Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - PWS, WQ

**Small Business:** 

No

Location(s) Where Violation(s) Occurred:

Taylor Lakes Estates Water System, 1071 East Taylor Lake Circle, Livingston, Polk

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:** November 22, 2024

Comments Received: No

**Penalty Information** 

**Total Penalty Assessed:** \$14,250

**Amount Deferred for Expedited Settlement:** \$2,850

**Total Paid to General Revenue:** \$11,400 **Total Due to General Revenue:** \$0

Due to deficial Revenue.

Payment Plan: N/A

**Compliance History Classifications:** 

Person/CN - Unclassified

Site/RN - N/A

**Major Source:** PWS: Yes; WQ: 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:** November 14, 2023

Date(s) of NOE(s): January 12, 2024

### **Violation Information**

- 1. Failed to provide all ground storage tanks ("GSTs") with a liquid level indicator. Specifically, the two 12,000-gallon GSTs at Plant No. 2 shared a liquid level indicator [30 Tex. ADMIN. CODE § 290.43(c)(4)].
- 2. Failed to provide a well capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, the Facility had 163 connections requiring 97.8 gpm of well capacity. However, only 59 gpm of well capacity was provided, indicating a 40% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(i) and Tex. Health & Safety Code § 341.0315(c)].
- 3. Failed to provide a total storage capacity of 200 gallons per connection. Specifically, the Facility had 163 connections requiring a storage capacity of 32,600 gallons. However, only 24,000 gallons was provided, indicating a 26% deficiency [30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c)].
- 4. Failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection. Specifically, the Facility had 163 connections requiring a total service pump capacity of 326 gpm. However, only 260 gpm was provided, indicating a 20% deficiency [30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health & Safety Code § 341.0315(c)].
- 5. Failed to provide a minimum pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 163 connections requiring a pressure tank capacity of 3,260 gallons. However, only 3,000 gallons was provided, indicating an 8% deficiency [30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(iv) and Tex. HEALTH & SAFETY CODE § 341.0315(c)].
- 6. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the results of inspections for all water storage and pressure maintenance facilities were not available for review [30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(D)(ii)].
- 7. Failed to provide an intruder-resistant fence or well house around each water treatment plant, well unit, and related appurtenances that remains locked during periods of darkness and when the Facility is unattended. Specifically, at Plant No. 1 there were broken or missing strands of barbed wire around its perimeter. Additionally, at Plant No. 2 there were large gaps at the back-left corner, under the middle-left side, and the top-left side of the fence and the fence and barbed wire at the front-right corner was bent [30 Tex. ADMIN. CODE §§ 290.41(c)(3)(O) and 290.42(m)].
- 8. Failed to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with American Water Works Association ("AWWA") standards and equipped with a corrosion-resistant 16-mesh or finer screen. Specifically, there was a large hole in the center of the screening material on the right GST at Plant No. 2 [30 Tex. ADMIN. CODE § 290.43(c)(1)].

- 9. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, at Plant No. 2, the electrical wiring located at the top of the pressure tank was not enclosed in conduit and the spliced electrical wiring and wire caps for the 140 gpm service pump were exposed at the connection with the electrical box [30 Tex. Admin. Code § 290.46(v)].
- 10. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids. Specifically, the discharge line for Well No. 2 was leaking [30 Tex. Admin. Code § 290.46(m)(4)].
- 11. Failed to prevent the unauthorized discharge of industrial wastewater into or adjacent to water in the state. Specifically, an unauthorized discharge from the Facility's Plant No. 2 consisting of sand waste from the sand settling tank was observed [30 Tex. Admin. Code § 290.42(i) and Tex. Water Code § 26.121(a)(1)].

### Corrective Actions/Technical Requirements

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

N/A

### **Technical Requirements:**

The Order will require the Respondent to:

- a. Immediately, cease discharging sand waste from the sand settling tank of Plant No. 22 and begin capturing the sand waste in a receptacle to be adequately disposed of.
- b. Within 15 days, submit written certification to demonstrate compliance with a.
- c. Within 30 days:
- i. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the records of the results of inspections for all water storage and pressure maintenance facilities; and
- ii. Secure the electrical wiring in compliance with a local or national code, including but not limited to, enclosing the wiring for the pressure tank and 140 gpm service pump in conduit at Plant No. 2.
- d. Within 45 days, submit written certification to demonstrate compliance with c.
- e. Within 60 days:
- i. Provide the two 12,000-gallon GSTs with a liquid level indicator;

- ii. Repair or replace the screening material on the roof vent of the right GST at Plant No. 2 in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen; and
- iii. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to discharge line for Well No. 2.
- f. Within 75 days, submit written certification to demonstrate compliance with e.
- g. Within 90 days, repair and maintain the intruder-resistant fence used to protect the Facility's water treatment plants, well units, and related appurtenances, including but not limited to repairing the fencing and barbed wire around Plant Nos. 1 and 2.
- h. Within 105 days, submit written certification to demonstrate compliance with g.
- i. Within 180 days:
- i. Provide a well capacity of at least 0.6 gpm per connection;
- ii. Provide two or more service pumps having a total capacity of 2.0 gpm per connection;
- iii. Provide a total storage capacity of 200 gallons per connection; and
- iv. Provide a minimum pressure tank capacity of 20 gallons per connection; and
- j. Within 195 days, submit written certification to demonstrate compliance with i.i. through i.v.

### **Contact Information**

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Kaisie Hubschmitt, Enforcement Division,

Enforcement Team 4, MC 219, (512) 239-1482; Michael Parrish, Enforcement Division,

MC 219, (512) 239-2548

Respondent: Edward R. Wallace Sr., President, Undine Texas, LLC, P.O. Box 1966,

Cypress. Texas 77410

Carey A. Thomas, Senior Vice President, Undine Texas, LLC, P.O. Box 1966, Cypress,

Texas 77410

Respondent's Attorney: N/A



## Penalty Calculation Worksheet (PCW)

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

DATES Assigned 16-Jan-2024
PCW 29-Jan-2024 Screening 16-Jan-2024 EPA Due

RESPONDENT/FACILITY INFORMATION
Respondent Undine Texas, LLC (PCW No. 1 of 2)
Reg. Ent. Ref. No. RN101283505
Facility/Site Region 10-Beaumont Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 65266
Docket No. 2024-0092-MLM-E
Media Program(s) Public Water Supply
Multi-Media Water Quality

Admin. Penalty \$ Limit Minimum \$50 Maximum

No. of Violations 10
Order Type 1660
Government/Non-Profit No
Enf. Coordinator Claudia Bartley
EC's Team Enforcement Team 4

Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$10,500 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 Notes No adjustment for Compliance History. Culpability No Subtotal 4 \$0 0.0% Enhancement Notes The Respondent does not meet the culpability criteria. **Good Faith Effort to Comply Total Adjustments** Subtotal 5 \$0 **Economic Benefit** Subtotal 6 \$0 0.0% Enhancement\* Total EB Amounts \$10,172 Capped at the Total EB \$ Amount Estimated Cost of Compliance **SUM OF SUBTOTALS 1-7** Final Subtotal \$10,500 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment **\$0** Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$10,500 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$10,500 20.0% -\$2,100 **DEFERRAL** Reduction Adjustment Reduces the Final Assessed Penalty by the indicated percentage. Notes Deferral offered for expedited settlement. **PAYABLE PENALTY** \$8,400

Screening Date 16-Jan-2024

**Respondent** Undine Texas, LLC (PCW No. 1 of 2)

**Case ID No.** 65266

Reg. Ent. Reference No. RN101283505

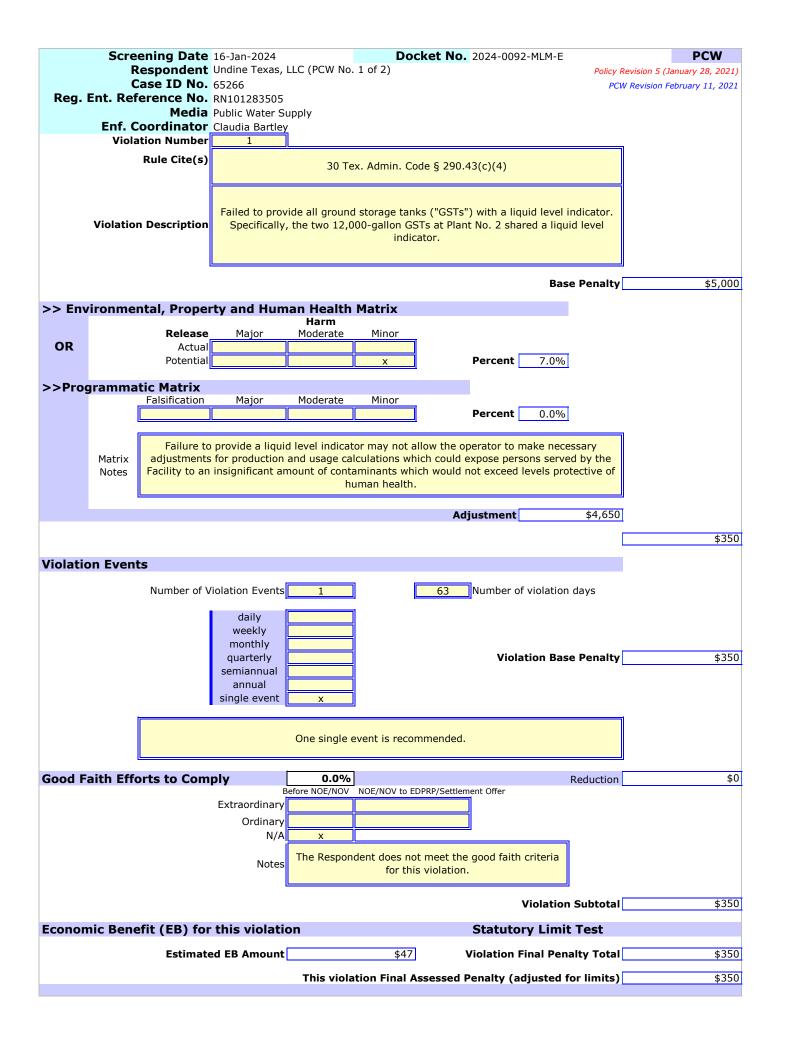
**Media** Public Water Supply

Enf. Coordinator Claudia Bartley

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

**PCW** 

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



Economic Benefit Worksheet								
Respondent	Undine Texas,	LLC (PCW No. 1 c	of 2)					
Case ID No.	Case ID No. 65266							
Reg. Ent. Reference No.	RN101283505							
	Public Water S						Years of	
Violation No.		/				Percent Interest	Depreciation	
						5.0		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description	20000	Date Required	· mai bate		ziitei est suveu	costs suveu	2D Amount	
Item Description								
Delayed Costs								
Equipment	\$200	16-Nov-2021	4-Apr-2025	3.38	\$2	\$45	\$47	
Buildings	\$200	10 1107 2021	17101 2025	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		s (\$200 x one GS	T), calculated fr	om the		l indicator for each og gation initially docu		
					'			
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$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		,		,, 0.00	, ¥¥	, <del>, , ,</del>		
Approx. Cost of Compliance		\$200			TOTAL		\$47	

	Screening Date			2024-0092-MLM-E	PCW
	Responden	t Undine Texas, LLC (PCW N	o. 1 of 2)	Policy	Revision 5 (January 28, 2021)
	Case ID No			PC	W Revision February 11, 2021
Reg. E	nt. Reference No				
		Public Water Supply			
	Enf. Coordinato				
	Violation Numbe		C 200 4F(b)(1)(C)(i)l	Tax Haalkh 0 Cafaba Cada C	<del>-</del> 1
	Rule Cite(s	30 Tex. Admin. Code	341.0315(c)	Tex. Health & Safety Code §	
			31110313(0)		
	Violation Description			minute ("gpm") per connection. uiring 97.8 gpm of well capacity.	
	Violation Description	-   /, /		led, indicating a 40% deficiency.	
		, , , , , , , , , , , , , , , , , , ,		,,	
					_
				Base Penalty	\$5,000
5 5 Fm.		and Harman Haal	ula Matuiss		
>> Envi	ironmentai, Prope	erty and Human Heal Harm	in Matrix		
	Releas		e Minor		
OR	Actua	al			
	Potentia	al X		Percent 15.0%	
>> Drog	rammatic Matrix				
>>Plog	rammatic Matrix Falsification	Major Moderate	e Minor		
	T disineution	Tidjoi Tioderae		Percent 0.0%	
					_
	Failure 1	to provide adequate well cap	acity could expose perso	ns served by the Facility to a	
				ls that are protective of human	
	Notes		health.		
				Adjustment \$4,250	
			•	Adjustment \$4,250	<u>/</u>
					\$750
\/:-I-4:-					
violatio	n Events				
	Number of	Violation Events 1	63	Number of violation days	
			<u> </u>	•	
		daily			
		weekly			
		monthly		Violetian Base Bonelto	+7F0
		quarterly x semiannual		Violation Base Penalty	\$750
		annual			
		single event			
			<u></u> 1		_
	One quarte	rly event is recommended, c	alculated from the Noven	nber 14, 2023 investigation date	
			ary 16, 2024 screening d		
					_
Good Fa	ith Efforts to Cor	nply 0.0	<b>%</b>	Reduction	\$0
		Before NOE/NO	NOE/NOV to EDPRP/Settle	ment Offer	
		Extraordinary			
		Ordinary			
		N/A x			
		The Respo	ndent does not meet the	good faith criteria for	
		Notes	this violation.		
				Violation Subtota	\$750
Econom	ic Benefit (EB) fo	r this violation		Statutory Limit Test	
			** 200		. ===
	Estima	ted EB Amount	\$1,299	Violation Final Penalty Tota	<b>I</b> \$750
		This v	iolation Final Assesse	d Penalty (adjusted for limits)	\$750

	E	conomic	Benefit	Woi	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1	of 2)				
Case ID No.	65266						
Reg. Ent. Reference No.	RN101283505	;					
	Public Water S					Percent Interest	Years of
Violation No.	2					reiteilt Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	16-Nov-2021	2-Aug-2025	3.71	\$62	\$1,237	\$1,299
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0 \$0
Remediation/Disposal Permit Costs				0.00	\$0	n/a n/a	\$0
Other (as needed)		1		0.00	\$0	n/a	\$0
Notes for DELAYED costs	connection, ca	alculated from the	date of the inve dat	estigation te of cor	n initially documer	pacity of at least 0. nting the violation to	the estimated
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,299

	<b>e</b> 16-Jan-2024 <b>Docket No.</b> 2024-0092-MLM-E	PC	W
0	t Undine Texas, LLC (PCW No. 1 of 2)	Policy Revision 5 (January 28,	, 2021)
Case ID No		PCW Revision February 11	1, 2021
Reg. Ent. Reference No	RN101283505		
	a Public Water Supply		
Enf. Coordinate			
Violation Number			
Rule Cite(		ode §	
	341.0315(c)		
Violation Description	Failed to provide a total storage capacity of 200 gallons per connection. Spon the Facility had 163 connections requiring a storage capacity of 32,600 gallons		
Violation Description	However, only 24,000 gallons was provided, indicating a 26% deficie		
	, . , . ,		
	Base	Penalty \$	5,000
>> Environmental Pror	erty and Human Health Matrix		
-> Environmental, 110p	Harm		
Releas	s <b>e</b> Major Moderate Minor		
OR Actu			
Potent	al X Percent 15.0%		
> Due and monetic Matrix			
>> Programmatic Matrix Falsification			
1 disiricació	Percent 0.0%		
	0.070		
	provide adequate storage capacity could expose persons served by the Facili		
Notes significar	nt amount of contaminants that would not exceed levels protective of human l	leaith.	
	Adjustment	\$4,250	
			\$750
			\$750
Violation Events			
Number o	f Violation Events 1 63 Number of violation of	days	
	detha		
	daily weekly		
	monthly		
	quarterly x Violation Base	Penalty	\$750
	semiannual	, i charty	4.55
	annual		
	single event		
One quarto	erly event is recommended, calculated from the November 14, 2023 investigated	tion date	
and quart	to the January 16, 2024 screening date.		
Good Faith Efforts to Co	mply 0.0%	Reduction	\$0
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		7.7
	Extraordinary		
	Ordinary		
	N/A x		
	The Respondent does not meet the good faith criteria for		
	The Respondent does not meet the good faith criteria for		
	Notes The Respondent does not meet the good faith criteria for this violation.	Subtotal	¢750
	Notes The Respondent does not meet the good faith criteria for this violation.  Violation	-	\$750
Economic Benefit (EB) fo	Notes The Respondent does not meet the good faith criteria for this violation.  Violation	-	\$750
	Notes The Respondent does not meet the good faith criteria for this violation.  Violation	Test	\$750 \$750
	Notes The Respondent does not meet the good faith criteria for this violation.  Violation  or this violation  Statutory Limit	Test	·

	Economic Benefit Worksheet							
Respondent	Undine Texas,	LLC (PCW No. 1 c	of 2)					
Case ID No.	<b>o.</b> 65266							
Reg. Ent. Reference No.	RN101283505	)						
	Public Water S						Years of	
Violation No.		7				Percent Interest	Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
zeem z esemparen								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction	\$18,490	16-Nov-2021	2-Aug-2025	3.71	\$229	\$4,576	\$4,805	
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 \$0	n/a n/a	\$0 \$0	
Other (as needed)				0.00	\$0	II/d	\$0	
	,					ge capacity of at lea		
Notes for DELAYED costs	per connecti					investigation intially	documenting	
		the	e violation to the	e estima	ated date of compl	iance.		
Avoided Costs	ANNU	ALIZE avoided c	osts before er	ntering	item (except for	one-time avoided	l costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs								
		+10 :00					+ 4 00 5	
Approx. Cost of Compliance		\$18,490			TOTAL		\$4,805	

		ening Date				et No. 2024-0092-MLM-E	PCW	٧
		•	Undine Texas,	LLC (PCW No.	1 of 2)		Policy Revision 5 (January 28, 2	2021)
_	_	ase ID No.					PCW Revision February 11,	2021
Reg.	Ent. Kef		RN101283505					
	Enf C		Public Water Su					
		tion Number	Claudia Bartley	1				
	VIOL	Rule Cite(s)	30 Tex Ad	min Code 8.2	90 45(h)(1)(C)(i	iii) and Tex. Health & Safety Code	8	
			55 T 0/11 / 14	3000 3 2	341.0315		3	
						having a total capacity of 2.0 gpr		
	Violatio	n Description			•	3 connections requiring a total ser		
		-	pump capacity	of 326 gpm.	However, only 26 deficien	50 gpm was provided, indicating a	1 20%	
					dencien	-y.		
						Base Pe	enalty \$5,	,000
>> Env	vironme	ntal. Prope	rty and Hum	nan Health	Matrix			
			_	Harm				
OR		<b>Release</b> Actual	Major	Moderate	Minor			
UK		Potential		Х		Percent 15.0%		
		roteritiai				15.0 %		
>>Prog	gramma	tic Matrix						
	,	Falsification	Major	Moderate	Minor			
	l					Percent 0.0%		
	Matrix					pose persons served by the Facilit		
	Notes	significant	amount of conta	aminants that	would not excee	d levels protective of human heal	tn.	
	,							
						Adjustment \$	4,250	
							\$	\$750
violatio	on Event	S						
		Number of \	/iolation Events	1		63 Number of violation days	5	
					· · · · · · · · · · · · · · · · · · ·			
			daily					
			weekly monthly					
			quarterly	Х		Violation Base Pe	•naltv ¢	\$750
			semiannual					<b>#</b> / 5 C
			annual					
			single event					
		One quarterly				November 14, 2023 investigation	date	
				to the January	/ 16, 2024 scree	ning date.		
Coade	aith Fff	who to Com	mly	0.001			ratio a	\$0
Good F	aitii Eiit	rts to Com		0.0% Before NOE/NOV	NOE/NOV to EDPRI		uction	ΨU
			Extraordinary	,	,			
			Ordinary					
			N/A	×				
				The Respond	lent does not me	et the good faith criteria for		
			Notes	The Heapene	this vio			
						Violation Sul	ototal	\$750
Econon	nic Bene	fit (EB) for	this violation	on		Statutory Limit Te	st	
					12 = 5 = 1	-		
		Estimate	ed EB Amount		\$2,599	Violation Final Penalty	Total \$	\$750
				This vio	lation Final Ass	sessed Penalty (adjusted for li	mits) \$	\$750

	E	conomic	<b>Benefit</b>	Wor	ksheet			
• • • • • • • • • • • • • • • • • • •		LLC (PCW No. 1 c	of 2)					
Case ID No.								
Reg. Ent. Reference No.							Years of	
Violation No.	Public Water S	ьирріу				Percent Interest	Depreciation	
						5.0	15	
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount	
Item Description								
Delayed Costs				1				
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)	+10.000	16 N 2021	2.4 2025	0.00	\$0	\$0	\$0	
Engineering/Construction	\$10,000	16-Nov-2021	2-Aug-2025	3.71	\$124	\$2,475	\$2,599	
Land Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0	
Training/Sampling				0.00	\$0	n/a n/a	\$0	
Remediation/Disposal		1		0.00	\$0	n/a	\$0	
Permit Costs				0.00	\$0	n/a	\$0	
Other (as needed)				0.00	\$0	n/a	\$0	
Notes for DELAYED costs	The delayed cost includes the estimated amount to provide two or more pumps having a total capacity of at least 2.0 gpm per connection at each pump station or pressure plane, calculated from the date of the investigation initially documenting the violation to the estimated date of compliance.							
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0 <b>\$</b> 0	\$0	
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Other (as needed)  Notes for AVOIDED costs		<u> </u>		0.00	Φ0	<b>\$</b> 0	<b>\$</b> U	
Approx. Cost of Compliance		\$10,000			TOTAL		\$2,599	

	Scre	ening Date	16-Jan-2024		Docke	et No. 2024-0092-MLM-E		PCW
	R	Respondent	Undine Texas, LLC	(PCW No.	1 of 2)		Policy Revis	ion 5 (January 28, 2021)
		Case ID No.					PCW Re	vision February 11, 2021
Reg.	Ent. Ref	ference No.						
			Public Water Supply	/				
			Claudia Bartley					
	Viola	ation Number	5 20 Taxa Adamia	C C 2	00.45(5)(1)(0)(5	Name d Taxa Harabba O Cafaba C	- d - C	
		Rule Cite(s)	30 Tex. Admin.	Code § 2	341.0315	(c) and Tex. Health & Safety C	ode 9	
					541.0515	(0)		
			Failed to provide	a minimur	m pressure tank o	apacity of 20 gallons per con	nection.	
	Violatio	n Description				requiring a pressure tank cap		
	Violatio	ii Description	3,260 gallons.	However,		ns was provided, indicating ar	า 8%	
					deficiency	<b>/</b> .		
						Base	Penalty	\$5,000
>> En:	vironma	ntal Drone	rty and Human	Health	Matrix			
// LIIV	vii Oillile	iitai, Piopei		Harm	Matrix			
		Release	Major M	oderate	Minor			
OR		Actual						
		Potential			Х	Percent 7.0%		
>>Pro	aramma	itic Matrix						
// 10	grannia	Falsification	Major M	oderate	Minor			
						Percent 0.0%		
	Matrix					ult in water outages and low		
	Notes	problems, exp	J 1	,	, ,	nificant amount of contamina	<mark>nts which</mark>	
			would not exce	ed levels	that are protectiv	e of human health.		
						Adjustment	\$4,650	
						Aujustinent	ψ 1/050	
								\$350
Violati	on Even	<b>L</b> a						
Violatio	OII EVEII	LS						
		Number of \	/iolation Events	1		63 Number of violation d	lays	
			daily					
			weekly					
			monthly quarterly			Violation Base	Popalty	\$350
			semiannual			Violation base	Penalty	\$230
			annual					
			single event	Х				
			0					
			U	ne single	event is recomme	enueu.		
Good F	aith Eff	orts to Com		0.0%			Reduction	\$0
				NOE/NOV	NOE/NOV to EDPRP/	Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	Х				
			Notes The	Respond		et the good faith criteria for		
			Notes		this viola	ation.		
						Violation	Subtotal	\$350
Econor	nic Bene	efit (EB) for	this violation			Statutory Limit	Test	
		Fetimate	ed EB Amount		\$1,299	Violation Final Pena	lty Total	\$350
		Latiniate	La ED AMOUNT				_	Ψ330
				This vio	lation Final Ass	essed Penalty (adjusted fo	r limits)	\$350

Economic Benefit Worksheet								
Respondent	Undine Texas,	LLC (PCW No. 1 c	of 2)					
Case ID No.	65266							
Reg. Ent. Reference No.	RN101283505							
	Public Water S						Years of	
Violation No.						Percent Interest	Depreciation	
Violation ito:	J					5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description	Item Cost	Dute Required	rinai Date	5	Interest Savea	COSIS SUVCU	LD Amount	
Item Description								
Delayed Costs								
Equipment	\$5,000	16-Nov-2021	2-Aug-2025	3.71	\$62	\$1,237	\$1,299	
Buildings	\$3,000	10 NOV 2021	2 Aug 2023	0.00	\$02	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0	n/a	\$0	
Record Keeping System				0.00	\$0	n/a	\$0	
Training/Sampling				0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs				0.00	\$0	n/a	\$0	
Other (as needed)				0.00	\$0	n/a	\$0	
	The delayed	cost includes the	ectimated amou	nt to nr	ovido a proceuro t	ank capacity of at le	act 20 gallons	
Notes for DELAYED costs						ting the violation to		
Notes for DELAYED Costs	per connecti	on, calculated from	_		•	ling the violation to	the estimated	
			dat	e or cor	npliance.			
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d costs)	
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs								
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,299	

Screening Date			et No. 2024-0092-MLM-E	PCW
•	Undine Texas, LLC (PCW N	lo. 1 of 2)	Po	licy Revision 5 (January 28, 2021)
Case ID No.				PCW Revision February 11, 2021
Reg. Ent. Reference No.				
	Public Water Supply			
Enf. Coordinator Violation Number				
Rule Cite(s)				<del></del>
Rule Cite(s)	30 Tex. Ad	lmin. Code § 290.46	5(f)(2) and (f)(3)(D)(ii)	
			maintenance records and make th	
Violation Description			Director upon request. Specifically,	
	results of inspections for a	not available for not available for	d pressure maintenance facilities w	ere
		not available for	review.	
			Base Pena	\$5,000
>> Environmental, Prope	rty and Human Healt	th Matrix		
z z zminomientan, i rope	Harm	in Flatin		
Release		e Minor		
OR Actual				
Potential			Percent 0.0%	
>>Programmatic Matrix				
Falsification	Major Moderate	e Minor		
		X	Percent 1.0%	
Matrix				
Notes	Less than 30% of t	the rule requirement	ts were not met.	
			Adjustment \$4,	950
			<u> </u>	150
				\$50
<b>Violation Events</b>				
Number of \	Violation Events 1		Number of violation days	
	daily	<u> </u>		
	weekly			
	monthly			
	quarterly		Violation Base Pena	sity \$50
	semiannual			
	annual			
	single event x			
	One sing	le event is recomme	ended.	
Cood Foith Efforts to Com	0.00	v .		
Good Faith Efforts to Com		NOE/NOV to EDPRP	Reduct /Settlement Offer	cion \$0
	Extraordinary	NOL/NOV to EDITAL	Section of the sectio	
	Ordinary			
	N/A x			
			at the good faith suitagis for	
	Notes The Respo	this viols	et the good faith criteria for	
		tino viole		
			Violation Subto	otal \$50
Economic Benefit (EB) for	this violation		Statutory Limit Test	
Estimate				
	ed EB Amount	\$3	Violation Final Penalty To	otal \$50
			Violation Final Penalty To essed Penalty (adjusted for lim	

Economic Benefit Worksheet								
Respondent	Undine Texas,	LLC (PCW No. 1	of 2)					
Case ID No.	65266							
Reg. Ent. Reference No.								
	Public Water S						Years of	
Violation No.		ларріу				<b>Percent Interest</b>	Depreciation	
Violation No.	O .					ГО		
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
Delayed Costs				_				
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0	n/a	\$0	
Record Keeping System	\$45	14-Nov-2023	5-Mar-2025	1.31	\$3	n/a	\$3	
Training/Sampling				0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs				0.00	\$0	n/a	\$0	
Other (as needed)		]		0.00	\$0	n/a	\$0	
	The delaye	d cost includes th	e estimated am	ount to	maintain water wo	rks operation and r	naintenance	
Notes for DELAYED costs	records and m	nake them readily	available for rev	view by	the Executive Dire	ctor upon request,	calculated from	
		the inv	estigation date t	o the es	stimated date of co	ompliance.		
						<u> </u>		
Avoided Costs	ANNU	ALIZE avoided o	osts before en			one-time avoided		
Disposal				0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				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								
Notes for Avoible costs								
•								
Approx. Cost of Compliance		\$45			TOTAL		\$3	
• • • • •	1	Ψ.5]					T 2 1	

Screening Date			<b>No.</b> 2024-0092-MLM-E	PCW
	Undine Texas, LLC (PCW No.	. 1 of 2)	F	Policy Revision 5 (January 28, 2021)
Case ID No.	65266			PCW Revision February 11, 2021
Reg. Ent. Reference No.				
	Public Water Supply			
Enf. Coordinator	Claudia Bartley			
Violation Number	7			
Rule Cite(s)	30 Tex. Admin	. Code §§ 290.41(c)	(3)(0) and 290.42(m)	
Violation Description	treatment plant, well unit, periods of darkness and wh there were broken or m Additionally, at Plant No. 2 t middle-left side, and the top	and related appurte en the Facility is una nissing strands of ba there were large gap	or well house around each wate nances that remains locked dur attended. Specifically, at Plant N rbed wire around its perimeter. as at the back-left corner, under the and the fence and barbed wire was bent.	r the
			Base Per	nalty \$5,000
>> Environmental, Proper	rty and Human Health	Matrix		
	Harm			
Release	Major Moderate	Minor		
OR Actual				
Potential	Х		Percent 15.0%	
>> Duogrammatic Matrix				
>> Programmatic Matrix Falsification	Major Moderate	Minor		
1 disincation	Moderate	Millor	Percent 0.0%	
			0.070	
Matrix Notes of the faciliti		ersons served by the		
				\$750
				7.55
Violation Events				
Number of \	/iolation Events 2	63	Number of violation days	
	daily weekly monthly quarterly semiannual annual single event		Violation Base Per	s1,500
Two quarterly	events are recommended (o 2023 investigation date to		), calculated from the Novembe 24 screening date.	r 14,
<b>Good Faith Efforts to Com</b>	ply 0.0%		Redu	ction \$0
	Before NOE/NOV	NOE/NOV to EDPRP/Se	ttlement Offer	
	Extraordinary			
	Ordinary			
	N/A x	<u> </u>		
	Notes The Respond	dent does not meet this violati	the good faith criteria for on.	
			Violation Sub	<b>total</b> \$1,500
Economic Benefit (EB) for	this violation		Statutory Limit Tes	it
		. = . 1		
Estimate	ed EB Amount	\$51	Violation Final Penalty 1	Fotal \$1,500
			violation Final Femalty	\$1,500
		<u> </u>	sed Penalty (adjusted for lin	

	E	conomic	Benefit	Woı	rksheet		
		LLC (PCW No. 1 o	of 2)				
Case ID No.							
Reg. Ent. Reference No.	RN101283505						
	Public Water S					Percent Interest	Years of
Violation No.	7					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	20000	Date Required	· mai bate		ziitoi est savea	costs surcu	LD Amount
Item Description							
Delayed Costs							
Delayed Costs Equipment	1	ı ı		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)	\$500	14-Nov-2023	4-May-2025	1.47	\$2	\$49	\$51
Engineering/Construction	\$300	14 NOV 2023	+ May 2023	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	,	2, calculated from	n the investigat	ion date	e to the estimated	esistant fencing at Pl date of compliance.	
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs		1		<u>  0.00</u>	<u>)                                    </u>	1 40 1	Ψ0
Approx. Cost of Compliance		\$500			TOTAL		\$51

		ening Date				et No. 2024-0092-MLM	I-E	PCW
	R	Respondent	Undine Texas,	LLC (PCW No.	1 of 2)		Policy R	evision 5 (January 28, 2021)
		Case ID No.	65266				PCW	/ Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN101283505					
			Public Water S					
	Enf. C		Claudia Bartley					
		ation Number	8	á				
		Rule Cite(s)						
				30 1	ex. Admin. Code	§ 290.43(c)(1)		
	Violatio	n Description	by an engi Association	neer and insta standards and ifically, there v	lled in strict according to the strict according to th	roof vent or a roof ventile ordance with American Wall corrosion-resistant 16-min the center of the scree t Plant No. 2.	ater Works nesh or finer	
							Base Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Hun		Matrix			
				Harm				
00		Release	Major	Moderate	Minor			
OR		Actual				<u> </u>		
		Potential		Х		Percent 15.	0%	
> > D	~ ~ ~ ~ ~ ~ ~	tie Matrix						
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor			
		1 alsilication	Major	Moderate	MINO	Percent 0.	0%	
						reiteilt 0.	0 70	
		E-thouse to o			on the CCT			
	Matrix					could result in persons se		
	Notes	racility bell	ig exposed to a		ive of human he	nants which would not ex	ceed levels	
				protect	ve or numan ne	11(11.		
						Adiustusant	#4 2E0	
						Adjustment	\$4,250	
							Ī	\$750
							I	\$750
Violatio	on Even	ts					Ī	\$750
Violatio	on Even	ts						\$750
Violatio	on Even		/iolation Events	1		63 Number of viola	tion days	\$750
Violatio	on Even		/iolation Events	1		63 Number of viola	tion days	\$750
Violatio	on Even		/iolation Events daily	1		63 Number of viola	tion days	\$750
Violatio	on Even		daily weekly	1		63 Number of viola	tion days	\$750
Violatio	on Even		daily weekly monthly	1			,	·
Violatio	on Even		daily weekly monthly quarterly	1 x			tion days Base Penalty	\$750 \$750
Violatio	on Even		daily weekly monthly quarterly semiannual				,	·
Violatio	on Even		daily weekly monthly quarterly semiannual annual				,	·
Violatio	on Even		daily weekly monthly quarterly semiannual				,	·
Violatio	on Even		daily weekly monthly quarterly semiannual annual				,	·
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x amended, calc		Violation  date of the investigation,	Base Penalty	·
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x amended, calc	ulated from the of screening, Jar	Violation  date of the investigation,	Base Penalty	·
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x amended, calc		Violation  date of the investigation,	Base Penalty	·
		Number of \	daily weekly monthly quarterly semiannual annual single event	x mended, calco	of screening, Jar	Violation  date of the investigation,	Base Penalty  November 14,	·
		Number of \	daily weekly monthly quarterly semiannual annual single event	x x mended, calco	of screening, Jar	Violation date of the investigation, uary 16, 2024.	Base Penalty	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event	x mended, calc b, to the date  0.0% Before NOE/NOV	of screening, Jar	Violation date of the investigation, uary 16, 2024.	Base Penalty  November 14,	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event event is recom 2023	x mended, calcomerates and the company of the date of the date of the company of	of screening, Jar	Violation date of the investigation, uary 16, 2024.	Base Penalty  November 14,	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary	x mmended, calcommended, calco	of screening, Jar	Violation date of the investigation, uary 16, 2024.	Base Penalty  November 14,	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event event is recom 2023	x amended, calco	of screening, Jar	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer	November 14,  Reduction	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A	x  mmended, calco B, to the date  0.0% Before NOE/NOV  x  The Respondence of the control of the	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria	November 14,  Reduction	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary	x  mmended, calco B, to the date  0.0% Before NOE/NOV  x  The Respondence of the control of the	of screening, Jar	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria	November 14,  Reduction	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A	x  mmended, calco B, to the date  0.0% Before NOE/NOV  x  The Respondence of the control of the	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria	November 14,  Reduction	\$750
		Number of \	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A	x  mmended, calco B, to the date  0.0% Before NOE/NOV  x  The Respondence of the control of the	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.	November 14,  Reduction	\$750
Good F	aith Effe	One quarterly	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A Notes	x x mmended, calco a, to the date of the NOE/NOV x The Respond	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.  Viola	Base Penalty  November 14,  Reduction  for  tion Subtotal	\$750 \$0
Good F	aith Effe	One quarterly	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A	x x mmended, calco a, to the date of the NOE/NOV x The Respond	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.	Base Penalty  November 14,  Reduction  for  tion Subtotal	\$750 \$0
Good F	aith Effe	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A Notes	x amended, calco b, to the date  0.0% Before NOE/NOV  X The Respond	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.  Viola  Statutory Li	Base Penalty  November 14,  Reduction  for  tion Subtotal  mit Test	\$750 \$0 \$750
Good F	aith Effe	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A Notes	x amended, calco b, to the date  0.0% Before NOE/NOV  X The Respond	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.  Viola	Base Penalty  November 14,  Reduction  for  tion Subtotal  mit Test	\$750 \$0
Good F	aith Effe	One quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event  event is recom 2023  ply  Extraordinary Ordinary N/A Notes	x mended, calc b, to the date  0.0% Before NOE/NOV  x The Respond	NOE/NOV to EDPR	Violation  date of the investigation, uary 16, 2024.  P/Settlement Offer  eet the good faith criteria lation.  Viola  Statutory Li	November 14,  Reduction  for  tion Subtotal mit Test Penalty Total	\$750 \$0 \$750

	E	conomic	Benefit	Wor	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1	of 2)				
Case ID No.	65266						
Reg. Ent. Reference No.	RN101283505	; )					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$25	14-Nov-2023	4-Apr-2025	1.39	\$0	\$2	\$2
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	for the roo	of vent on the righ	t GST at Plant I estimate	lo. 2, ca	alculated from the of compliance.	resistant 16-mesh of date of the investig	ation to the
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	•
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)  Notes for AVOIDED costs				<u>ji 0.00</u>	<u>  \$U                                   </u>	<u> </u>	\$0
Approx. Cost of Compliance		\$25			TOTAL		\$2

Respondent Case ID No. Reg. Ent. Reference No.		<b>Docket No.</b> 2024-0092-MLM-E	PCW
	Undine Texas, LLC (PCW No	o. 1 of 2)	Policy Revision 5 (January 28, 2021)
Rea. Ent. Reference No.			PCW Revision February 11, 2021
11091 =1101 110101 11101	RN101283505		
	Public Water Supply		
Enf. Coordinator	Claudia Bartley		
Violation Number	9		
Rule Cite(s)	30	) Tex. Admin. Code § 290.46(v)	
Violation Description	local or national electrica located at the top of the pr electrical wiring and wire o	electrical wiring is securely installed in compliance of code. Specifically, at Plant No. 2, the electrical was not enclosed in conduit and the caps for the 140 gpm service pump were exposed nnection with the electrical box.	r <mark>iring</mark> spliced
			Penalty \$5,000
>> Environmental, Prope		h Matrix	
Release	Harm Major Moderate	Minor	
OR Actual	Major Moderate	Minor	
Potential	Х	Percent 30.0%	
rotential	_ ^	1 creene 30.0 %	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0.0%	
	1		
Matrix	9	stalled in compliance with a local or national code	
Notes cause equip		in low pressure or outages which could expose pe	
served by t	ne Facility to contaminants v	which would exceed levels protective of human he	altn.
		Adjustment	\$3,500
		•	
			\$1,500
<b>Violation Events</b>			
Number of N	(inlation Frants	Nbarr of violation de	
Number of	/iolation Events 3	63 Number of violation da	
			ys
	daily	<b>¬</b>	ys
	daily		ys
	weekly		ys
	weekly x	Violation Rase 5	
	weekly x nonthly quarterly	Violation Base F	
	weekly monthly quarterly semiannual	Violation Base F	
	weekly monthly quarterly semiannual annual	Violation Base F	
	weekly monthly quarterly semiannual	Violation Base F	
	weekly monthly quarterly semiannual annual single event		<b>Penalty</b> \$4,500
Three mont	weekly monthly x quarterly semiannual annual single event  any events are recommended	d, calculated from the November 14, 2023 investic	<b>Penalty</b> \$4,500
Three mont	weekly monthly x quarterly semiannual annual single event  any events are recommended		<b>Penalty</b> \$4,500
	weekly monthly quarterly semiannual annual single event  nly events are recommended date to the Jane	d, calculated from the November 14, 2023 investic	<b>Penalty</b> \$4,500
Three mont  Good Faith Efforts to Com	weekly monthly quarterly semiannual annual single event  nly events are recommended date to the Janu  ply  0.0%	d, calculated from the November 14, 2023 investiguary 16, 2024 screening date.	<b>Penalty</b> \$4,500
	weekly monthly quarterly semiannual annual single event  mly events are recommended date to the Janu  ply  0.0%  Before NOE/NOV	d, calculated from the November 14, 2023 investiguary 16, 2024 screening date.	pation \$4,500
	weekly monthly quarterly semiannual annual single event  nly events are recommended date to the Janu  ply  0.0%	d, calculated from the November 14, 2023 investiguary 16, 2024 screening date.	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event  mly events are recommended date to the Janu  ply  0.0%  Before NOE/NOV	d, calculated from the November 14, 2023 investiguary 16, 2024 screening date.	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event  nly events are recommended date to the Janu  ply  Before NOE/NOV  Extraordinary	d, calculated from the November 14, 2023 investiguary 16, 2024 screening date.	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Jane  Before NOE/NOV Extraordinary Ordinary N/A x	Review of the November 14, 2023 investiguary 16, 2024 screening date.  Review of NOE/NOV to EDPRP/Settlement Offer	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Jane  Before NOE/NOV Extraordinary Ordinary N/A x	Revoluted from the November 14, 2023 investiguary 16, 2024 screening date.  Revolution NOE/NOV to EDPRP/Settlement Offer Indicate the good faith criteria for Indicate the Indicate the good faith criteria for Indicate the good faith criteria for Indicate the	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event  ply events are recommended date to the Janual  Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Review of the November 14, 2023 investiguary 16, 2024 screening date.  Review of NOE/NOV to EDPRP/Settlement Offer	Penalty \$4,500
	weekly monthly quarterly semiannual annual single event  ply events are recommended date to the Janual  Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Reconstruction of the November 14, 2023 investiguary 16, 2024 screening date.  Reconstruction of the November 14, 2023 investiguary 16, 2024 screening date.  Reconstruction of the November 14, 2023 investiguary 16, 2024 screening date.	pation \$0
	weekly monthly quarterly semiannual annual single event  ply events are recommended date to the Janual  Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Revoluted from the November 14, 2023 investiguary 16, 2024 screening date.  Revolution NOE/NOV to EDPRP/Settlement Offer Indicate the good faith criteria for Indicate the Indicate the good faith criteria for Indicate the good faith criteria for Indicate the	pation \$0
Good Faith Efforts to Com	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Jane  ply 0.0%  Before NOE/NOW Extraordinary Ordinary N/A x  Notes  The Respon	Review of the November 14, 2023 investiguary 16, 2024 screening date.  Review of NOE/NOV to EDPRP/Settlement Offer addent does not meet the good faith criteria for this violation.	\$4,500   \$4,500
	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Jane  ply 0.0%  Before NOE/NOW Extraordinary Ordinary N/A x  Notes  The Respon	Review Note Note Note 14, 2023 investiguary 16, 2024 screening date.  Review NoE/NOV to EDPRP/Settlement Offer Indent does not meet the good faith criteria for this violation.  Violation Setatutory Limit T	pation \$4,500  duction \$0  ubtotal \$4,500
Good Faith Efforts to Com  Economic Benefit (EB) for	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Jane  ply 0.0%  Before NOE/NOW Extraordinary Ordinary N/A x  Notes  The Respon	Review of the November 14, 2023 investiguary 16, 2024 screening date.  Review of NOE/NOV to EDPRP/Settlement Offer addent does not meet the good faith criteria for this violation.	pation \$4,500  duction \$0  ubtotal \$4,500
Good Faith Efforts to Com  Economic Benefit (EB) for	weekly monthly quarterly semiannual annual single event   ply events are recommended date to the Janual  Extraordinary Ordinary N/A x Notes  The Respon	Review Note Note Note 14, 2023 investiguary 16, 2024 screening date.  Review NoE/NOV to EDPRP/Settlement Offer Indent does not meet the good faith criteria for this violation.  Violation Setatutory Limit T	\$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$4,500   \$

	E	conomic	Benefit	Woi	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1	of 2)				
Case ID No.	65266						
Reg. Ent. Reference No.	RN101283505						
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Équipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	14-Nov-2023	5-Mar-2025	1.31	\$1	\$17	\$18
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	natio	nal code, calculate	ed from the inv	estigatio	n date to the estin	viring in compliance nated date of compl	iance.
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$200			TOTAL		\$18

	Screen	iing Date	16-Jan-2024			<b>et No.</b> 2024-0092-MLM-E		PCW
	Res	spondent	Undine Texas,	LLC (PCW No.	. 1 of 2)		Policy R	evision 5 (January 28, 2021)
		se ID No.					PCV	V Revision February 11, 2021
Reg.	Ent. Refer	ence No.	RN101283505					
			Public Water St					
			Claudia Bartley					
	Violatio	on Number	10					,
	R	ule Cite(s)		30 T	ex. Admin. Code	§ 290.46(m)(4)		
						3		
	Violation C	Description	facilities, di	stribution sys	tem lines, and re	es, storage and pressure maint elated appurtenances in a wate fically, the discharge line for W ing.	ertight	
						Base	Penalty	\$5,000
>> Env	vironment	al, Propei	rty and Hum		Matrix			
		Release	Major	<b>Harm</b> Moderate	Minor			
OR		Actual	Hajoi	Hoderate	THIO			
		Potential		Х		Percent 15.0%		
>>Pro	grammatio	c Matrix						
	F	alsification	Major	Moderate	Minor			
						Percent 0.0%		
								•
		Failure to	maintain all wa	ter treatment	t units, storage a	and pressure maintenance facil	ities,	
	Matrix di	istribution sy	stem lines, and	related appu	rtenances in a w	atertight condition could expos	se person	
	Notes	served by t	the Facility to a			nants which would not exceed	levels	
				protecti	ive of human he	alth.		
	_							
						Adjustment	\$4,250	
								¢750
							,	\$750
Violatio	on Events							
Violati	on Events							
		Number of V	/iolation Events	1		63 Number of violation of	days	
					_			
			daily		]			
			weekly		1			
			monthly		1			
			quarterly	Х		Violation Base	Penalty	\$750
			semiannual					
			annual					
			single event		4			
					_			
					_			[
	C	One quarterly				November 14, 2023 investigat	ion date	
	C	One quarterly			culated from the y 16, 2024 scree		ion date	
		·	1				ion date	
Good F	aith Effort	·	ply	to the January	y 16, 2024 scree	ning date.	cion date	\$0
Good F		·	ply	to the January	y 16, 2024 scree	ning date.		\$0
Good F		·	<b>ply</b> E Extraordinary	to the January	y 16, 2024 scree	ning date.		\$0
Good F		·	<b>ply</b> Extraordinary Ordinary	0.0% Before NOE/NOV	y 16, 2024 scree	ning date.		\$0
Good F		·	<b>ply</b> E Extraordinary	to the January	y 16, 2024 scree	ning date.		\$0
Good F		·	<b>ply</b> Extraordinary Ordinary N/A	0.0% sefore NOE/NOV	y 16, 2024 scree	P/Settlement Offer		\$0
Good F		·	<b>ply</b> Extraordinary Ordinary	0.0% sefore NOE/NOV	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for		\$0
Good F		·	<b>ply</b> Extraordinary Ordinary N/A	0.0% sefore NOE/NOV	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for		\$0
Good F		·	<b>ply</b> Extraordinary Ordinary N/A	0.0% sefore NOE/NOV	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for plation.	Reduction	
	aith Effort	ts to Com	<b>ply</b> Extraordinary Ordinary N/A Notes	0.0% Sefore NOE/NOV  X  The Respond	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for plation.  Violation	Reduction Subtotal	\$0
	aith Effort	ts to Com	<b>ply</b> Extraordinary Ordinary N/A	0.0% Sefore NOE/NOV  X  The Respond	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for plation.	Reduction Subtotal	
	aith Effort	ts to Com	<b>ply</b> Extraordinary Ordinary N/A Notes	O.0% Sefore NOE/NOV  X  The Respond	y 16, 2024 scree	P/Settlement Offer  eet the good faith criteria for plation.  Violation	Reduction Subtotal	
	aith Effort	ts to Com	ply  Extraordinary Ordinary N/A Notes	O.0% Before NOE/NOV  X  The Respond	NOE/NOV to EDPR  NOE NOV to EDPR  dent does not me this vic	P/Settlement Offer  Leet the good faith criteria for plation.  Violation  Statutory Limit	Subtotal Test	\$750

	E	conomic	Benefit	<b>Wor</b>	ksheet		
		LLC (PCW No. 1 c	of 2)				
Case ID No.							
Reg. Ent. Reference No.							
медіа Violation No.	Public Water S 10	ьирріу				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings	1500			0.00	\$0	\$0	\$0
Other (as needed)	\$500	14-Nov-2023	4-Apr-2025	1.39	\$2	\$46	\$48
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System Training/Sampling				0.00	\$0	n/a n/a	\$0
Remediation/Disposal		1		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 i	nvestigation to	the estir	nated date of com		
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		<u>,, , , , , , , , , , , , , , , , , , ,</u>		<u>ji 0.00</u>	1 40	Ψ0	Ψ0
Approx. Cost of Compliance		\$500			TOTAL		\$48



# Penalty Calculation Worksheet (PCW)

OF THE PROPERTY OF THE PROPERT	Policy Rev	ision 5 (January 28,	2021)	aracioi	1 WOTKSTI	,	rision February 11, 2021
<b>DATES</b>		16-Jan-2024					
	PCW	23-Jul-2024	Screening 16-J	an-2024	EPA Due		
DECDO	NDENT/FACTIT	TV INFORMATI	ON				
KESPU		TY INFORMATI	LC (PCW No. 2 of 2	) \			
Rec	g. Ent. Ref. No.		LC (PCW NO. 2 01 2	(-)			
	ty/Site Region				Maior/Mi	nor Source Minor	
	ty, one negron	10 Bedainene			<b></b>		
CASE I	NFORMATION						
En	f./Case ID No.				No. of	Violations 1	
		2024-0092-MLM	1-E			Order Type 1660	
Med	lia Program(s)				Government/		
	Multi-Media	Public Water Su	pply			oordinator Claudia Bartley	
						EC's Team Enforcement T	eam 4
Adr	min. Penalty \$	Limit Minimum	\$0 <b>Max</b>	imum	\$25,000		
			Penalty C	Calculat	tion Sectio	n	
TOTAL	L BASE PENA	LTY (Sum of	f violation base	e penalt	ies)	Subtotal 1	\$3,750
		(••••••••		рошин	,		1-7
<b>ADJUS</b>	STMENTS (+	/-) TO SUBT	OTAL 1				
			g the Total Base Penalty				10
	Compliance Hi	story		0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
	Notes		No adjustment fo	r Complian	nce History		
	Notes		No adjustifient for	Compilar	ice miscory.		
			-				
	Culpability	No		0.0%	Enhancement	Subtotal 4	\$0
	<b>N</b>	The D			and a latter of antes of	-	
	Notes	I ne Re	espondent does not	meet the	culpability criteri	a.	
	Good Faith Eff	ort to Comply 1	Total Adjustments	•		Subtotal 5	\$0
		ore to compry	otal Aujustinones				
						_	
	<b>Economic Ben</b>				Enhancement*	Subtotal 6	\$0
	Estimated	Total EB Amounts d Cost of Compliance		*Capped	l at the Total EB \$ An	nount	
	Estimated	a cost of compliance	\$2,100				
SUM (	OF SUBTOTA	I S 1-7				Final Subtotal	\$3,750
3011	JI SODIOIA					i mai Subtotai	Ψ3,730
OTHE	P FACTORS	AS HISTICE N	MAY REQUIRE		0.0%	Adjustment	\$0
		Subtotal by the indi			0.0 70	Aujustinent	<del></del>
			р у.				
	Notes						
						Final Penalty Amount	\$3,750
						-	
STATU	JTORY LIMIT	<b>FADJUSTME</b>	NT			Final Assessed Penalty	\$3,750
						,	

20.0% **DEFERRAL** Adjustment -\$750 Reduction Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

**PAYABLE PENALTY** \$3,000 **Docket No.** 2024-0092-MLM-E

Respondent Undine Texas, LLC (PCW No. 2 of 2)

**Case ID No.** 65266

Reg. Ent. Reference No. RN101283505

**Media** Water Quality

**Enf. Coordinator** Claudia Bartley

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

Co	mulianee Histo	Compliance History Worksheet		
Col	Component	ory <i>Site</i> Enhancement (Subtotal 2)  Number of	Number	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
	Judgments	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%
	and Consent Decrees	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 (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
		I		
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
		Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
		Adjustment Per	centage (Sub	ototal 2)
Re	peat Violator (		roomtaga (Sub	statal 3) [
ا	·		centage (Sub	ototal 3)
Co	mpliance Histo	ory Person Classification (Subtotal 7)		
	Unclass	ified Adjustment Per	centage (Sub	total 7)
Co	mpliance Histo	ory Summary		
	Compliance History Notes	No adjustment for Compliance History.		
		Total Compliance History Adjustment Percentage (	Subtotals 2,	3, & 7)
F:	I Compliance	History Adjustment		

	Screening Date				<b>et No.</b> 2024-0092-MLM-E	PCW
	Respondent	Undine Texas,	LLC (PCW No.	2 of 2)		Policy Revision 5 (January 28, 2021)
	Case ID No.	65266				PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN101283505				
		Water Quality				
	Enf. Coordinator	Claudia Bartley	/			
	Violation Number	1				
	Rule Cite(s)	30 Tev	Admin Code 8	5 290 42(i) and	Tex. Water Code § 26.121(a)(1	
		30 Tex. /	Admin. Code 9	3 230.42(1) and	Tex. Water Code 9 20.121(a)(1	· )
	Violation Description	adjacent to w	ater in the sta	ate. Specifically	arge of industrial wastewater in v, an unauthorized discharge fro vaste from the sand settling tanl ed.	m the
					Base F	Penalty \$25,000
	_					
>> En	vironmental, Prope	rty and Hun		Matrix		
	Release	e Major	<b>Harm</b> Moderate	Minor		
OR	Actua		Houerate			
	Potentia			X	<b>Percent</b> 15.0%	
	i otentia				15.070	
>>Pro	grammatic Matrix					
	Falsification	Major	Moderate	Minor		
					Percent 0.0%	
	Human hea	Ith or the enviro	onment has be	en exposed to	an insignificant amount of pollu	itants
	Matrix Notes that do not o	exceed levels th	•	ive of human h of the violatio	ealth or environmental receptor n.	s as a
					Adjustment	21,250
						\$3,750
						ψ3/133
Violati	on Events					
	Number of \	Violation Events	1		63 Number of violation da	nys
		daily weekly				
		monthly				
		quarterly	×		Violation Base F	<b>Penalty</b> \$3,750
		semiannual				φογιου
		annual				
		single event				
	One quarterly	event is recom	mended, calcu	lated from the	November 14, 2023 investigati	on date
				16, 2024 scree	· · · · · · · · · · · · · · · · · · ·	
Good F	Faith Efforts to Com	vlar	0.0%		Ra	duction \$0
				NOE/NOV to EDP	RP/Settlement Offer	Ψ0
		Extraordinary				
		Ordinary				
		N/A				
		, , ,				
		Notes	The Respond	dent does not for this	meet the good faith criteria violation.	
					Violation S	ubtotal \$3,750
Econo	mic Benefit (EB) for	r this violati	on		Statutory Limit T	est
	,	ed EB Amount		\$172		
	:51111141				Violation Final Donalt	V Intal
	25011140	ed LB Amount		<b>\$172</b>	Violation Final Penalt	y Total \$3,750

	E	conomic	Benefit	Woi	ksheet						
		LLC (PCW No. 2	of 2)								
Case ID No.											
Reg. Ent. Reference No.											
	Water Quality					<b>Percent Interest</b>	Years of				
Violation No.	1						Depreciation				
						5.0	15				
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount				
Item Description											
_											
Delayed Costs	Delayed Costs										
Equipment				0.00	\$0	\$0	\$0				
Buildings				0.00	\$0	\$0	\$0				
Other (as needed)	+2.000	14.11 2022	10.1 2025	0.00	\$0	\$0	\$0				
Engineering/Construction	\$2,000	14-Nov-2023	19-Jan-2025	1.18	\$8	\$158	\$166				
Land Record Keeping System				0.00	\$0 \$0	n/a n/a	\$0 \$0				
Training/Sampling				0.00	\$0 \$0	n/a	\$0				
Remediation/Disposal				0.00	\$0	n/a	\$0				
Permit Costs				0.00	\$0	n/a	\$0				
Other (as needed)	\$100	14-Nov-2023	19-Jan-2025	1.18	\$6	n/a	\$6				
Notes for DELAYED costs	from the san	d filter in a recept	tacle to be dispo estimate cost includes the	sed of, d date of e estima	calculated from th of compliance.	unt to begin captur le date of the invest ase the discharge, of compliance.	tigation to the				
Avoided Costs	ANNUA	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d 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)  Notes for AVOIDED costs		<u> </u>		0.00	<u>  \$0</u>	\$0	\$0				
Approx. Cost of Compliance		\$2,100			TOTAL		\$172				

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 CN605397827, RN101283505, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or CN605397827, Undine Texas, LLC Classification: UNCLASSIFIED Rating: -----

Owner/Operator:

Regulated Entity: RN101283505, TAYLOR LAKE ESTATES Classification: NOT APPLICABLE Rating: N/A

WATER SYSTEM

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

CH Group: 14 - Other

**Location:** 1071 EAST TAYLOR LAKE CIRCLE IN LIVINGSTON, POLK COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1870064

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

Date Compliance History Report Prepared: July 23, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 23, 2019 to July 23, 2024

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

Name: Claudia Bartley Phone: (512) 239-1116

### 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.):

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

н. \	Voluntary	on-site	compliance	assessment	dates:
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N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

**Sites Outside of Texas:** 

N/A

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN § BEFORE THE
ENFORCEMENT ACTION §
CONCERNING § TEXAS COMMISSION ON
UNDINE TEXAS, LLC §
RN101283505 § ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2024-0092-MLM-E

### I. JURISDICTION AND STIPULATIONS

On	the Texas Commission on Environmental Quality ("the
Commission" or "TCEQ") of	onsidered this agreement of the parties, resolving an enforcement
action regarding Undine T	'exas, LLC (the "Respondent") under the authority of Tex. Water Code
chs. 7 and 26 and Tex. Hea	ALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ,
through the Enforcement	Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates a public water supply located at 1071 East Taylor Lake Circle in Livingston, Polk County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 163 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). The Facility is near or adjacent to water in the state as defined in Tex. Water Code § 26.001(5).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code §§ 7.002, 7.051, and 7.073 and Tex. Health & Safety Code § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 and Tex. Health & Safety Code § 341.031 because it alleges violations of Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 26, and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$14,250 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$11,400 of the penalty and \$2,850 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

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

- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

#### II. ALLEGATIONS

During an investigation at the Facility conducted on November 14, 2023, an investigator documented that the Respondent:

- 1. Failed to provide all ground storage tanks ("GSTs") with a liquid level indicator, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(4). Specifically, the two 12,000-gallon GSTs at Plant No. 2 shared a liquid level indicator.
- 2. Failed to provide a well capacity of 0.6 gallons per minute ("gpm") per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(i) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Facility had 163 connections requiring 97.8 gpm of well capacity. However, only 59 gpm of well capacity was provided, indicating a 40% deficiency.
- 3. Failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Facility had 163 connections requiring a storage capacity of 32,600 gallons. However, only 24,000 gallons was provided, indicating a 26% deficiency.
- 4. Failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Facility had 163 connections requiring a total service pump capacity of 326 gpm. However, only 260 gpm was provided, indicating a 20% deficiency.
- 5. Failed to provide a minimum pressure tank capacity of 20 gallons per connection, in violation of 30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code § 341.0315(c). Specifically, the Facility had 163 connections requiring a pressure tank capacity of 3,260 gallons. However, only 3,000 gallons was provided, indicating an 8% deficiency.
- 6. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(D)(ii). Specifically, the results of inspections for all water storage and pressure maintenance facilities were not available for review.

- 7. Failed to provide an intruder-resistant fence or well house around each water treatment plant, well unit, and related appurtenances that remains locked during periods of darkness and when the Facility is unattended, in violation of 30 Tex. Admin. Code §§ 290.41(c)(3)(O) and 290.42(m). Specifically, at Plant No. 1 there were broken or missing strands of barbed wire around its perimeter. Additionally, at Plant No. 2 there were large gaps at the back-left corner, under the middle-left side, and the top-left side of the fence and the fence and barbed wire at the front-right corner was bent.
- 8. Failed to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with American Water Works Association ("AWWA") standards and equipped with a corrosion-resistant 16-mesh or finer screen, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(1). Specifically, there was a large hole in the center of the screening material on the right GST at Plant No. 2.
- 9. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 Tex. Admin. Code § 290.46(v). Specifically, at Plant No. 2, the electrical wiring located at the top of the pressure tank was not enclosed in conduit and the spliced electrical wiring and wire caps for the 140 gpm service pump were exposed at the connection with the electrical box.
- 10. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids, in violation of 30 Tex. Admin. Code § 290.46(m)(4). Specifically, the discharge line for Well No. 2 was leaking.
- 11. Failed to prevent the unauthorized discharge of industrial wastewater into or adjacent to water in the state, in violation of 30 Tex. Admin. Code § 290.42(i) and Tex. Water Code § 26.121(a)(1). Specifically, an unauthorized discharge from the Facility's Plant No. 2 consisting of sand waste from the sand settling tank was observed.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Undine Texas, LLC, Docket No. 2024-0092-MLM-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Order, cease discharging sand waste from the sand settling tank at Plant No. 2 and begin capturing the sand waste in a receptacle to be adequately disposed of, in accordance with 30 Tex. ADMIN. CODE § 290.42(i).
  - b. Within 15 days after the effective date of this Order, submit written certification to the addresses under Ordering Provision No. 2.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
  - c. Within 30 days after the effective date of this Order:
    - i. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the records of the results of inspections for all water storage and pressure maintenance facilities, in accordance with 30 Tex. Admin. Code § 290.46; and
    - ii. Secure the electrical wiring in compliance with a local or national code, including but not limited to, enclosing the wiring for the pressure tank and 140 gpm service pump in conduit at Plant No. 2, in accordance with 30 Tex. Admin. Code § 290.46.
  - d. Within 45 days after the effective date of this Order, submit written certification to the addresses under Ordering Provision No. 2.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.i and 2.c.ii.
  - e. Within 60 days after the effective date of this Order:
    - i. Provide the two 12,000-gallon GSTs with a liquid level indicator, in accordance with 30 Tex. Admin. Code § 290.43;
    - ii. Repair or replace the screening material on the roof vent of the right GST at Plant No. 2 in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen, in accordance with 30 Tex. ADMIN. CODE § 290.43; and
    - iii. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units and all related appurtenances in a watertight condition, including but not limited to discharge line for Well No. 2, in accordance with 30 Tex. Admin. Code § 290.46.

- f. Within 75 days after the effective date of this Order, submit written certification to the addresses under Ordering Provision No. 2.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.e.i through 2.e.iii.
- g. Within 90 days after the effective date of this Order, repair and maintain the intruder-resistant fence used to protect the Facility's water treatment plants, well units, and related appurtenances, including but not limited to repairing the fencing and barbed wire around Plant Nos. 1 and 2, in accordance with 30 Tex. ADMIN. CODE §§ 290.41 and 290.42.
- h. Within 105 days after the effective date of this Order, submit written certification to the addresses under Ordering Provision No. 2.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.g.
- i. Within 180 days after the effective date of this Order:
  - i. Provide a well capacity of at least 0.6 gpm per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45;
  - ii. Provide two or more service pumps having a total capacity of 2.0 gpm per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45;
  - iii. Provide a total storage capacity of 200 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45; and
  - iv. Provide a minimum pressure tank capacity of 20 gallons per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- j. Within 195 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.i.i through 2.i.iv. The certification shall be signed by the Respondent and shall include the following certification language:

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

Undine Texas, LLC DOCKET NO. 2024-0092-MLM-E Page 6

The certification shall be submitted to:

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

with a copy to:

Water Section Manager Beaumont Regional Office Texas Commission on Environmental Quality 3870 Eastex Freeway Beaumont, Texas 77703-1830

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

Undine Texas, LLC DOCKET NO. 2024-0092-MLM-E Page 7

8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

Undine Texas, LLC DOCKET NO. 2024-0092-MLM-E Page 8

### SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date				
	4/25/2025				
For the Executive Director	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:					
<ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications submitted;</li> <li>Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;</li> <li>Increased penalties in any future enforcement actions;</li> <li>Automatic referral to the OAG of any future enforcement actions; and</li> <li>TCEQ seeking other relief as authorized by law.</li> </ul>					
In addition, any falsification of any compliance documents may result in criminal prosecution.					
Larey O Thomas Signature	4.15.2025 Date				
Carey A. Thomas	Sr. Vice President				
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.  A · 15 · 2025  Date					

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