

Executive Summary – Enforcement Matter – Case No. 64933
John Rodell dba West Cedar Creek Water System
RN101225621
Docket No. 2023-1468-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

West Cedar Creek Water System, 13767 County Road 355, Buffalo, Leon 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: May 16, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$3,915

Total Paid to General Revenue: \$135

Total Due to General Revenue: \$3,780

Payment Plan: 35 payments of \$108 each

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 25, 2023 through October 6, 2023

Date(s) of NOE(s): October 6, 2023

Executive Summary – Enforcement Matter – Case No. 64933
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RN101225621
Docket No. 2023-1468-PWS-E

Violation Information

1. Failed to submit a Disinfection Level Quarterly Operating Report ("DLQOR") to the Executive Director by the tenth day of the month following the end of each quarter [30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3)].
2. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On March 22, 2024, submitted the annual CCR for 2022; and
- b. On April 24, 2024, submitted the DLQOR for the third quarter of 2024.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Savannah Jackson, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-4306; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: John Rodell, Owner, West Cedar Creek Water System, 13863 County Road 355, Buffalo, Texas 75831

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	9-Oct-2023	Screening	13-Oct-2023	EPA Due	31-Dec-2023
	PCW	16-Oct-2023				

RESPONDENT/FACILITY INFORMATION	
Respondent	John Rodell dba West Cedar Creek Water System
Reg. Ent. Ref. No.	RN101225621
Facility/Site Region	9-Waco
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	64933	No. of Violations	2
Docket No.	2023-1468-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Savannah Jackson
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$4,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0% Adjustment	Subtotals 2, 3, & 7	\$0
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Notes: No adjustment for compliance history.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$400
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$321
 Estimated Cost of Compliance: \$499
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,600
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OTHER FACTORS AS JUSTICE MAY REQUIRE	8.8% Adjustment	\$315
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided cost of compliance for Violation Nos. 1 and 2.

Final Penalty Amount	\$3,915
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,915
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$3,915
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Screening Date 13-Oct-2023

Docket No. 2023-1468-PWS-E

PCW

Respondent John Rodell dba West Cedar Creek Water System

Policy Revision 5 (January 28, 2021)

Case ID No. 64933

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101225621

Media Public Water Supply

Enf. Coordinator Savannah Jackson

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>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 13-Oct-2023 **Docket No.** 2023-1468-PWS-E **PCW**
Respondent John Rodell dba West Cedar Creek Water System *Policy Revision 5 (January 28, 2021)*
Case ID No. 64933 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101225621
Media Public Water Supply
Enf. Coordinator Savannah Jackson

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3)

Violation Description Failed to submit a Disinfection Level Quarterly Operating Report ("DLQOR") to the Executive Director by the tenth day of the month following the end of each quarter for the second quarter of 2022 through the second quarter of 2023.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		

100% of the rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events: 5 459 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,500

Five single events are recommended, one for each monitoring period.

Good Faith Efforts to Comply 10.0% Reduction \$250

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

Notes The Respondent achieved compliance on April 24, 2024.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$124 **Violation Final Penalty Total** \$2,447

This violation Final Assessed Penalty (adjusted for limits) \$2,447

Economic Benefit Worksheet

Respondent John Rodell dba West Cedar Creek Water System
Case ID No. 64933
Reg. Ent. Reference No. RN101225621
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	25-Sep-2023	24-Apr-2024	0.58	\$1	n/a	\$1
Training/Sampling	\$100	25-Sep-2023	24-Apr-2024	0.58	\$3	n/a	\$3
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 record keeping system and training/sampling delayed costs include the estimated amounts to update the Facility's operational guidance and conduct employee training to ensure that all DLQORs are submitted to the TCEQ in a timely manner, calculated from the record review date to the date of compliance.						

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$113	10-Jul-2022	12-Oct-2023	1.26	\$7	\$113	\$120
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to prepare and submit a DLQOR (\$22 per DLQOR x five reports) and accrued interest, calculated from the date the report was due for the second quarter of 2022 to the date of screening.						

Approx. Cost of Compliance	\$258	TOTAL	\$124
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Screening Date 13-Oct-2023 **Docket No.** 2023-1468-PWS-E **PCW**
Respondent John Rodell dba West Cedar Creek Water System *Policy Revision 5 (January 28, 2021)*
Case ID No. 64933 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101225621
Media Public Water Supply
Enf. Coordinator Savannah Jackson

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description
 Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for the calendar years 2019, 2020, and 2021.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			10.0%

Matrix Notes
 100% of the rule requirements were not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 3 1198 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,500

Three single events are recommended (one per each CCR missed).

Good Faith Efforts to Comply 10.0% Reduction \$150

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

Notes
 The Respondent achieved compliance on March 22, 2024.

Violation Subtotal \$1,350

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

Estimated EB Amount \$197 **Violation Final Penalty Total** \$1,468

This violation Final Assessed Penalty (adjusted for limits) \$1,468

Economic Benefit Worksheet

Respondent John Rodell dba West Cedar Creek Water System
Case ID No. 64933
Reg. Ent. Reference No. RN101225621
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$58	1-Jul-2023	22-Mar-2024	0.73	\$2	n/a	\$2

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and mail or directly deliver the most recent CCR to the customers of the Facility and to the TCEQ [(((\$0.50 x 16 connections) + \$50) x one year], calculated from the due date of the most recent CCR to the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$183	1-Jul-2022	12-Oct-2023	1.28	\$12	\$183	\$195
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2019, 2020, and 2021 CCRs to the customers of the Facility and to the TCEQ [((((\$0.50 x 16 connections) + \$50) x three years) + accrued interest), calculated from the due date of the 2021 CCR to the date of screening.

Approx. Cost of Compliance

\$241

TOTAL

\$197



Compliance History Report

Compliance History Report for CN603551474, RN101225621, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN603551474, John Rodell

Classification: NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101225621, WEST CEDAR CREEK WATER SYSTEM

Classification: NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 13767 COUNTY ROAD 355 NEAR BUFFALO, LEON COUNTY, TEXAS

TCEQ Region: REGION 09 - WACO

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1450020

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: December 13, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 13, 2019 to December 13, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Savannah Jackson

Phone: (512) 239-4306

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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 April 01, 2021 (1706015)

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

- 7 Date: 05/19/2023 (1931461)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2021 - The system failed to provide the Consumer Confidence Report (CCR) for 2021 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1
- 8 Date: 06/22/2023 (1931461)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2023 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2023 within the required timeline. ETT Point Value = 1
- 9* Date: 09/18/2023 (1931461)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 2Q2023 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2023 within the required timeline. ETT Point Value = 1

* NOVs applicable for the Compliance History rating period 9/1/2019 to 8/31/2024

Appendix B

All Investigations Conducted During Component Period December 13, 2019 and December 13, 2024

Item 1	January 06, 2020**	(1618491)
Item 2	January 31, 2020**	(1624311)
Item 3*	April 01, 2021**	(1706015)
Item 4	August 19, 2022**	(1833501)
Item 5	September 15, 2022**	(1842031)
Item 6	October 03, 2023**	(1916107)
Item 7	October 04, 2023**	(1931461)
Item 8	October 06, 2023**	(1931993)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2019 and 08/31/2024.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
JOHN RODELL DBA WEST CEDAR	§	
CREEK WATER SYSTEM	§	ENVIRONMENTAL QUALITY
RN101225621	§	

AGREED ORDER DOCKET NO. 2023-1468-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding John Rodell dba West Cedar Creek Water System (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 presented this Order to the Commission.

The Respondent understands that he has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 13767 County Road 355 near Buffalo, Leon County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 16 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. During a record review for the Facility conducted on September 25, 2023 through October 6, 2023, an investigator documented that the Respondent:
 - a. Failed to submit a Disinfection Level Quarterly Operating Report ("DLQOR") to the Executive Director by the tenth day of the month following the end of each quarter for the second quarter of 2022 through the second quarter of 2023; and
 - b. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the

information in the CCR is correct and consistent with compliance monitoring data for the calendar years 2019, 2020, and 2021.

3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - a. On March 22, 2024, the Respondent submitted the annual CCR for 2022; and
 - b. On April 24, 2024, the Respondent submitted the DLQOR for the third quarter of 2024.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to submit a DLQOR to the Executive Director by the tenth day of the month following the end of each quarter, in violation of 30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).
4. Pursuant to TEX. HEALTH & SAFETY CODE ch. 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$3,915 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid \$135 of the penalty. The remaining amount of \$3,780 shall be paid in 35 monthly payments of \$108 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: John Rodell dba West Cedar Creek Water System, Docket No. 2023-1468-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. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.
5. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
6. 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.
7. 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.
8. 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.

9. 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

Krista Mello-Jurack

For the Executive Director

06/20/2025

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.

John Rodell

Signature

4-8-25

Date

John Rodell

Name (Printed or typed)
Authorized Representative of
John Rodell dba West Cedar Creek Water System

Owner

Title

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