Cotton Center Water Supply Corporation
RN101435873
Docket No. 2024-0091-PWS-E

Order Type:
Default Order

Media:
PWS

Small Business:
Yes

Location Where Violations Occurred:
2301 Farm-To-Market 179, Cotton Center, Hale County

Type of Operation:
public water system

Other Significant Matters:

Additional Pending Enforcement Actions:	None
Past-Due Penalties:	None
Past-Due Fees:	None
Other:	None
Interested Third Parties:	None
Texas Register Publication Date:	June 19, 2026
Comments Received:	None

Penalty Information

Total Penalty Assessed:	$8,700
Total Paid to General Revenue:	$0
Total Due to General Revenue:	$8,700

Compliance History Classifications:
Person/CN – N/A
Site/RN – N/A

Major Source:	No
Statutory Limit Adjustment:	None
Applicable Penalty Policy:	January 28, 2021

Investigation Information

Complaint Date:	N/A
Dates of Investigation:	December 11, 2023 through January 5, 2024
Date of NOV:	N/A
Date of NOE:	January 5, 2024

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 for the third quarter of 2023 [30 TEX. CODE § 290.110(e)(4)(A) and (f)(3)].
2. Failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022 [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
3. 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 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 calendar years 2020, 2021, and 2022 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].
4. Failed to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2023, through June 30, 2023, monitoring period [30 TEX. ADMIN. CODE § 290.117(c)(2)(A), (h), and (i)(1)].
5. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2022, through December 31, 2022, monitoring period [30 TEX. ADMIN. CODE § 290.117(c)(2)(B), (h), and (i)(1)].
6. Failed to provide a consumer notification of lead tap water monitoring results to persons served at the site (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the January 1, 2021, through December 31, 2021 monitoring period [30 TEX. ADMIN. CODE § 290.117(i)(6) and (j)].
7. Failed to conduct a Level 2 Assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023, and failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to conduct a Level 2 Assessment [30 TEX. ADMIN. CODE §§ 290.109(c)(3)(D)(i) and 290.122(b)(2)(A) and (f)].
8. Failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to comply with the maximum contaminant level ("MCL") for *E. coli* [30 TEX. ADMIN. CODE § 290.122(a)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action Completed:

By January 8, 2025, Respondent collected lead and copper tap samples at the required ten sample sites, had the samples analyzed, and reported the results to the Executive Director.

Technical Requirements:

1. Within 30 days:
   a. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs;
   b. Provide public notification and submit a copy of each public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022, regarding failure to comply with the MCL for *E. coli* and the failure to conduct a Level 2 assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023;

c. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and that a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director;

d. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers;

e. Provide consumer notification of lead tap water monitoring results to persons served at all sites (taps) that were tested during the January 1, 2021, through December 31, 2021, monitoring period. Submit to the Executive Director a sample copy of the consumer notification and certification that consumer notification was distributed in a manner consistent with TCEQ requirements; and

f. Conduct a Level 2 Assessment.

2. Within 45 days:

   a. Submit written certification to demonstrate compliance with Technical Requirement Nos. 1.a. through 1.f.; and

   b. Submit a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.

3. Within 60 days submit written certification to demonstrate compliance with Technical Requirement No. 2.b.

4. Within 90 days begin submitting DLQORs to the Executive Director by the tenth day of the month following the end of each quarter. The provision will be satisfied upon one quarter of compliant reporting. DLQORs.

5. Within 195 days submit written certification to demonstrate compliance with Technical Requirement No. 4.

Litigation Information

Date Petitions Filed: August 26, 2025

Dates of Service: September 13, 2025

Date Answer Filed: N/A

Contact Information

TCEQ Attorneys: Casey Kurnath, Litigation Division, (512) 239-3400
Pranjal Mehta, Public Interest Counsel, (512) 239-6363

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

TCEQ Enforcement Coordinator: Katherine McKinney, Enforcement Division, (512) 239-4330

TCEQ Regional Contact: Jason Lindeman, Lubbock Regional Office, (806) 796-7092

Respondent Contact: Shane Berry, President, Cotton Center Water Supply Corporation, PO Box 252, Cotton Center, Texas 79021-0252

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	8-Jan-2024					
PCW	12-Jan-2024	**Screening**	12-Jan-2024	**EPA Due**	31-Dec-2023	

RESPONDENT/FACILITY INFORMATION			
Respondent	Cotton Center Water Supply Corporation		
Reg. Ent. Ref. No.	RN101435873		
Facility/Site Region	2-Lubbock	**Major/Minor Source**	Minor

CASE INFORMATION			
Enf./Case ID No.	65260	**No. of Violations**	8
Docket No.	2024-0091-PWS-E	**Order Type**	Findings
Media Program(s)	Public Water Supply	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Rachel Frey
		EC's Team	Enforcement Team 4
Admin. Penalty $ Limit Minimum	$50	**Maximum**	$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$7,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **20.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$1,450**

Notes: Enhancement for one agreed order containing a denial of liability.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **$0**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $936

Estimated Cost of Compliance $1,800

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$8,700**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$8,700**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$8,700**

DEFERRAL **0.0%** Reduction — ***Adjustment*** **$0**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$8,700**

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

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 (*number of NOVs meeting criteria*)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	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)

N/A ***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%

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

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 third quarter of 2023.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

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

Adjustment $4,500

$500

Violation Events

Number of Violation Events: 1 — 91 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $36

Statutory Limit Test

Violation Final Penalty Total $600

This violation Final Assessed Penalty (adjusted for limits) $600

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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				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	11-Dec-2023	3-Dec-2025	1.98	$4	n/a	$4
Training/Sampling	$100	11-Dec-2023	3-Dec-2025	1.98	$10	n/a	$10
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 timely manner, calculated from the record review date 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	$22	10-Oct-2023	12-Jan-2024	0.26	$0	$22	$22
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 one report), calculated from the date the report was due for the third quarter of 2023 to the date of screening.						
Approx. Cost of Compliance	$167				**TOTAL**	$36	

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description Failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

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

Adjustment $4,500

$500

Violation Events

Number of Violation Events: 4 — 365 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,000

Four single events are recommended, one for each notification.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $2,000

Economic Benefit (EB) for this violation

Estimated EB Amount $28

Statutory Limit Test

Violation Final Penalty Total $2,400

This violation Final Assessed Penalty (adjusted for limits) $2,400

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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	$100	11-Dec-2023	3-Dec-2025	1.98	$10	n/a	$10
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)	$100	20-Apr-2022	3-Dec-2025	3.62	$18	n/a	$18

Notes for DELAYED costs

The Training/Sampling delayed cost includes the estimated amount to implement procedures to ensure that all neccessary public notifications are provided in a timely manner, calculated from the record review date to the estimated date of compliance.

The Other (as needed) delayed cost includes the estimated amount to ensure that the delinquent public notifications ($25 per notification x four notifications) are provided to persons served by the Facility and a copy of each public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the earliest public notification 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 $200

TOTAL $28

Screening Date	12-Jan-2024	**Docket No.**	2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation			*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260			*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873			
Media	Public Water Supply			
Enf. Coordinator	Rachel Frey			

Violation Number 3

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 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 calendar years 2020, 2021, and 2022.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

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

Adjustment $4,500

$500

Violation Events

Number of Violation Events: 3 — 925 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,500

Three single events are recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $1,500

Economic Benefit (EB) for this violation

Estimated EB Amount $330

Statutory Limit Test

Violation Final Penalty Total $1,800

This violation Final Assessed Penalty (adjusted for limits) $1,800

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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)	$95	1-Jul-2024	3-Dec-2025	1.42	$7	n/a	$7
Notes for DELAYED costs	The delayed cost includes the estimated amount to prepare and mail or directly deliver the most recent CCR to customers of the Facility and to the TCEQ [(($0.50 x 90 connections) + $50)], calculated from the due date of the most recent CCR 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	$285	1-Jul-2021	12-Jan-2024	2.53	$38	$285	$323
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	The ONE-TIME avoided cost includes the estimated amount to prepare and mail or directly deliver the 2020, 2021, and 2022 CCRs to customers of the Facility and to the TCEQ [(($0.50 x 90 connections) + $50) x three years], calculated from the due date of the 2020 CCR to the date of screening.						
Approx. Cost of Compliance	$380				**TOTAL**	$330	

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
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Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(A), (h) and (i)(1)

Violation Description Failed to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2023 through June 30, 2023 monitoring period.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential	x		

OR

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to collect lead and copper tap samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 1 — 180 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $750

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $750

Economic Benefit (EB) for this violation

Estimated EB Amount $308

Statutory Limit Test

Violation Final Penalty Total $900

This violation Final Assessed Penalty (adjusted for limits) $900

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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)				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							
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	$300	30-Jun-2023	12-Jan-2024	0.54	$8	$300	$308
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples ($30 per sample x ten missed samples x one monitoring period), calculated from the last date in which sampling was required to the date of screening.						
Approx. Cost of Compliance	$300				TOTAL	$308	

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
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Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(B), (h) and (i)(1)

Violation Description Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2022 through December 31, 2022 monitoring period.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual			
	Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to collect lead and copper tap samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $750

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $750

Economic Benefit (EB) for this violation

Estimated EB Amount $160

Statutory Limit Test

Violation Final Penalty Total $900

This violation Final Assessed Penalty (adjusted for limits) $900

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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)				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							
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	$150	30-Sep-2022	12-Jan-2024	1.28	$10	$150	$160
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples ($30 per sample x five missed samples x one monitoring period), calculated from the last date in which sampling was required to the date of screening.						

Approx. Cost of Compliance	$150	TOTAL	$160

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.117(i)(6) and (j)

Violation Description Failed to provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the January 1, 2021 through December 31, 2021 monitoring period.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

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

Adjustment $4,500

$500

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $10

Statutory Limit Test

Violation Final Penalty Total $600

This violation Final Assessed Penalty (adjusted for limits) $600

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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)	$53	31-Dec-2021	3-Dec-2025	3.93	$10	n/a	$10
Notes for DELAYED costs	The delayed cost includes the estimated amount to prepare and mail the consumer notification for the January 1, 2021 through December 31, 2021 monitoring period to persons served at the locations which were sampled and to the TCEQ (($0.50 x five sampled locations + $50) x one monitoring period), calculated from the date the consumer notification was due 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	$53	TOTAL	$10

Screening Date	12-Jan-2024	**Docket No.**	2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation			*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260			*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873			
Media	Public Water Supply			
Enf. Coordinator	Rachel Frey			

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 290.109(c)(3)(D)(i) and 290.122(b)(2)(A) and (f)

Violation Description Failed to conduct a Level 2 assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023, and failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to conduct a Level 2 assessment.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual			
	Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to conduct a Level 2 assessment could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 1 — 172 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $750

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $750

Economic Benefit (EB) for this violation

Estimated EB Amount $61

Statutory Limit Test

Violation Final Penalty Total $900

This violation Final Assessed Penalty (adjusted for limits) $900

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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)	$25	15-Oct-2023	3-Dec-2025	2.14	$0	$4	$4
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)	$500	24-Aug-2023	3-Dec-2025	2.28	$57	n/a	$57
Notes for DELAYED costs	The first other (as needed) delayed cost includes the estimated amount to ensure that the delinquent public notification ($25 per notification x one notification) is provided to persons served by the Facility and a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the public notification to the estimated date of compliance. The second other (as needed) delayed cost includes the estimated amount to conduct a Level 2 assessment, calculated from the due date of the assessment 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 $525

TOTAL $61

Screening Date	12-Jan-2024	**Docket No.** 2024-0091-PWS-E	**PCW**
Respondent	Cotton Center Water Supply Corporation		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65260		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101435873		
Media	Public Water Supply		
Enf. Coordinator	Rachel Frey		

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.122(a)(2)(A) and (f)

Violation Description Failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to comply with the maximum contaminant level ("MCL") for Escherichia coli ("E. coli"). Specifically, public notification regarding the failure to comply with the MCL for E. coli was required by July 26, 2023, but was not provided.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

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

Adjustment $4,500

$500

Violation Events

Number of Violation Events: 1 — 170 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $3

Statutory Limit Test

Violation Final Penalty Total $600

This violation Final Assessed Penalty (adjusted for limits) $600

Economic Benefit Worksheet

Respondent Cotton Center Water Supply Corporation
Case ID No. 65260
Reg. Ent. Reference No. RN101435873
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				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)	$25	26-Jul-2023	3-Dec-2025	2.36	$3	n/a	$3
Notes for DELAYED costs	The Other (as needed) delayed cost includes the estimated amount to ensure that the delinquent public notification ($25 per notification x one notification) is provided to persons served by the Facility and a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the earliest public notification 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 $25

TOTAL $3

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

Compliance History Report

Compliance History Report for CN600707996, RN101435873, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600707996, Cotton Center Water Supply Corporation **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101435873, COTTON CENTER WSC **Classification:** NOT APPLICABLE **Rating:** N/A

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

CH Group: 14 - Other

Location: 2301 FARM-TO-MARKET 179 IN COTTON CENTER, HALE COUNTY, TEXAS

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
0950014

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

Date Compliance History Report Prepared: April 22, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 22, 2020 to April 22, 2025

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

Name: Rachel Frey **Phone:** (512) 239-4330

Site and Owner/Operator History:

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

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

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

1 Effective Date: 07/11/2023 ADMINORDER 2022-1383-UTL-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2B TWC Chapter 13, SubChapter A 13.1394(b)(2)
Description: Failed to adopt and submit to the TCEQ for approval an emergency preparedness plan ("EPP") that demonstrates the Facility's ability to provide emergency operations.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

Component Appendices

Appendix A
All NOVs Issued During Component Period 4/22/2020 and 4/22/2025

1 Date: 09/30/2021 (1949571)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2020 - The system failed to provide the Consumer Confidence Report (CCR) for 2020 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1

2 Date: 01/31/2022 (1949571)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.117(i)(6)
30 TAC Chapter 290, SubChapter F 290.117(j)
Description: LCR LCN 06/01/2021 to 09/30/2021- The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the reduced monitoring period from 01/01/2021 to 12/31/2021. ETT Point Value = 1

3 Date: 07/26/2022 (1949571)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 1Q2021 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2021. ETT Point Value = 1

4 Date: 08/31/2022 (1823943)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.109(d)(6)
Description: Failure to maintain a Revised Total Coliform Rule (RTCR) Sample Siting Plan (SSP).
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i).

Self Report? NO Classification: Minor

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

Description: Failed to ensure the accuracy of manual disinfectant residual analyzer is verified 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). Specifically, the residual was analyzed using chlorine standards that were expired.

Self Report? NO Classification: Minor

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

Description: Failure to provide an adequate well casing vent.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 290, SubChapter D 290.43(c)(4)

Description: Failed to provide all elevated storage tanks with a liquid level indicator not less than three inches in diameter and calibrated at not more than two-foot intervals, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4). Specifically, the pressure gauge used as a liquid level indicator was calibrated at five-foot intervals.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 288, SubChapter B 288.20(c)

Description: Failed to review and update, as appropriate, the drought contingency plan at least every five years.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 290, SubChapter F 290.121(b)(1)(C)

Description: Failure to provide the address of each sampling site in the distribution system in the monitoring plan.

5 Date: 12/05/2022 (1949571)

Self Report? NO Classification: Moderate

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

Description: DLQOR MR PN 2Q2021 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the second quarter of 2021. ETT Point Value = 1

6 Date: 12/29/2022 (1949571)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR YR2022 – The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2022 to 12/31/2022 within the required timeline. ETT Point Value = 1;
Lead and Copper samples collected on a reduced monitoring schedule must be collected during the months of June to September. The end date of this period is September 30th and data is due to the TCEQ 10 days following the sampling period; SAMPLES NOT COLLECTED

7 Date: 02/22/2023 (1949571)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 3Q2021 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the third quarter of 2021. ETT Point Value = 1

8 Date: 03/28/2023 (1885549)

Self Report? NO Classification: Minor

Citation:

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

Description: Failure to notify the TCEQ within 24 hours of issuance of a Boil Water Notice (BWN).

9 Date: 05/19/2023 (1949571)

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

10 Date: 07/19/2023 (1949571)

Self Report? NO Classification: Moderate

Citation:

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

Description: DLQOR MR PN 1Q2022 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2022. ETT Point Value = 1

11 Date: 08/24/2023 (1949571)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(a)(2)
30 TAC Chapter 290, SubChapter F 290.122(f)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(a)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(c)(3)

Description: JUL/2023 RTCR EMCL PN - Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued during the time period that public notice was required for a violation of the maximum contaminant level for E. coli on 07/25/2023. ETT Point Value = 1

12 Date: 08/25/2023 (1949571)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.117(h)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RT MR 1st 6M2023 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 01/01/2023 to 06/30/2023 within the required timeline. ETT Point Value = 1; SAMPLES NOT COLLECTED

13* Date: 09/15/2023 (1949571)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.109(c)(2)

30 TAC Chapter 290, SubChapter F 290.109(c)(3)
30 TAC Chapter 290, SubChapter F 290.109(g)(14)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Y 141.859(a)(2)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Y 141.859(b)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Y 141.860(b)(1)

Description: RTCR L2 Violation 07/25/2023 – 08/24/2023 – Failure to complete a Level 2 Assessment or provide an adequate Level 2 Assessment after it was triggered during the monitoring period 07/2023. ETT Point Value = 5

14* Date: 10/18/2023 (1949571)

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 2022 - The system failed to provide the Consumer Confidence Report (CCR) for 2022 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1

15* Date: 10/30/2023 (1949571)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(a)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT Q 141.201(c)(3)

Description: JUL/2023 RTCR TT PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to adequately complete a Level 2 assessment after it was triggered during the month of 07/2023. ETT Point Value = 1

16* Date: 12/14/2023 (1949571)

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 3Q2023 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the third 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 April 22, 2020 and April 22, 2025

Item 1	August 29, 2022**	(1823943)
Item 2	September 15, 2022**	(1841807)
Item 3	January 05, 2023**	(1860582)
Item 4	March 25, 2023**	(1885549)
Item 5	April 18, 2023**	(1885955)
Item 6	December 20, 2023**	(1949571)
Item 7	January 05, 2024**	(1949832)
Item 8	July 26, 2024**	(2001196)

* 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 ENFORCEMENT ACTION CONCERNING COTTON CENTER WATER SUPPLY CORPORATION; RN101435873	**§ § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

DEFAULT ORDER

DOCKET NO. 2024-0091-PWS-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Cotton Center Water Supply Corporation ("Respondent").

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

FINDINGS OF FACT

1. Respondent owns and operates a public water system ("PWS") located at 2301 Farm-To-Market 179 in Cotton Center, Hale County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 90 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS as defined in 30 TEX. ADMIN. CODE § 290.38.

2. During a record review conducted December 11, 2023 through January 5, 2024, an investigator documented that 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 third quarter of 2023;

   b. Failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022;

   c. 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 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 calendar years 2020, 2021, and 2022;

   d. Failed to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2023, through June 30, 2023, monitoring period;

   e. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2022, through December 31, 2022, monitoring period;

   f. Failed to provide a consumer notification of lead tap water monitoring results to persons served at the site (taps) that were tested, and failed to mail a copy of the

consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the January 1, 2021 through December 31, 2021 monitoring period;

g. Failed to conduct a Level 2 Assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023, and failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to conduct a Level 2 Assessment; and

h. Failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to comply with the maximum contaminant level ("MCL") for *Escherichia coli* ("*E. coli*"). Specifically, public notification regarding the failure to comply with the MCL for *E. coli* was required by July 26, 2023, but was not provided.

3. The Executive Director recognizes by January 8, 2025, Respondent collected lead and copper tap samples at the required ten sample sites, had the samples analyzed, and reported the results to the Executive Director.

4. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Cotton Center Water Supply Corporation" (the "EDPRP") in the TCEQ Chief Clerk's office on August 26, 2025.

5. By letter dated August 26, 2025, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to the return receipt "green card," Respondent received notice of the EDPRP on September 13, 2025, as evidenced by the signature on the card.

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

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2.a., Respondent failed to submit a DLQOR to the Executive Director by the tenth day of the month following the end of each quarter for the third quarter of 2023, 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., Respondent failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).

4. As evidenced by Finding of Fact No. 2.c., 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 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 calendar years 2020, 2021, and 2022, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).

5. As evidenced by Finding of Fact No. 2.d., Respondent failed to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results

to the Executive Director for the January 1, 2023 through June 30, 2023, monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(A), (h), and (i)(1).

6. As evidenced by Finding of Fact No. 2.e., Respondent failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2022 through December 31, 2022, monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(B), (h), and (i)(1).

7. As evidenced by Finding of Fact No. 2.f., Respondent failed to provide a consumer notification of lead tap water monitoring results to persons served at the site (taps) that were tested, and failed to mail a copy of the consumer notification of tap results to the Executive Director along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the January 1, 2021 through December 31, 2021 monitoring period, in violation of 30 TEX. ADMIN. CODE § 290.117(i)(6) and (j).

8. As evidenced by Finding of Fact No. 2.g., Respondent failed to conduct a Level 2 Assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023, and failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to conduct a Level 2 Assessment, in violation of 30 TEX. ADMIN. CODE §§ 290.109(c)(3)(D)(i) and 290.122(b)(2)(A) and (f).

9. As evidenced by Finding of Fact No. 2.h., Respondent failed to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to comply with the MCL for *E. coli*, in violation of 30 TEX. ADMIN. CODE § 290.122(a)(2)(A) and (f).

10. As evidenced by Findings of Fact Nos. 4 and 5, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.104(b)(1).

11. As evidenced by Finding of Fact No. 6, Respondent failed to file a timely answer as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.

12. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

13. An administrative penalty in the amount of $8,700 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).

14. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of $8,700 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.

2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Cotton Center Water Supply Corporation; Docket No. 2024-0091-PWS-E" to:

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

3. Respondent shall undertake the following technical requirements:

   a. Within 30 days of the effective date of this Order:

      i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110;

      ii. Provide public notification and submit a copy of each public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to submit a DLQOR for the first through third quarters of 2021 and first quarter of 2022, regarding failure to comply with the MCL for *E. coli* and the failure to conduct a Level 2 assessment within 30 days after exceeding a Level 2 treatment technique trigger on July 24, 2023, in accordance with 30 TEX. ADMIN. CODE § 290.122;

      iii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and that a copy of the public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;

      iv. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE § 290.274;

      v. Provide consumer notification of lead tap water monitoring results to persons served at all sites (taps) that were tested during the January 1, 2021, through December 31, 2021, monitoring period. Submit to the Executive Director a sample copy of the consumer notification and certification that consumer notification was distributed in a manner consistent with TCEQ requirements, in accordance with 30 TEX. ADMIN. CODE § 290.117; and

      vi. Conduct a Level 2 Assessment, in accordance with 30 TEX. ADMIN. CODE § 290.109. The Level 2 Assessment results shall be submitted to the Water Supply Division by mail or electronic mail:

         Water Supply Division, RTCR, MC-155
         Texas Commission on Environmental Quality
         P.O. Box 13087
         Austin, Texas 78711-3087
         Email: TCRDATA@tceq.texas.gov

      Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the Level 2 Assessment within 15 days

after the date of such request, or by any other deadline specified by the TCEQ in writing.

b. Within 45 days of the effective date of this Order:

i. Submit written certification as described in Ordering Provision No. 3.f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.vi.; and

ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:

CCR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

c. Within 60 days of the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.b.ii.

d. Within 90 days of the effective date of this Order, begin submitting DLQORs to the Executive Director by the tenth day of the month following the end of each quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110. The provision will be satisfied upon one quarter of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

e. Within 195 days of the effective date of this Order, submit written certification as described in Ordering Provision No. 3.f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.d.

f. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

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

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

and:

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

4. All relief not expressly granted in this Order is denied.

5. The provisions of this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.

8. 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.

9. 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.

10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

UNSWORN DECLARATION OF CASEY KURNATH

“On behalf of the Executive Director of the Texas Commission on Environmental Quality, the ‘Executive Director’s Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Cotton Center Water Supply Corporation’ (the “EDPRP”) was filed in the TCEQ Chief Clerk’s office on August 26, 2025.

The EDPRP was mailed to Respondent's last known address on August 26, 2025, via certified mail, return receipt requested, postage prepaid. According to the return receipt “green card,” Respondent received notice of the EDPRP on September 13, 2025, as evidenced by the signature on the card.

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

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

Executed in Travis County,

State of Texas,

on the 27th day of May, 2026

Casey Kurnath

Declarant