**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 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. 2.

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 corrosionresistant 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;

iv. Provide a minimum pressure tank capacity of 20 gallons per connection; and

v. Begin capturing the sand waste from the sand settling tank of Plant No. 2 in a receptable to be disposed of.

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 William Thomas, Senior Vice President, Undine Texas, LLC, P.O. Box 1966, Cypress, Texas 77410 **Respondent's Attorney:** N/A

COMMISSION COMMISSION	Policy R	Pe evision 5 (January 28	•	Calculati	on Worksl	neet (PC	-	vision February	11, 2021
DATES	Assigned	16-Jan-2024							
	PCW	29-Jan-2024	Screenin	g 16-Jan-2024	EPA Due				
RESPO		TY INFORMATI		4 ( 2 )					
Red	g. Ent. Ref. No.	Undine Texas, L	LC (PCW No	5. 1 of 2)					
	ty/Site Region				Major/M	linor Source	Major		
. acim	ty, one negion	To Deddillone			11430171		riajor		
CASE I	NFORMATION								
En	f./Case ID No.				No. (	of Violations			
		2024-0092-MLM				Order Type			
Med		Public Water Su	pply		Government	-			
	Multi-Media	Water Quality			Enf.		Claudia Bartle Enforcement T		
۵dr	nin. Penalty \$ I	imit Minimum	\$50	Maximum	\$5,000	EC S Team	Enforcement	ealli 4	
7141			450		45,000				
			Pena	Ity Calcul	ation Secti	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	i violatio	n base pena	alties)		Subtotal 1	\$	10,500
		-		-	-				
ADJU		/-) TO SUBT			1.1) h., the indicated .				
	Compliance Hi		g the Total Bas	6.09	I 1) by the indicated p Adjustment		tals 2, 3, & 7		\$0
	compliance m	Story		0.0%	• Aujustinent	Subto			<b>\$</b> 0
	Notes		No adjustr	ment for Compl	iance History.				
	Culpability	No		0.0%	<b>6</b> Enhancement		Subtotal 4		\$0
	Notes	The Re	espondent d	oes not meet t	ne culpability crite	eria.			
	Cood Faith Eff	ort to Comply T					Subtotal 5		\$0
	GOOU FAILII EII			linents			Sublolar 5		şυ
	Economic Ben				6 Enhancement*	<b>A</b>	Subtotal 6		\$0
	Estimated	Total EB Amounts I Cost of Compliance	\$10,172 \$39,960	^*Cap	ped at the Total EB \$ .	Amount			
SUM (	OF SUBTOTA	LS 1-7				F	inal Subtotal	\$	10,500
		AS JUSTICE N			0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indi	cated percenta	ige.			7		
	Notes								
	Notes								
						Final Per	nalty Amount	¢	10,500
						i mai i ci	any Amount	Ψ.	10,500
STATI	UTORY LIMI	<b>FADJUSTMEI</b>	ΝΤ			Final Asse	ssed Penalty	\$	10,500
DEFE	RRAL				20.0%	Reduction	Adjustment	-:	\$2,100
		nalty by the indicate	d percentage.						
	Notes	I	Deferral offe	ered for expedi	ted settlement.				
DAXA									+0 400
PAYA	BLE PENALT							L :	\$8,400

Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	0	0%
	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 ( <i>number of judgments or consent decrees meeting criteria</i> )	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 ( <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%
Audits	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%
	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 Pere	centage (Sul	ototal 2)
Repeat Violator	(Subtotal 3)		
N/A	Adjustment Pere	centage (Sul	ototal 3)
ompliance Hist	ory Person Classification (Subtotal 7)		
Unclass	ified Adjustment Pere	centage (Sul	ototal 7)
Compliance Hist	ory Summary		
Compliance History Notes	No adjustment for Compliance History.		]
	Total Compliance History Adjustment Percentage (S	ubtotals 2,	⊐ <i>3, &amp; 7)</i> [
nal Compliance	History Adjustment Final Adjustment Percenta		

Screening Date 16-Jan-2024 Docket No. 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

	ening Date	16-Jan-2024 Undine Texas, I			et No. 2024-0092-MLM-E	Delieur	PCW
	ase ID No.			1012)			<i>Nevision 5 (January 28, 2021)</i> <i>V Revision February 11, 2021</i>
Reg. Ent. Refe		RN101283505 Public Water Su	upply				
Enf. Co		Claudia Bartley					
Violat	tion Number	1					
	Rule Cite(s)		30 Te	x. Admin. Code	§ 290.43(c)(4)		
Violation	Description				("GSTs") with a liquid level at Plant No. 2 shared a liqu r.		
					Bas	e Penalty	\$5,000
>> Environmen	ital, Prope	rty and Hum	an Health	Matrix			
	Release	-	Harm Moderate	Minor			
OR	Actual	- <b></b>	Hoderate			_	
	Potential			X	Percent 7.0%		
>>Programmat	tic Matrix						
Ī	Falsification	Major	Moderate	Minor	Percent 0.0%	1	
						]	
Matrix Notes	adjustments	for production	and usage ca nount of conta	lculations which	w the operator to make nec could expose persons serve would not exceed levels pro	ed by the	
					Adjustment	\$4,650	
						[	\$350
Violation Events	s						
		/iolation Events	1		63 Number of violatior	n davs	
			I			i uuys	
		daily weekly					
		monthly					
		quarterly semiannual			Violation Bas	e Penalty	\$350
		annual					
		single event	Х				
			One single e	event is recomm	ended.		
Good Faith Effo	rts to Com		0.0%			Reduction	\$0
		B Extraordinary	efore NOE/NOV	NOE/NOV to EDPR	P/Settlement Offer		
		Ordinary					
		N/A	х			ח	
		Notes	The Respon	dent does not m for this vi	neet the good faith criteria olation.		
					Violation	n Subtotal	\$350
Economic Bene	fit (EB) for	this violatio	on		Statutory Limi	t Test	
	Estimate	ed EB Amount		\$47	Violation Final Pen	alty Total	\$350
			<b>This state</b>	tion Final Acc	essed Penalty (adjusted	for limite)	\$350

Respondent	Undine Teves	LLC (PCW No. 1 c	of 2)				
			) Z)				
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrs	Interest Saved	Costs Saved	EB Amount
Item Description		Bute Requireu	i mai bate		interest sureu		ED / infound
Item Description							
Delayed Costs				-			
Equipment	\$200	16-Nov-2021	4-Apr-2025	3.38	\$2	\$45	\$47
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	<u>\$0</u> \$0	n/a n/a	<u>\$0</u> \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a n/a	<u>\$0</u> \$0
Permit Costs							
						n/a	¢0
				0.00	\$0 ¢0	n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	cost includes the	estimated amou	0.00	\$0		\$0
				0.00 Int to pr	\$0 ovide a liquid leve	n/a	\$0 of the 12,000-
Other (as needed)		s (\$200 x one GS	T), calculated fr	0.00 Int to pr om the	\$0 ovide a liquid leve	n/a l indicator for each o gation initially docu	\$0 of the 12,000-
Other (as needed) Notes for DELAYED costs	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to pr om the estimate	\$0 ovide a liquid leve date of the investi ed date of compliar	n/a I indicator for each o gation initially docu nce.	\$0 of the 12,000- menting the
Other (as needed) Notes for DELAYED costs Avoided Costs	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to pr om the estimate	\$0 ovide a liquid level date of the investi d date of compliar <b>item (except fo</b> r	n/a l indicator for each o gation initially docu nce. one-time avoided	\$0 of the 12,000- menting the I costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to pr om the estimate	\$0 ovide a liquid level date of the investi ed date of compliar item (except for \$0	n/a I indicator for each o gation initially docu nce. one-time avoided \$0	\$0 of the 12,000- menting the <b>i costs)</b> \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to provide the provided the	\$0 ovide a liquid level date of the investi ed date of compliar item (except for \$0 \$0	n/a lindicator for each o gation initially docu nce. one-time avoideo \$0 \$0	\$0 of the 12,000- menting the <b>1 costs)</b> \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to promite estimate 10.00 0.00 0.00	\$0 ovide a liquid level date of the investi d date of compliar item (except for \$0 \$0 \$0	n/a l indicator for each o gation initially docu nce. one-time avoideo \$0 \$0 \$0	\$0 of the 12,000- menting the 1 costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to provide the provided	\$0 ovide a liquid leve date of the investi d date of compliar item (except for \$0 \$0 \$0 \$0 \$0	n/a lindicator for each o gation initially docur nce. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to provide the provided	\$0 ovide a liquid leve date of the investi ed date of complian <b>item (except for</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each o gation initially docu nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 1 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 Int to provide the provided	\$0 ovide a liquid leve date of the investi ed date of complian <b>item (except for</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each o gation initially docu nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 1 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each of gation initially documents one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	gallon GST	s (\$200 x one GS' ۱	T), calculated fr violation to the e	0.00 om the estimate 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a liquid level date of the investi ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a l indicator for each o gation initially docurre. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 of the 12,000- menting the 4 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Date		Docket No. 2024-0092-MLM-E	PCW
	Respondent Case ID No.	Undine Texas, LLC (PCW No.	1 of 2)	Policy Revision 5 (January 28, 2021)
Reg. E	nt. Reference No.			PCW Revision February 11, 2021
		Public Water Supply		
	Enf. Coordinator	Claudia Bartley		
	Violation Number			
	Rule Cite(s)	30 Tex. Admin. Code § 2	90.45(b)(1)(C)(i) and Tex. Health & Safety Coc 341.0315(c)	
	Violation Description	Specifically, the Facility had	icity of 0.6 gallons per minute ("gpm") per conr 163 connections requiring 97.8 gpm of well ca ell capacity was provided, indicating a 40% defi	pacity.
			Base	Penalty \$5,000
>> Envi	ronmental. Prope	rty and Human Health	Matrix	
		Harm		
OR	Release Actual		Minor	
OR	Potential		Percent 15.0%	
>>Prog	rammatic Matrix Falsification	Major Moderate	Minor	
			Percent 0.0%	
	<u>r</u>	,,,		
	Matrix		ty could expose persons served by the Facility t would not exceed levels that are protective of he health.	
			Adjustment	\$4,250
			Aujustinent	\$750
				\$730
Violatio	n Events			
	Number of V	Violation Events 1	63 Number of violation da	IVS
		daily weekly		
		monthly		
		quarterly x	Violation Base	Penalty \$750
		semiannual		
		annual single event		
	1			
	One quarter		ulated from the November 14, 2023 investigation 16, 2024 screening date.	n date
Good Fa	ith Efforts to Com	ply 0.0%	Re	eduction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary N/A		
			ent does not meet the good faith criteria for this violation.	
		L	Violation S	subtotal \$750
Econom	ic Benefit (EB) for	this violation	Statutory Limit 1	ſest
		ed EB Amount	\$1,299 Violation Final Penal	-
	Estimat	<u> </u>		-
		This viol	ation Final Assessed Penalty (adjusted for	• limits) \$750

	E	conomic	Benefit	Woi	<b>ksheet</b>		
Respondent	Undine Texas,	LLC (PCW No. 1 d	of 2)				
Case ID No.			,				
Reg. Ent. Reference No.							
	Public Water S						Years of
		uppiy				<b>Percent Interest</b>	Depreciation
Violation No.	2						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
•							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$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	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs							
				0.00	\$0	n/a	\$0
Other (as needed)				0.00 mount t	\$0 o provide a well ca	n/a pacity of at least 0.	\$0 6 gpm per
Notes for DELAYED costs	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio	\$0 o provide a well ca n initially documer npliance.	n/a pacity of at least 0. nting the violation to	\$0 6 gpm per o the estimated
Notes for DELAYED costs	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio e of cor	\$0 o provide a well ca n initially documer npliance. item (except for	n/a pacity of at least 0. nting the violation to <b>one-time avoideo</b>	\$0 6 gpm per o the estimatec
Notes for DELAYED costs Avoided Costs Disposal	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatione of cor tering 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0	n/a pacity of at least 0. nting the violation to one-time avoideo \$0	\$0 6 gpm per b the estimated i costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigation e of cor tering 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0	n/a pacity of at least 0. ting the violation to one-time avoided \$0 \$0	\$0 6 gpm per b the estimated 1 costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigation tering 0.00 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoided \$0 \$0 \$0	\$0 6 gpm per 0 the estimated 1 costs) \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	connection, ca	lculated from the	date of the inve dat	0.00       mount t       estigation       e of corr       tering       0.00       0.00       0.00       0.00       0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 6 gpm per 0 the estimated 1 costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio e of cor tering 0.00 0.00 0.00 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoideo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 6 gpm per b the estimated f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio e of cor ttering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 6 gpm per b the estimated f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio e of cor tering 0.00 0.00 0.00 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoideo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 6 gpm per b the estimated f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	connection, ca	lculated from the	date of the inve dat	0.00 mount t estigatio e of cor ttering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 o provide a well ca n initially documer npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pacity of at least 0. nting the violation to one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 6 gpm per b the estimated f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

S	Screening Date		<b>Docket No.</b> 2024-0092-MLM-E	PCW
	Respondent Case ID No.	Undine Texas, LLC (PCW No.	1 of 2)	Policy Revision 5 (January 28, 2021)
Reg. Ent.	Reference No.			PCW Revision February 11, 2021
<b>y</b>		Public Water Supply		
	nf. Coordinator			
	Violation Number Rule Cite(s)		90.45(b)(1)(C)(ii) and Tex. Health & Safety C	odo S
	Kule Cite(3)	JU TEX. Autiliti. Code g Z	341.0315(c)	ode g
Vio	lation Description	the Facility had 163 conne	age capacity of 200 gallons per connection. Sp ctions requiring a storage capacity of 32,600 gallons was provided, indicating a 26% deficie	gallons.
			Base	e Penalty \$5,000
>> Environ	nmental, Proper	rty and Human Health	Matrix	
	Release	Harm Major Moderate	Minor	
OR	Actual			
	Potential	X	Percent 15.0%	
>>Program	nmatic Matrix			
221 Togran	Falsification	Major Moderate	Minor	
			Percent 0.0%	
			city could expose persons served by the Facil would not exceed levels protective of human	
	·		Adjustment	\$4,250
				\$750
Violation F				· · · ·
Violation E	vents			
	Number of V	/iolation Events 1	63 Number of violation	days
		daily		
		weekly		
		monthly		
		quarterly <u>x</u> semiannual	Violation Base	e Penalty \$750
		annual		
		single event		
	One quarterly		ulated from the November 14, 2023 investiga 16, 2024 screening date.	tion date
Good Faith	Efforts to Com	0.0%		Reduction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary N/A x		
		Notes The Respond	ent does not meet the good faith criteria for this violation.	
			Violation	Subtotal \$750
Economic B	Benefit (EB) for	this violation	Statutory Limit	Test
	Estimate	ed EB Amount	\$4,805 Violation Final Pena	alty Total \$750
		·	lation Final Assessed Penalty (adjusted f	
			and a source an	φ/30

		conomic	Benefit	Woi	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1 d	of 2)				
Case ID No.		,	,				
leg. Ent. Reference No.							
	Public Water S						Years of
		uppiy				<b>Percent Interest</b>	Depreciation
Violation No.	3						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment		1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	<u>\$0</u> \$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$18,490	16-Nov-2021	2-Aua-2025	3.71	\$229	\$4,576	\$4,805
Land	\$10,450	10 100 2021	2 Aug 2025	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							
Fernit costs				0.00	\$0	n/a	\$0
Other (as needed)	The delayed	cost includes the e	estimated amou	0.00	\$0	n/a	\$0
		on (\$2.15 x 8,600	gallons), calcul	0.00 nt to pr ated fro	\$0 ovide a total stora	n/a ge capacity of at lea investigation intially	\$0 st 200 gallons
Other (as needed)	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima	\$0 ovide a total stora m the date of the ated date of compli	n/a ge capacity of at lea investigation intially	\$0 st 200 gallons documenting
Other (as needed) Notes for DELAYED costs	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima tering 0.00	\$0 ovide a total stora m the date of the sted date of compli item (except for \$0	n/a ge capacity of at lea investigation intially iance. one-time avoided \$0	\$0 st 200 gallons documenting i costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pro ated fro e estima tering 0.00	\$0 ovide a total stora m the date of the ited date of compli item (except for \$0 \$0	n/a ge capacity of at lea investigation intially iance.	\$0 st 200 gallons documenting <b>I costs)</b> \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima tering 0.00 0.00 0.00	\$0 ovide a total stora m the date of the ted date of compli item (except for \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. one-time avoideo \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima 0.00 0.00 0.00 0.00	\$0 ovide a total stora m the date of the ated date of compli item (except for \$0 \$0 \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. one-time avoideo \$0 \$0 \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima 0.00 0.00 0.00 0.00 0.00	\$0 ovide a total storad m the date of the ated date of compli item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a total stora m the date of the sted date of compli item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima 0.00 0.00 0.00 0.00 0.00	\$0 ovide a total storad m the date of the ated date of compli item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	per connectio	on (\$2.15 x 8,600 the	gallons), calcul e violation to the	0.00 nt to pr ated fro e estima 0.00 0.00 0.00 0.00 0.00 0.00	\$0 ovide a total stora m the date of the sted date of compli item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ge capacity of at lea investigation intially iance. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 st 200 gallons documenting f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	16-Jan-2024	Docket No. 2024-0092-MLM-E	PCW
	Undine Texas, LLC (PCW No. 1	of 2) Policy	Revision 5 (January 28, 2021)
Case ID No Reg. Ent. Reference No		P	CW Revision February 11, 2021
	Public Water Supply		
Enf. Coordinator			
Violation Number	4		
Rule Cite(s)	30 Tex. Admin. Code § 290	0.45(b)(1)(C)(iii) and Tex. Health & Safety Code §	
		341.0315(c)	
Violation Description	connection. Specifically, the F	service pumps having a total capacity of 2.0 gpm pe Facility had 163 connections requiring a total service owever, only 260 gpm was provided, indicating a 20% deficiency.	
		Base Penalt	<b>y</b> \$5,000
>> Environmental, Prope	rty and Human Health M	1atrix	
	Harm		
OR Actua		Minor	
Potentia		Percent 15.0%	
_			
>>Programmatic Matrix Falsification	Major Moderate	Minor	
		Percent 0.0%	
	<u>n n</u>		
Matrix Failure to pro	vide adequate service pump cap	pacity could expose persons served by the Facility to	a
		ould not exceed levels protective of human health.	
		Adjustment \$4,25	0
			\$750
			\$750
Violation Events			
Number of	Violation Events 1	63 Number of violation days	
	daily		
	weekly monthly		
	quarterly x	Violation Base Penalt	<b>y</b> \$750
	semiannual		-
	annual		
	single event		
One quarter		ated from the November 14, 2023 investigation date 6, 2024 screening date.	
Good Epith Efforts to Cor	nply 0.0%		n \$0
Good Faith Efforts to Con		IOE/NOV to EDPRP/Settlement Offer	\$0
	Extraordinary		
	Ordinary		
	N/A x		
	Notes The Responder	nt does not meet the good faith criteria for this violation.	
		Violation Subtota	al \$750
Economic Benefit (EB) fo	r this violation	Statutory Limit Test	
Estimat	ed EB Amount	\$2,599 Violation Final Penalty Tota	al \$750
	<u> </u>		
	i his violat	tion Final Assessed Penalty (adjusted for limits	\$) \$750

	E	conomic	Benefit	Woi	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1 d	of 2)				
Case ID No.	65266						
Reg. Ent. Reference No.	RN101283505						
	Public Water S						Years of
Violation No.		- 1- 1- 7				Percent Interest	Depreciation
						5.0	. 15
	Itom Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
		Date Required	Fillal Date	115	Interest Saveu	Costs Saveu	EB Allouin
Item Description							
Delayed Costs	I	7		1		1.0	1.0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$10,000	16-Nov-2021	2-Aug-2025	0.00	\$0 \$124	\$0 \$2,475	\$0 \$2,500
Engineering/Construction	\$10,000	16-1007-2021	Z-Aug-2025				\$2,599
Land				0.00	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs		1		0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	least 2.0 g	pm per connectior	n at each pump	station	or pressure plane,	oumps having a tota calculated from the ted date of compliar	e date of the
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	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		\$10,000			TOTAL		\$2,599

		ening Date		PCW
				olicy Revision 5 (January 28, 2021)
Dee		ase ID No.		PCW Revision February 11, 2021
Reg.	Ent. Refe		RN101283505 Public Water Supply	
	Enf. Co		Claudia Bartley	
		tion Number	5	
		Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health & Safety Code §	
			341.0315(c)	<u> </u>
	Violation	Description	Failed to provide a minimum pressure tank capacity of 20 gallons per connection Specifically, the Facility had 163 connections requiring a pressure tank capacity 3,260 gallons. However, only 3,000 gallons was provided, indicating an 8% deficiency.	
			Base Pen	alty \$5,000
>> En	vironmer	ital, Prope	ty and Human Health Matrix	
			Harm	
OR		<b>Release</b> Actual	Major Moderate Minor	
•		Potential	x Percent 7.0%	
>>Pro	ogrammat	tic Matrix Falsification	Major Moderate Minor	
	Ī	Tabilication	Percent 0.0%	
	E E			
	Matrix		ide adequate pressure tank capacity could result in water outages and low press	
	Notes	problems, exp	bsing persons served by the Facility to an insignificant amount of contaminants w would not exceed levels that are protective of human health.	
			Adjustment \$4,	650
			···· <b>·································</b>	
				\$350
Violati	ion Event	s		
		Number of \	iolation Events 1 63 Number of violation days	
			daily daily	
			weekly monthly	
			quarterly Violation Base Pen	alty \$350
			semiannual	
			annual	
			single event x	
			One single event is recommended.	
Cood	- Eaith Effa	rta ta Cam	ply 0.0% Reduc	tion \$0
<b>G</b> 000 I		rts to Com	Ply 0.0% Reduc Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	1011 \$U
			Extraordinary	
			Ordinary	
			Notes The Respondent does not meet the good faith criteria for this violation.	
Ferrer	mie Dener		Violation Subt	·
Econo	mic Bene	rit (EB) for	this violation Statutory Limit Tes	
		Estimate	d EB Amount \$1,299 Violation Final Penalty T	otal \$350
			This violation Final Assessed Penalty (adjusted for lim	i <b>ts)</b> \$350

	E	conomic	Benefit	loW	rksheet		
Respondent	Undine Texas.	LLC (PCW No. 1 d	of 2)				
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		supply				<b>Percent Interest</b>	Depreciation
VIOLATION NO.	5						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
Delayed Costs							
Equipment	\$5,000	16-Nov-2021	2-Aug-2025	3.71	\$62	\$1,237	\$1,299
Buildings	\$37000	10 1101 2021	E Hug LOLD	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	cost includes the	estimated amou	nt to pr	ovide a pressure t	ank capacity of at le	ast 20 gallons
Notes for DELAYED costs	per connection	on, calculated fror	n the investigat dat	on date e of con	initially document	ing the violation to	the estimated
Avoided Costs	per connection	on, calculated fror	n the investigat dat	on date e of con tering	initially document npliance. item (except for	ing the violation to	the estimated
Avoided Costs Disposal	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00	initially document npliance. item (except for \$0	ing the violation to one-time avoided \$0	the estimated I costs) \$0
Avoided Costs Disposal Personnel	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00 0.00	initially document npliance. item (except for \$0 \$0	one-time avoided \$0 \$0	the estimated I costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00 0.00 0.00	initially document npliance. item (except for \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0	the estimated <b>I costs)</b> \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00 0.00 0.00 0.00	initially document npliance. <b>item (except for</b> \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated <b>I costs)</b> \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00 0.00 0.00 0.00 0.00	initially document npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	per connection	on, calculated fror	n the investigat dat	on date e of con 0.00 0.00 0.00 0.00 0.00 0.00 0.00	initially document npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	per connection	on, calculated fror	n the investigat dat	on date e of con tering 0.00 0.00 0.00 0.00 0.00	initially document npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	per connection	on, calculated fror	n the investigat dat	on date e of con 0.00 0.00 0.00 0.00 0.00 0.00 0.00	initially document npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the estimated \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	16-Jan-2024 Undine Texas, LLC (PCW No.	<b>Docket No.</b> 20		PCW
Case ID No.		1012)		Revision 5 (January 28, 2021) W Revision February 11, 2021
Reg. Ent. Reference No.				
	Public Water Supply			
Enf. Coordinator Violation Number				
Rule Cite(s)				7
	30 Tex. Adm	in. Code § 290.46(f)(2) and	(f)(3)(D)(ii)	
Violation Description	Failed to maintain water wor readily available for review t results of inspections for all	by the Executive Director up	on request. Specifically, the	
			Base Penalty	\$5,000
>> Environmental, Prope	erty and Human Health	Matrix		
Release	Harm			
OR Actua		Minor		
Potentia		Pe	ercent 0.0%	
>>Programmatic Matrix	Malau Malauta	Min en		
Falsification	Major Moderate	Minor x Pe	ercent 1.0%	
			1.070	
Matrix Notes	Less than 30% of the	rule requirements were no	t met.	
				-
		Adjus	stment \$4,950	<u>1</u>
				\$50
Violation Events				
Violation Events				
Number of	Violation Events 1	63 Nu	umber of violation days	
	daily weekly monthly quarterly semiannual annual single event		Violation Base Penalty	\$50
				_
	One single	event is recommended.		
Good Faith Efforts to Con	0.0%		Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement (		· ·
	Extraordinary			
	Ordinary			
	N/A ×			
	Notes The Respond	lent does not meet the good this violation.	l faith criteria for	
			Violation Subtotal	\$50
Economic Benefit (EB) fo	r this violation	S	tatutory Limit Test	
Ectimat	ted EB Amount	\$3 Vio	lation Final Penalty Total	\$50
Louind		φ <b>σ</b>	indiana renaity iola	φ <b>3</b> 0
			alty (adjusted for limits)	\$50

	E	conomic	Benefit	Woi	<b>ksheet</b>		
Respondent		LLC (PCW No. 1 d					
Case ID No.			/				
leg. Ent. Reference No.							
	Public Water S	ырріу				Percent Interest	Years of
Violation No.	. 6						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	•	•					
Item Description	•						
Delayed Costs	5 	<b>n</b>			+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 \$0	<u>\$0</u> \$0	<u>\$0</u> \$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$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	<u> </u>	14 100 2025	5 1101 2025	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0		
				0.00	\$0	n/a	\$0
Other (as needed)				0.00 ount to	\$0 maintain water wo	n/a n/a rks operation and r	\$0 naintenance
Other (as needed) Notes for DELAYED costs		nake them readily	available for rev	0.00 ount to view by	\$0 maintain water wo	n/a orks operation and r ctor upon request,	\$0 naintenance
. ,	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the e	\$0 maintain water wo the Executive Dire stimated date of co	n/a orks operation and r ctor upon request,	\$0 naintenance calculated from
Notes for DELAYED costs	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the e	\$0 maintain water wo the Executive Dire stimated date of co	n/a orks operation and r ctor upon request, ompliance.	\$0 naintenance calculated from
Notes for DELAYED costs	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the es <b>tering</b>	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0	n/a rks operation and r ctor upon request, ompliance. one-time avoided \$0 \$0	\$0 naintenance calculated from d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the est tering 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0	n/a rks operation and r ctor upon request, ompliance. one-time avoided \$0 \$0 \$0	\$0 naintenance calculated from 4 costs) \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the es <b>tering</b> 0.00 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0 \$0 \$0	n/a rks operation and r ctor upon request, ompliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0	\$0 naintenance calculated from d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the end 0.00 0.00 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a rks operation and r ctor upon request, ompliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 naintenance calculated from f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the event 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a prks operation and r ctor upon request, pmpliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 naintenance calculated from \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the end 0.00 0.00 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a rks operation and r ctor upon request, ompliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 naintenance calculated from f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records and n	nake them readily the invo	available for rev estigation date t	0.00 ount to view by to the event 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water wo the Executive Dire stimated date of co item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a prks operation and r ctor upon request, pmpliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 naintenance calculated from \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date				ocket No. 2024-0092-	-MLM-E		PCW
			Undine Texas,	LLC (PCW No.	1 of 2)				anuary 28, 2021)
Peg		Case ID No.	65266 RN101283505				PCI	N Revision F	ebruary 11, 2021
Reg.	LIIL. KEI		Public Water Su	vlaau					
	Enf. C		Claudia Bartley						
	Viola	ation Number						า	
		Rule Cite(s)	3	0 Tex. Admin	. Code §§ 29	0.41(c)(3)(O) and 290.4	2(m)		
	Violatio	n Description	treatment pla periods of dark there were Additionally, at	ant, well unit, kness and whe e broken or m t Plant No. 2 t e, and the top	and related a en the Facility issing strand here were la i-left side of t	fence or well house aro appurtenances that rema y is unattended. Specific s of barbed wire around rge gaps at the back-left the fence and the fence a corner was bent.	ins locked during ally, at Plant No. 1 its perimeter. corner, under the		
							Base Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	nan Health	Matrix				
				Harm					
OR		Release Actual		Moderate	Minor	ן			
		Potential		x		Percent	15.0%		
>>Pro	aramma	tic Matrix							
FIU	grannia	Falsification	Major	Moderate	Minor				
						Percent	0.0%		
		Epiluro to pro	wide an intrude	r registant for	co or lockabl	e well house could result	t in contamination	1	
	Matrix Notes	of the faciliti	ies by trespasse	rs exposing pe	ersons served	d by the Facility to a sign ls protective of human h	ificant amount of		
						Adjustment	\$4,250	T	
							· · ·	- 	\$750
									\$7.30
Violati	on Even	ts							
		Number of V	Violation Events	2		63 Number of	violation days		
			daily		]	<u></u>			
			weekly						
			monthly quarterly	x		Violat	tion Base Penalty		\$1,500
			semiannual			· · · · · · · · · · · · · · · · · · ·	lion buse renarcy		φ1,500
			annual						
			single event						
		Two quarterly		•		ocation), calculated from 16, 2024 screening date			
Good F	aith Eff	orts to Com	ply	0.0%			Reduction	-	\$0
			В	efore NOE/NOV	NOE/NOV to E	DPRP/Settlement Offer			
			Extraordinary Ordinary						
			N/A	x					
			Notes	The Respond		meet the good faith crit violation.	eria for		
				L		v	/iolation Subtotal		\$1,500
Econor	nic Bene	efit (EB) for	this violati	on		Statutor	y Limit Test		
			ed EB Amount		\$51		nal Penalty Total		\$1,500
		Lotinati			·				
				This vio	lation Final	Assessed Penalty (ad	justed for limits)	L	\$1,500

	E	conomic	Benefit	IOW	rksheet		
Respondent	Undine Texas	LLC (PCW No. 1 d	of 2)				
Case ID No.		,	,				
eg. Ent. Reference No.		5					
	Public Water S						Years of
Violation No.		Sabbi)				Percent Interest	Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
Delayed Costs	1						
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	14-Nov-2023	4-May-2025	1.47	\$2	\$49	\$51
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
Barris It. Carata		i i			1.0		
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	The delayed o	cost includes the e	stimated amour	0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs		2, calculated from	n the investigat	0.00 nt to rep tion date	\$0 pair the intruder-re to the estimated	n/a sistant fencing at P date of compliance.	<u>\$0</u> lant Nos. 1 and
Other (as needed) Notes for DELAYED costs Avoided Costs		2, calculated from	n the investigat	0.00 Int to rep ion date	\$0 bair the intruder-re to the estimated item (except for	n/a sistant fencing at P date of compliance. one-time avoided	\$0 lant Nos. 1 and <b>l costs)</b>
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal		2, calculated from	n the investigat	0.00 t to rep ion date tering 0.00	\$0 pair the intruder-re to the estimated item (except for \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0	\$0 lant Nos. 1 and <b>i costs)</b> \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		2, calculated from	n the investigat	0.00 t to rep ion date tering 0.00	\$0 pair the intruder-re to the estimated item (except for \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0	\$0 lant Nos. 1 and <b>1 costs)</b> \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Ispection/Reporting/Sampling		2, calculated from	n the investigat	0.00 t to rep ion date itering 0.00 0.00	\$0 pair the intruder-re to the estimated item (except for \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0	\$0 lant Nos. 1 and d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment		2, calculated from	n the investigat	0.00 t to rep ion date tering 0.00 0.00 0.00	\$0 pair the intruder-re to the estimated item (except for \$0 \$0 \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 lant Nos. 1 and d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance		2, calculated from	n the investigat	t to rep ion date tering 0.00 0.00 0.00 0.00 0.00	\$0 bair the intruder-re to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 lant Nos. 1 and f costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs		2, calculated from	n the investigat	to rep ion date 0.00 0.00 0.00 0.00 0.00 0.00	\$0 bair the intruder-re to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 lant Nos. 1 and f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance		2, calculated from	n the investigat	t to rep ion date tering 0.00 0.00 0.00 0.00 0.00	\$0 bair the intruder-re to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 lant Nos. 1 and f costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs		2, calculated from	n the investigat	to rep ion date 0.00 0.00 0.00 0.00 0.00 0.00	\$0 bair the intruder-re to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a sistant fencing at P date of compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 lant Nos. 1 and f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Scre	ening Date	16-Jan-2024		D	ocket No. 2024-0	0092-MLM-E		PCW
			Undine Texas,	LLC (PCW No.	1 of 2)			Policy R	evision 5 (January 28, 2021)
		ase ID No.						РСИ	/ Revision February 11, 2021
Reg.	Ent. Ref		RN101283505						
			Public Water Su						
			Claudia Bartley	י ה					
	Viola	tion Number	8						
		Rule Cite(s)		30 T	ex. Admin. C	Code § 290.43(c)(1)	)		
	Violatio	n Description	by an engir Association s	neer and insta standards and fically, there v	lled in strict equipped w vas a large h	neck roof vent or a r accordance with Am ith a corrosion-resis nole in the center of ST at Plant No. 2.	nerican Water stant 16-mesh	Works or finer	
							Base	e Penalty	\$5,000
								churcy	40,000
>> Env	vironme	ntal, Prope	ty and Hum		Matrix				
		Release	Major	Harm	Minor				
OR		Actual	Major	Moderate	Minor	7			
ÖK		Potential		x		Perce	nt 15.0%		
				<u> </u>		4	101010		
>>Pro	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor	7			
						Perce	nt 0.0%		
	Matrix Notes			significant an		SST could result in p taminants which wo n health.		· ·	
						Adjustme	ent	\$4,250	
									\$750
	_							-	
Violati	on Even	ts							
		Number of \	/iolation Events	1	1	63 Numbe	er of violation of	lavs	
					<u>l</u>			aayo	
			daily						
			weekly						
			monthly						+750
			quarterly semiannual	X		۰ ۱	iolation Base	e Penalty	\$750
			annual						
			single event						
		· · · · · · · · · · · · · · · · · · ·	<u>-</u>		<u>u</u>				
		One quarterly				the date of the invest January 16, 2024.	stigation, Nove	mber 14,	
Cood	aith Eff	who to Com	mhy	0.00/					\$0
9000 F		orts to Com		0.0% Before NOE/NOV	NOE/NOV to F	EDPRP/Settlement Offer		Reduction	<u></u> ۵۵
			Extraordinary	·					
			Ordinary						
			N/A	x					
			Notes	The Respond		t meet the good fait s violation.	h criteria for		
							Violation	Subtotal	\$750
Econor	nic Bene	efit (EB) for	this violati	on		Statu	utory Limit	Test	
					÷	_	-		*750
		Estimate	ed EB Amount	L	\$2	violati	on Final Pena	iity iotal	\$750
				This vio	lation Final	Assessed Penalty	y (adjusted fo	or limits)	\$750

Case ID No. Reg. Ent. Reference No.							
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	ı						
Delayed Costs	5						
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)						n/a resistant 16-mesh c	
Notes for DELAYED costs	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr No. 2, ca ed date (	ovide a corrosion- alculated from the of compliance.	resistant 16-mesh o date of the investig	or finer screen ation to the
Notes for DELAYED costs	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr No. 2, ca d date o	ovide a corrosion- alculated from the of compliance. item (except for	resistant 16-mesh o date of the investig one-time avoided	or finer screen ation to the I costs)
Notes for DELAYED costs Avoided Costs Disposal	for the roo	of vent on the righ	it GST at Plant N estimate	int to pr No. 2, ca d date o itering 0.00	ovide a corrosion- alculated from the of compliance. item (except for \$0	resistant 16-mesh o date of the investig one-time avoideo \$0	or finer screen ation to the d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr No. 2, ca d date of tering 0.00	ovide a corrosion- alculated from the of compliance. item (except for \$0 \$0	resistant 16-mesh o date of the investig one-time avoideo \$0 \$0	r finer screen ation to the <b>1 costs)</b> \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr lo. 2, ca ed date of tering 0.00 0.00 0.00	ovide a corrosion- loculated from the of compliance. item (except for \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoideo \$0 \$0 \$0	r finer screen ation to the 1 costs) \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	for the roo	of vent on the righ	it GST at Plant N estimate	<b>tering</b> 0.00 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoideo \$0 \$0 \$0 \$0 \$0	ation to the ation to the f costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr No. 2, ca ed date of tering 0.00 0.00 0.00 0.00 0.00	ovide a corrosion- alculated from the of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r finer screen ation to the f costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	for the roo	of vent on the righ	it GST at Plant N estimate	Int to prove the provided state of	ovide a corrosion- alculated from the of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r finer screen ation to the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Ispection/Reporting/Sampling Supplies/Equipment Financial Assurance	for the roo	of vent on the righ	it GST at Plant N estimate	Int to pr No. 2, ca d date of tering 0.00 0.00 0.00 0.00 0.00	ovide a corrosion- alculated from the of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r finer screen ation to the f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	for the roo	of vent on the righ	it GST at Plant N estimate	Int to prove the provided state of	ovide a corrosion- alculated from the of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	resistant 16-mesh o date of the investig one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r finer screen ation to the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date				ocket No. 2024-0092-MLM-E		PCW
		lespondent Case ID No.	Undine Texas, L	LC (PCW No.	. 1 of 2)			evision 5 (January 28, 2021)
Rea		erence No.					PCW	Revision February 11, 2021
Reg.			Public Water Su	vlaai				
	Enf. C		Claudia Bartley					
		tion Number						
		Rule Cite(s)		30	Toy Admin	Code § 290.46(v)		
						,		
	Violatio	n Description	local or nation located at the	onal electrical top of the pro ig and wire ca	code. Specifi essure tank w aps for the 14	g is securely installed in complian cally, at Plant No. 2, the electrica vas not enclosed in conduit and t 0 gpm service pump were expose the electrical box.	al wiring he spliced	
						Bas	e Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	an Health	Matrix			
			-	Harm				
00		Release	Major	Moderate	Minor	1		
OR		Actual				Dereet 20.000		
		Potential	X			Percent 30.0%		
>>Pro	aramma	tic Matrix						
	granna	Falsification	Major	Moderate	Minor			
						Percent 0.0%		
					··			
	Matrix Notes	cause equip	ment malfunctio	ns resulting i	n low pressur	pliance with a local or national co e or outages which could expose cceed levels protective of human	persons health.	
						Adjustment	\$3,500	
							[	\$1,500
Violati	on Even	ts						
		Number of \	/iolation Events	3	ז ר	63 Number of violation	days	
			daily weekly monthly quarterly semiannual annual single event	×		Violation Bas	e Penalty	\$4,500
		Three month	•			om the November 14, 2023 inve screening date.	stigation	
Good F	aith Effe	orts to Com	plv	0.0%			Reduction	\$0
				efore NOE/NOV		DPRP/Settlement Offer		
			Notes	The Respond		violation.		
						Violatior	Subtotal	\$4,500
Econor	nic Bene	efit (EB) for	this violation	on		Statutory Limit	t Test	
		Estimate	ed EB Amount		\$18	Violation Final Pen	alty Total	\$4,500
				This vio	lation Final	Assessed Penalty (adjusted f	or limite)	\$4,500
				1113 110				μτ <sub>1</sub> .500

	E	conomic	Benefit	Woi	<b>ksheet</b>		
Respondent	Undine Texas,	LLC (PCW No. 1 c	of 2)				
Case ID No.							
eg. Ent. Reference No.							
<b>U</b>							Years of
	Public Water S	ырру				<b>Percent Interest</b>	
Violation No.	9						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Item Description							
Delayed Cente							
Delayed Costs	I				+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings	¢200	14 Nov 2022	5-Mar-2025	0.00	\$0	\$0 ¢17	\$0
Other (as needed)	\$200	14-Nov-2023	5-Mar-2025	1.31	\$1 \$0	\$17 \$0	<u>\$18</u> \$0
Engineering/Construction				0.00	\$0 \$0	\$0 n/a	\$0 \$0
Land				0.00	I =	/	<u>\$0</u> \$0
Record Keeping System				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a	<u>\$0</u> \$0
Permit Costs				0.00	\$0	n/a	\$0
				0.00	<b>D</b>		
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs				nt to se	cure all electrical v		\$0 with a local or
	natio	nal code, calculate	ed from the inve	nt to se estigatio	cure all electrical v n date to the estir	n/a viring in compliance	\$0 with a local or liance.
Notes for DELAYED costs	natio	nal code, calculate	ed from the inve	nt to se estigatio	cure all electrical v n date to the estir	n/a viring in compliance nated date of compl	\$0 with a local or liance.
Notes for DELAYED costs Avoided Costs	natio	nal code, calculate	ed from the inve	t to se estigatio tering 0.00 0.00	cure all electrical v n date to the estir item (except for \$0 \$0	n/a viring in compliance nated date of compl one-time avoidec \$0 \$0	\$0 with a local or liance. 1 costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	natio	nal code, calculate	ed from the inve	t to se estigatio tering 0.00 0.00	ture all electrical v n date to the estir item (except for \$0 \$0 \$0	n/a viring in compliance nated date of compl one-time avoided \$0 \$0 \$0	\$0 with a local or jance. 1 costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	natio	nal code, calculate	ed from the inve	tering 0.00 0.00 0.00 0.00 0.00	cure all electrical v n date to the estir item (except for \$0 \$0 \$0 \$0 \$0	n/a viring in compliance nated date of compl one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 with a local or jance. 1 costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Ispection/Reporting/Sampling	natio	nal code, calculate	ed from the inve	tering 0.00 0.00 0.00 0.00 0.00 0.00	cure all electrical v n date to the estir item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a viring in compliance nated date of compl cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 with a local or liance. <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	natio	nal code, calculate	ed from the inve	t to se estigatio tering 0.00 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a viring in compliance nated date of compl one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 with a local or liance. <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	natio	nal code, calculate	ed from the inve	tering 0.00 0.00 0.00 0.00 0.00 0.00	cure all electrical v n date to the estir item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a viring in compliance nated date of compl cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 with a local or liance. <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	natio	nal code, calculate	ed from the inve	t to se estigatio tering 0.00 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a viring in compliance nated date of compl one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 with a local or liance. <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

_	R	ase ID No.	Undine Texas, l 65266	LC (PCW No.		ocket No. 2024-0	)092-MLM-E		<b>PCW</b> nuary 28, 2021) bruary 11, 2021
Reg.		Media	RN101283505 Public Water Su						
		oordinator	Claudia Bartley	l .					
	VIOIa	Rule Cite(s)	10						
		Rule Cite(S)		30 Te	ex. Admin. C	ode § 290.46(m)(4)			
	Violatio	n Description	facilities, dis	stribution sys	tem lines, an sive solids. Sp	units, storage and p d related appurtena pecifically, the discha eaking.	nces in a wat	ertight	
							Bas	e Penalty	\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	an Health	Matrix				
				Harm					
		Release	Major	Moderate	Minor	n			
OR		Actual				_		1	
		Potential		х		Percer	nt 15.0%		
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor				
		Taisincation	Majoi	Hoderate	MINU	Percer	nt 0.0%		
						Feicei	0.0%		
	1								
	Matrix Notes	distribution sy	stem lines, and	related appu significant am	rtenances in	ge and pressure mai a watertight conditio aminants which wou health.	on could expo	ose person	
				•					
						Adjustme	nt	\$4,250	
						···· <b>,</b> ·····		+ .,===	
									\$750
Violatio	on Event	ts is							
		Number of \	/iolation Events	1	71	63 Numbe	er of violation	davs	
		Number of V		1	1			uuys	
			daily weekly monthly quarterly semiannual annual single event	X		v	iolation Bas	e Penalty	\$750
		0		manual de la col	autobed from		022 :	والمراجع والمراجع	
		One quarteri	•			the November 14, 2 creening date.	023 Investiga	ation date	
Good F	aith Effo	orts to Com	ply	0.0%				Reduction	\$0
				efore NOE/NOV	NOE/NOV to E	DPRP/Settlement Offer			
			Extraordinary						
			Ordinary						
			N/A	х				,	
			Notes	The Respond		meet the good faitly violation.	h criteria for		
							Violatior	n Subtotal	\$750
Econor	nic Bene	fit (EB) for	this violatio	on		Statu	itory Limi	t Test	
		Estimate	ed EB Amount		\$48	Violatio	on Final Pen	alty Total	\$750
				This via	lation Final	Assessed Penalty	(adjusted f	or limits)	\$750
									÷. 50

	E	conomic	Benefit	Woi	rksheet		
Respondent	Undine Texas,	LLC (PCW No. 1 c	of 2)				
Case ID No.		,	,				
Reg. Ent. Reference No.							
	Public Water S						Years of
		supply				<b>Percent Interest</b>	Depreciation
Violation No.	, 10						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	,	•					
	•						
Delayed Cente							
Delayed Costs	, 	1 1			+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings	\$500	14-Nov-2023	4-Apr-2025	0.00	\$0 \$2	\$0 \$46	<u>\$0</u> \$48
Other (as needed) Engineering/Construction	\$500	14-1000-2023	4-ADI-2025	0.00	\$2 \$0	\$40 \$0	<u>\$40</u> \$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)							
	The delayed	cost includes the	estimated amou	0.00	\$0	n/a n/a	\$0
Notes for DELAYED costs	,	the ii	nvestigation to	int to re the estin	pair leaks at the fa mated date of com	acility, calculated fro pliance.	om the date of
Avoided Costs	,	the ii	nvestigation to	nt to re the estin	pair leaks at the fa mated date of com item (except for	acility, calculated fro pliance.	om the date of
Avoided Costs Disposal	,	the ii	nvestigation to	the estination	pair leaks at the fa mated date of com item (except for \$0	acility, calculated fro pliance. one-time avoideo \$0	om the date of I costs) \$0
Avoided Costs Disposal Personnel	,	the ii	nvestigation to	the estination of the estimate of thes	pair leaks at the fa mated date of com item (except for \$0 \$0	acility, calculated fro pliance. one-time avoideo \$0 \$0	om the date of I costs) \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	,	the ii	nvestigation to	the estination of the estimate of th	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0	acility, calculated fro pliance. one-time avoideo \$0 \$0 \$0	the date of the da
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	,	the ii	nvestigation to	tering 0.00 0.00 0.00 0.00 0.00	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0 \$0	acility, calculated fro pliance. one-time avoideo \$0 \$0 \$0 \$0	the date of the da
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	,	the ii	nvestigation to	tering 0.00 0.00 0.00 0.00 0.00 0.00	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0 \$0 \$0 \$0	acility, calculated fro pliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	,	the ii	nvestigation to	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ore-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	,	the ii	nvestigation to	tering 0.00 0.00 0.00 0.00 0.00 0.00	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0 \$0 \$0 \$0	acility, calculated fro pliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	,	the ii	nvestigation to	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	pair leaks at the fa mated date of com item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ore-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

A COMMENTAL OF	Policy R	Pe evision 5 (January 28	-	Calculatio	n Worksl	neet (PC		vision February	, 11, 2021
DATES	Assigned	16-Jan-2024			<b>.</b>				
	PCW	23-Jul-2024	Screening	16-Jan-2024	EPA Due				
RESPO		TY INFORMATI							1
Rec	Respondent 1. Ent. Ref. No.	Undine Texas, L	LC (PCW No.	2 of 2)					
	ty/Site Region				Major/M	linor Source	Minor		
CACET	NFORMATION								
	f./Case ID No.	65266			No. d	of Violations	1		1
	Docket No.	2024-0092-MLM	-E			Order Type			
Med	lia Program(s)		I		Government				
	Multi-Media	Public Water Su	рргу		Ent.		Claudia Bartle		
Adr	nin. Penalty \$ I	Limit Minimum	\$0	Maximum	\$25,000				
			Donal	ty Calcula	tion Section	<u></u>			
τοται		LTY (Sum of		•		511	Subtotal 1		\$3,750
IUIA	L DAGL PLNA		VIOIALIOII	i base pena	lues)		Sublolar 1		\$3,730
ADJU		/-) TO SUBT btained by multiplying		Dapalty (Subtatal	1) by the indicated r	arcantaga			
	Compliance Hi		y the Total Dase	0.0%			otals 2, 3, & 7		\$0
	Notes		No adjustm	ent for Complia	nce History.				-
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent do	es not meet the	e culpability crite	eria			
	Notes		oponacite ao						
	Good Faith Eff	ort to Comply T	otal Adiust	ments			Subtotal 5		\$0
			-						•
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6		\$0
	Ectimated	Total EB Amounts Cost of Compliance	\$246		ed at the Total EB \$ .	Amount			
	Estimated	Cost of Compliance	\$2,100						
SUM (	OF SUBTOTA	LS 1-7				ŀ	inal Subtotal		\$3,750
OTHE		AS JUSTICE N		ITRE	0.0%		Adjustment		\$0
		Subtotal by the indi-			0.0%		Aujustment		φU
	<b>.</b>								
	Notes								
						Final Pe	alty Amount		\$3,750
STATI		T ADJUSTMEI	NТ			Einal Acco	essed Penalty		\$3,750
STAT			11			FINAI ASSE	essed Penalty		\$3,730
DEFER					20.0%	Reduction	Adjustment		-\$750
Reduces t	he Final Assessed Pe	nalty by the indicate	d percentage.						
	Notes		Deferral offer	red for expedite	d settlement.				
ΡΑΥΔ	BLE PENALT	Y							\$3,000
								1	

	Enf. Cod	Media     Water Quality       Ordinator     Claudia Bartley		
		Compliance History Worksheet		
>>	Compliance Hist Component	tory <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 ( <i>number of NOVs meeting criteria</i> )	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 and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	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 ( <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%
		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%
		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%
	Other	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) 0%
>>	Repeat Violator	(Subtotal 3)		
	N//		centage (Sub	ototal 3) 0%
>>	Compliance Hist	tory Person Classification (Subtotal 7)		
	Unclass	sified Adjustment Per	centage (Sub	ototal 7) 0%
>>	Compliance Hist	tory Summary		
	Compliance History Notes	No adjustment for Compliance History.		
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	<b>3, &amp; 7)</b> 0%
>>	Final Compliance	History Adjustment Final Adjustment Percenta	ade *capped	at 100% 0%
			<b>3</b> - 3	0.0

**Docket No.** 2024-0092-MLM-E

Screening Date 16-Jan-2024 Docket No. 2 of 2) Respondent Undine Texas, LLC (PCW No. 2 of 2)

Case ID No. 65266

Reg. Ent. Reference No. RN101283505

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

	Scre	ening Date	16-Jan-2024		Doc	<b>ket No.</b> 2024-0092-MLM-E			PCW
		-	Undine Texas, L	LC (PCW No.	2 of 2)		Policy R	levision 5 (Ja	anuary 28, 2021)
Deer		ase ID No.					PCV	V Revision Fe	ebruary 11, 2021
Reg.	Ent. Ref		RN101283505						
	Enf. C		Water Quality Claudia Bartley						
		tion Number							
		Rule Cite(s)							
		Rule elle(5)	30 Tex. A	dmin. Code §	3 290.42(i) a	nd Tex. Water Code § 26.121(a	)(1)		
			Failed to prev	vent the una	uthorized dise	charge of industrial wastewater	into or		
	Violatio	n Description	adjacent to water in the state. Specifically, an unauthorized discharge from the						
		•	Facility's Plan	t No. 2 consi	sting of sand obse	waste from the sand settling ta	ank was		
					0050	ved.			
								I	
						Base	e Penalty	L	\$25,000
>> Env	/ironme	ntal, Prope	rty and Hum	an Health	Matrix				
			_	Harm					
OR		Release		Moderate	Minor				
UK		Actual Potential			<u> </u>	Percent 15.0%			
		Totentia							
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor	-			
						Percent 0.0%			
		Human hea	th or the enviro	nment has he	en exposed	to an insignificant amount of po	llutante		
	Matrix	that do not e	exceed levels that	it are protect	ive of human	health or environmental recep	tors as a		
	Notes				of the violat				
		<u>,</u>						1	
						Adjustment	\$21,250	1	
									\$3,750
Violatia	on Even	h.a.							
VIOIALIC	on Even	LS							
		Number of V	iolation Events	1		63 Number of violation	days		
					-				
			daily weekly						
			monthly						
			quarterly	х		Violation Base	e Penalty		\$3,750
			semiannual						
			annual single event						
			Single event		1				
			rly event is reco	mmended ca	loulated from	n the November 14, 2023 inves	tigation		
		one quarter				screening date.	ligation		
								J	
Good F	aith Effe	orts to Com	ply	0.0%			Reduction		\$0
			-	efore NOE/NOV	NOE/NOV to EI	OPRP/Settlement Offer			
			Extraordinary						
			Ordinary	Y					
			N/A	x					
			Notes	The Respon		t meet the good faith criteria s violation.			
						Violation	Subtatal		\$3,750
						VIOIACIÓN	JUDIOLAI	·	JC 1, C 4
Econon	nic Bene	efit (EB) for	this violatio	on		Statutory Limit	Test		
		Estimate	ed EB Amount		\$246	Violation Final Pena	lty Total		\$3,750
			L	This visi-	tion Firel 4				
				i nis viola	tion Final A	ssessed Penalty (adjusted fo	or limits)		\$3,750

Economic Benefit Worksheet							
Respondent	Undine Texas,	LLC (PCW No. 2 d	of 2)				
Case ID No.	65266						
Reg. Ent. Reference No.	RN101283505						
Media	Water Quality					Percent Interest	Years of
Violation No.	1					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Equipment	( <u> </u>			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$2,000	14-Nov-2023	2-Aug-2025	1.72	\$11	\$229	\$240
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)	\$100	14-Nov-2023	19-Jan-2025	1.18	\$6	n/a	\$6
Notes for DELAYED costs	Notes for DELAYED costs       The Engineering/Construction delayed cost includes the estimated amount to begin capturing the waster from the sand filter in a receptacle to be disposed of, calculated from the date of the investigation to the estimated date of compliance.         The other (as needed) delayed cost includes the estimated amount to cease the discharge, calculated from the date of compliance.						igation to the
Avoided Costs		ALIZE avoided o	osts before en	terina	item (except for	one-time avoided	d costs)
Disposal			Josts Delote en	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$2,100			TOTAL		\$246



# **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.

	stomer, Respondent, /ner/Operator:	or CN605397827, Undine Texas, LLC	Classification: UNCLAS	SIFIED Rating:
Re	gulated Entity:	RN101283505, TAYLOR LAKE ESTATES WATER SYSTEM	Classification: NOT AP	PLICABLE Rating: N/A
Co	mplexity Points:	N/A	Repeat Violator: N/A	
СН	Group:	14 - Other		
Lo	cation:	1071 EAST TAYLOR LAKE CIRCLE IN LIVIN	GSTON, POLK COUNTY, TEXAS	
тс	EQ Region:	REGION 10 - BEAUMONT		
	Number(s): BLIC WATER SYSTEM/SU	JPPLY REGISTRATION 1870064		
Со	mpliance History Peri	od: September 01, 2018 to August 31, 20	Rating Year: 2023	<b>Rating Date:</b> 09/01/2023
Da	te Compliance History	<b>Report Prepared:</b> July 23, 2024		
Ag	ency Decision Requiri	ng Compliance History: Enforcem	ient	
Co	mponent Period Selec	ted: July 23, 2019 to July 23, 2024		
тс	EQ Staff Member to Co	ontact for Additional Information Re	garding This Compliance	History.
	Name: Claudia Bartley	/	<b>Phone:</b> (512) 2	39-1116
1) ł		ator History: Ice and/or operation for the full five year com Change in ownership/operator of the site durin		YES NO
Co	mponents (Multime	edia) for the Site Are Listed in Se	ections A - J	
		udgments, and consent decrees:		
В.	Criminal convictions N/A	:		
C.	Chronic excessive er N/A	nissions events:		
D.	The approval dates on N/A	of investigations (CCEDS Inv. Track.	No.):	
E.	A notice of violation repre	olations (NOV) (CCEDS Inv. Track. N sents a written allegation of a violation of a s on is not a final enforcement action, nor proo	pecific regulatory requirement fi	
F.	Environmental audit	s:		

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 7/23/2019 and 7/23/2024

1	Date:	01/14	/2022	(1774173)					
	Self Repor Citation:	t? N	10			Classification:	Minor		
	Description	n:	30 TAC Chapter 290, SubChapter D 290.43(c)(4) Failure by Undine Texas LLC - Taylor Lake Estates to have a liquid level indicator on the 0.012 million-gallon (MG) ground storage tanks.						
	Self Repor	t? N	10			Classification:	Minor		
	Citation:		20 74 6 6						
	Description	n:	30 TAC Chapter 290, SubChapter D 290.46(I) Failure by Undine Texas LLC - Taylor Lake Estates to flush all dead-end mains on a monthly basis.						
	Self Repor	t? N	10			Classification:	Minor		
	Citation:				Sharehov E 200, 100				
Τ.	Description	6-	Failure by				riological samples from		
	Self Repor	t? N	10			Classification:	Minor		
-14 I	Citation:				Chapter D 290.41( Chapter D 290.46(i		UIIC		
	Descriptio	n:	Failure by the well.	Undine Texas Ll	_C - Taylor Lake Es	tates to have an ade	quate sealing block at		
	Self Repor	t? N	10			Classification:	Minor		
	Citation:	10							
	Description	n:	Failure by			tates to have second	ary containment		
	Self Repor	t? N	10			Classification:	Moderate		
	Citation:								
	Descriptio	n:	Failure by	• •		tates to provide a we	Il capacity of 0.6		
	Self Repor	t? N	10			Classification:	Minor		
	Citation:								
	Descriptio	n:	Failure by		Chapter D 290.45(I _C - Taylor Lake Es		gallons per connection		
	Self Repor	t? N	10			Classification:	Minor		
	Citation:								
	Descriptio	n:	Failure by	• •	•		essure tank capacity of		
	Self Repor	t? N	10			Classification:	Minor		
	Citation:								
	Description	n:	Failure by	Undine Texas Ll	,		service pumps with a n.		

\* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

### Appendix B All Investigations Conducted During Component Period July 23, 2019 and July 23, 2024

Item 1	June 29, 2020**	(1651529)
Item 2	February 22, 2021**	(1701358)
Item 3	January 14, 2022**	(1774173)
Item 4	October 14, 2022**	(1840618)
Item 5	January 11, 2024	(1944178)

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

# Informational Purposes Only

Compliance History Report for CN605397827, RN101283505, Rating Year 2023 which includes Compliance History (CH) components from July 23, 2019, through July 23, 2024.

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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55555

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING UNDINE TEXAS, LLC RN101283505 BEFORE THE TEXAS COMMISSION ON 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") considered this agreement of the parties, resolving an enforcement action regarding Undine Texas, LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates a public water supply located at 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 cease discharging sand waste from the sand settling tank of Plant No. 2, in accordance with 30 Tex. ADMIN. CODE § 290.42.
  - 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
    - 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;
  - iv. Provide a minimum pressure tank capacity of 20 gallons per connection, in accordance with 30 Tex. ADMIN. CODE § 290.45; and
  - v. Begin capturing the sand waste from the sand settling tank of Plant No. 2 in a receptable to be disposed of, in accordance with 30 TEX. ADMIN. CODE § 290.42.
- 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.v. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager 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.

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

### SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

\_11/22/2024\_\_\_\_\_ Date

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

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

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

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

ature

Name (Printed or typed) Authorized Representative of Undine Texas, LLC

Date

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