate pressure tank capacity could expose persons served by the Facility to a significant amount of contaminants that would not exceed levels that are protective of human health.
---------------------	--

  

	<b>Adjustment</b> \$4,250
	\$750

  

**Violation Events**

Number of Violation Events 1	64 Number of violation days	
------------------------------	-----------------------------	--

  

	daily					<b>Violation Base Penalty</b> \$750
	weekly					
	monthly					
	quarterly	x				
	semiannual					
	annual					
	single event					

  

One quarterly event is recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.
---

  

**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.	
		<b>Reduction</b> \$0

  

	<b>Violation Subtotal</b> \$750
--	---------------------------------

  

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> \$743	<b>Violation Final Penalty Total</b> \$1,280
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$1,280	

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

## Delayed Costs

Equipment	\$2,000	21-Jan-2020	11-May-2025	5.31	\$35	\$708	\$743
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a pressure tank capacity of at least 20 gallons per connection, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$743

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	2		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.44(h)(4)		
<b>Violation Description</b>	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.		
<b>Base Penalty</b>			\$5,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential	x			<b>Percent</b> 30.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Failure to test BPA on an annual basis would not ensure the device is operating properly which could result in a reverse flow of contaminants entering the water mains which would exceed levels protective of human health.					
<b>Adjustment</b>					\$3,500

  

		\$1,500
--	--	---------

  

**Violation Events**

Number of Violation Events	3	64	Number of violation days
	daily		
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		
<b>Violation Base Penalty</b>			\$4,500
Three monthly events are recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.			

  

**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.			
<b>Violation Subtotal</b>				\$4,500

  

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$34	<b>Violation Final Penalty Total</b>	\$7,681	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$7,681

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				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

The delayed cost includes the estimated amount to test the BPA (\$31 x one location), calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$31	22-Mar-2023	25-May-2023	0.18	\$0	\$31	\$31
Other (as needed)				0.00	\$0	\$0	\$0

### Notes for AVOIDED costs

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

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	3	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 290.46(s)(2)(C)(i)
<b>Violation Description</b>	Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations.	

  

**Base Penalty** \$5,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	Potential	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	x	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">15.0%</span>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">0.0%</span>

  

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

  

**Adjustment** \$4,250

\$750

  

**Violation Events**

Number of Violation Events	<span style="border: 1px solid black; padding: 2px 20px;">1</span>	<span style="border: 1px solid black; padding: 2px 20px;">64</span>	Number of violation days
----------------------------	--	---	--------------------------

  

	daily	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	weekly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	monthly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	quarterly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	semiannual	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	annual	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	
	single event	x	

  

**Violation Base Penalty** \$750

  

One single event is recommended.

  

**Good Faith Efforts to Comply**

	<span style="border: 1px solid black; padding: 2px 20px;">0.0%</span>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>
Ordinary	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>
N/A	x	

  

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

  

**Violation Subtotal** \$750

  

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px 20px;">\$5</span>	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px 20px;">\$1,280</span>

  

**This violation Final Assessed Penalty (adjusted for limits)** \$1,280

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				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)	\$5	22-Mar-2023	13-Dec-2024	1.73	\$0	n/a	\$0

### Notes for DELAYED costs

The delayed 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 estimated date of compliance.

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$5	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

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	4		
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 290.43(d)(3)	
<b>Violation Description</b>	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.		
		<b>Base Penalty</b>	\$5,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
		Failure to provide a readable device to readily determine air-water-volume could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.			
		<b>Adjustment</b>		\$4,250	

  

<b>Adjustment</b>		\$4,250
		\$750

  

**Violation Events**

Number of Violation Events	1	64	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		
		<b>Violation Base Penalty</b>	\$750
One quarterly event is recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.			

  

**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.		
		<b>Violation Subtotal</b>	\$750

  

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$38
<b>Violation Final Penalty Total</b>	\$1,280
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$1,280	

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$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	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to repair or replace the device to readily determine air-water-volume on the pressure tank, calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

**TOTAL**

\$38

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	5		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(v)		
<b>Violation Description</b>	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.		
<b>Base Penalty</b>		\$5,000	

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 30.0%
	Potential	x			

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Failure to ensure all electrical wiring is installed in compliance with a local or national code could cause equipment malfunctions resulting in low pressure or outages which could expose persons served by the Facility to contaminants which would exceed levels protective of human health.					
<b>Adjustment</b>					\$3,500

  

	\$1,500
--	---------

  

**Violation Events**

Number of Violation Events	3	64	Number of violation days
	daily		
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		
<b>Violation Base Penalty</b>			
\$4,500			
Three monthly events are recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.			

  

**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.	
<b>Violation Subtotal</b>		\$4,500

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	<b>Violation Final Penalty Total</b>
\$37	\$7,681
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$7,681	

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$300	22-Mar-2023	12-Dec-2024	1.73	\$2	\$35	\$37
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 secure all electrical wiring in compliance with a local or national code at the Rosewood and Harmony Plants, calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

### Approx. Cost of Compliance

\$300

### TOTAL

\$37

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	6	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 290.46(s)(1)
<b>Violation Description</b>	Failed to calibrate the Facility's two well meters at least once every three years.	

  

<b>Base Penalty</b>	\$5,000
---------------------	---------

  

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

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual				
	Potential			x	<b>Percent</b> 7.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

  

Matrix Notes	Failure to calibrate the Facility's well meters could result in inaccurate or unavailable water usage and production data, resulting in persons served by the Facility being exposed to an insignificant amount of contaminants which would not exceed levels protective of human health.
--------------	---

  

<b>Adjustment</b>	\$4,650
-------------------	---------

  

	\$350
--	-------

  

**Violation Events**

Number of Violation Events	2	64	Number of violation days
----------------------------	---	----	--------------------------

  

daily									
weekly									
monthly									
quarterly									
semiannual									
annual									
single event	x								

  

<b>Violation Base Penalty</b>	\$700
-------------------------------	-------

  

Two single events are recommended (one event per well meter).	
---	--

  

**Good Faith Efforts to Comply**

	0.0%	
	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

  

<b>Violation Subtotal</b>	\$700
---------------------------	-------

  

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$68	<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b>
		\$1,195
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$1,195

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$62	22-Mar-2023	12-Dec-2024	1.73	\$5	n/a	\$5

### Notes for DELAYED costs

The delayed cost includes the estimated amount to calibrate the Facility's well meters (\$31 per well meter x two well meters), calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$62	22-Mar-2023	25-May-2023	0.18	\$1	\$62	\$63
Other (as needed)				0.00	\$0	\$0	\$0

### Notes for AVOIDED costs

The avoided cost includes the estimated amount to calibrate the Facility's well meters (\$31 per well meter x two well meters), calculated from the date of the investigation to the date of screening.

### Approx. Cost of Compliance

\$124

### TOTAL

\$68

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	7	<b>Rule Cite(s)</b>		
		30 Tex. Admin. Code § 290.46(m)(4)		
<b>Violation Description</b>	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.			
			<b>Base Penalty</b>	\$5,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%
<b>Matrix Notes</b>	Failure to maintain the well and related appurtenances in a watertight condition could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.				
					<b>Adjustment</b> \$4,250

  

	\$750
--	-------

  

**Violation Events**

Number of Violation Events	1	64	Number of violation days
	<div style="border: 1px solid black; padding: 2px;">daily</div> <div style="border: 1px solid black; padding: 2px;">weekly</div> <div style="border: 1px solid black; padding: 2px;">monthly</div> <div style="border: 1px solid black; padding: 2px;">quarterly</div> <div style="border: 1px solid black; padding: 2px;">semiannual</div> <div style="border: 1px solid black; padding: 2px;">annual</div> <div style="border: 1px solid black; padding: 2px;">single event</div>		
		x	
			<b>Violation Base Penalty</b> \$750
One quarterly event is recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.			

  

<b>Good Faith Efforts to Comply</b>	0.0%	<b>Reduction</b>	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.		
			<b>Violation Subtotal</b> \$750

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> \$63	<b>Violation Final Penalty Total</b> \$1,280
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$1,280	

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$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

The delayed cost includes the estimated amount to repair the leaks at Well No. 1 and the Harmony Plant chlorination room, calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

**TOTAL**

\$63

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	8	<b>Rule Cite(s)</b>		
		30 Tex. Admin. Code § 290.43(c)		
<b>Violation Description</b>	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.			
<b>Base Penalty</b>			\$5,000	

  

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

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	
	Failure to ensure that all potable water storage tanks are properly constructed could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.				
	<b>Adjustment</b>				\$4,250

  

<b>Violation Events</b>																
Number of Violation Events	1	Number of violation days														
	64															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;">daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event		<b>Violation Base Penalty</b>	
daily																
weekly																
monthly																
quarterly	x															
semiannual																
annual																
single event																
	\$750															
One quarterly event is recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.																

  

**Good Faith Efforts to Comply**

	<b>0.0%</b>	
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	
<b>Violation Subtotal</b>		\$750

  

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

Estimated EB Amount	\$2,931	Violation Final Penalty Total	\$1,280
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$1,280

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 8

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment	\$4,000	28-Jul-2014	11-Jan-2025	10.47	\$140	\$2,791	\$2,931
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to replace or upgrade the Facility's GSTs to meet current AWWA standards, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,000

**TOTAL**

\$2,931

<b>Screening Date</b> 25-May-2023 <b>Respondent</b> Texas Water Systems, Inc. <b>Case ID No.</b> 64090 <b>Reg. Ent. Reference No.</b> RN101182475 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> Samantha Salas	<b>Docket No.</b> 2023-0703-PWS-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
--	-----------------------------------	--

  

<b>Violation Number</b>	9	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c)
<b>Violation Description</b>		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.

  

**Base Penalty** \$5,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">15.0%</span>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">0.0%</span>

  

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

  

**Adjustment** \$4,250

\$750

  

**Violation Events**

Number of Violation Events	<span style="border: 1px solid black; padding: 2px 10px;">1</span>	<span style="border: 1px solid black; padding: 2px 10px;">64</span>	Number of violation days
----------------------------	--	---	--------------------------

  

	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

  

**Violation Base Penalty** \$750

  

One quarterly event is recommended, calculated from the March 22, 2023 investigation date to the May 25, 2023 screening date.

  

**Good Faith Efforts to Comply**

	<span style="border: 1px solid black; padding: 2px 10px;">0.0%</span>	
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

  

**Violation Subtotal** \$750

  

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px 20px;">\$17,705</span>	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px 20px;">\$1,280</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 2px 20px;">\$1,280</span>	

# Economic Benefit Worksheet

**Respondent** Texas Water Systems, Inc.  
**Case ID No.** 64090  
**Reg. Ent. Reference No.** RN101182475  
**Media** Public Water Supply  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$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

The delayed cost includes the estimated amount to provide a total storage capacity of at least 200 gallons per connection (\$2.15 x 13,640 gallons), calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

### Approx. Cost of Compliance

\$29,326

### TOTAL

\$17,705



# 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.

<b>Customer, Respondent, or Owner/Operator:</b>	CN600629893, Texas Water Systems, Inc.	<b>Classification:</b>	UNCLASSIFIED	<b>Rating:</b>	-----
<b>Regulated Entity:</b>	RN101182475, ROSEWOOD WATER SYSTEM	<b>Classification:</b>	NOT APPLICABLE	<b>Rating:</b>	N/A
<b>Complexity Points:</b>	N/A	<b>Repeat Violator:</b>	N/A		
<b>CH Group:</b>	14 - Other				
<b>Location:</b>	1188 JAGUAR ROAD IN ROSEWOOD, UPSHUR COUNTY, TEXAS				
<b>TCEQ Region:</b>	REGION 05 - TYLER				
<b>ID Number(s):</b>					
<b>PUBLIC WATER SYSTEM/SUPPLY</b>	REGISTRATION 2300026				

<b>Compliance History Period:</b>	September 01, 2018 to August 31, 2023	<b>Rating Year:</b>	2023	<b>Rating Date:</b>	09/01/2023
<b>Date Compliance History Report Prepared:</b>	July 15, 2024				
<b>Agency Decision Requiring Compliance History:</b>	Enforcement				
<b>Component Period Selected:</b>	July 15, 2019 to July 15, 2024				
<b>TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.</b>					
<b>Name:</b>	Samantha Salas	<b>Phone:</b>	(512) 239-1543		

## Site and Owner/Operator History:

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

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

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

- |   |   |  |
|---|---|--|
| 1 | Effective Date: 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

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
TEXAS WATER SYSTEMS, INC.  
RN101182475

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

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

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") 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 Respondent 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

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,

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.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

  
-----  
For the Executive Director

10/11/2024

-----  
Date

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

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

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

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

-----  
Signature

-----  
Date

  
-----  
James K. Brown

20 Aug 2024

-----  
President

Name (Printed or typed)  
Authorized Representative of  
Texas Water Systems, Inc.

-----  
Title

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

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