Executive Summary – Enforcement Matter – Case No. 65385 Green Creek Water Supply Corporation RN101268688 Docket No. 2024-0211-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Green Creek WSC, 18460 South United States Highway 377, Stephenville, Erath 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: October 25, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$2,625

Amount Deferred for Disinfection Byproducts for Eligible Systems: \$2,625

Total Paid to General Revenue: \$0 Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - N/A Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: January 15, 2024 through January 26, 2024

Date(s) of NOE(s): January 26, 2024

Executive Summary – Enforcement Matter – Case No. 65385 Green Creek Water Supply Corporation RN101268688 Docket No. 2024-0211-PWS-E

Violation Information

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter for total trihalomethanes ("TTHM"), based on the locational running annual average [30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 90 days, negotiate a water purchase contract that will enable the Facility to comply with the MCL for TTHM within 1,095 days; and
- b. Within 105 days, submit written certification to demonstrate compliance with a.
- c. Within 1,095 days, return to compliance with the MCL for TTHM based on a locational running annual average; and
- d. Within 1,110 days, submit written certification to demonstrate compliance with c.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Tessa Bond, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-1269; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Brenda Gilman, President GCWS Board, Green Creek Water Supply

Corporation, P.O. Box 447, Dublin, Texas 76446

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

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

DATES Assigned 29-Jan-2024 PCW 24-Jun-2024

PCW 24-Jun-2024 Screening 6-Feb-2024 EPA Due 31-Mar-2024

RESPONDENT/FACILITY INFORMATION
Respondent
Reg. Ent. Ref. No.
Facility/Site Region

Respondent
Reg. Ent. Ref. No.
Major/Minor Source Minor

CASE INFORMATION

Enf./Case ID No. 65385
Docket No. 2024-0211-PWS-E
Media Program(s) Public Water Supply
Multi-Media

Multi-Media

Admin. Penalty \$ Limit Minimum \$50 Maximum \$5,000

			Penalty C	Calcula	tion Sectio	n		
TOTA	L BASE PENA	LTY (Sum of	violation bas	e penal	ties)		Subtotal 1	\$2,500
ADIII	STMENTS (+	/-) TO SUBTO	TAL 1					
ADJU	Subtotals 2-7 are of	btained by multiplying	the Total Base Penalt	ty (Subtotal 1) by the indicated pe	ercentage.		
	Compliance Hi			5.0%	Adjustment		otals 2, 3, & 7	\$125
	Notes Enhancement for one NOV with the same/similar violations.							
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes The Respondent does not meet the culpability criteria.							
	Good Faith Eff	ort to Comply To	ntal Adjustment	·c			Subtotal 5	\$0
	Good Fulch En	ore to compry re	otal Aajastiiiciit				Subtotui	Ψ0
	Economic Ben	-Cit		0.00/	F., b		Subtotal 6	\$0
	Economic Ben	Total EB Amounts	\$1,449		Enhancement* d at the Total EB \$ A	\mount	Subtotal 6	şυ
	Estimated	Cost of Compliance	\$5,000		•			
SUM OF SUBTOTALS 1-7 Final Subtotal								\$2,625
3014	OF SUBIOIA	L3 1-7					Iliai Subtotai	\$2,023
OTHE	R FACTORS A	AS JUSTICE M	AY REQUIRE		0.0%		Adjustment	\$0
Reduces	or enhances the Fina	Subtotal by the indic	ated percentage.					
	Notes							
						Final Pe	nalty Amount	\$2,625
								+=/===
STAT	UTORY LIMIT	T ADJUSTMEN	IT			Final Ass	essed Penalty	\$2,625
DEEE	DDAL				100.00/			+2.625
DEFE		analty by the indicated	norcontago		100.0%	Reduction	Adjustment	-\$2,625
Reduces the Final Assessed Penalty by the indicated percentage.								
Notes The Executive Director recommends a conditional deferral for disinfection byproducts.								
-							-	
PAYA	BLE PENALT	Y						\$0

Docket No. 2024-0211-PWS-E

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

Respondent Green Creek Water Supply Corporation

Case ID No. 65385

Reg. Ent. Reference No. RN101268688

Media Public Water Supply

Enf. Coordinator Tessa Bond

Camplianes His	Compliance History Worksheet						
Compliance his	tory Site Enhancement (Subtotal 2) Number of	Number	Adjust.				
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%				
	Other written NOVs	0	0%				
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (number of judgments or consent decrees meeting criteria)	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 Au Privilege Act, 74th Legislature, 1995 (number of audits for which violations we disclosed)		0	0%				
	Environmental management systems in place for one year or more	No	0%				
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%				
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%				
Repeat Violator	Adjustment Per (Subtotal 3)	rcentage (Sub	total 2)	5%			
N/	rcentage (Sub	total 3)	0%				
> Compliance His	cory Person Classification (Subtotal 7)						
N/	Adjustment Per	rcentage (Sub	total 7)	0%			
> Compliance History Summary							
Compliance History Notes Enhancement for one NOV with the same/similar violations.							
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 5%							
> Final Compliance	History Adjustment Final Adjustment Percent	age *canned.	at 100%	5%			
	aajasaene i ereene			- 70			

	Screening Date	:e 6-Feb-2024		Docke	et No. 2024-0211-PWS-E		PCW
		nt Green Creek W	later Supply Co	orporation		Policy Revisio	n 5 (January 28, 2021)
	Case ID N					PCW Revi	sion February 11, 2021
Reg.	Ent. Reference N						
		ia Public Water S	upply				
	Enf. Coordinate		ส				
	Violation Numb	er 1					
	Rule Cite(30 Tex.	Admin. Code §	290.115(f)(1) 341.0315	and Tex. Health & Safety Code i(c)	§	
	Violation Description	per liter ("n running an concentrations 0.089 mg/L i 2023, and 0.: running ann	ng/L") for total nual average. of TTHM for St for the second 104 mg/L for th ual average co	trihalomethane Specifically, the tage 2 Disinfect quarter of 2023 he fourth quarte ncentrations of	nant level ("MCL") of 0.080 mils ("TTHM"), based on the locat locational running annual aver on Byproducts ("DBP2") at Site 1, 0.094 mg/L for the third qualer of 2023. Additionally, the loc TTHM for DBP2 at Site 2 were 19 mg/L for the fourth quarter of	ional rage 2 1 were rer of ational 0.082	
					Base	Penalty	\$5,000
>> Env	ironmental, Prop	erty and Hum		Matrix			
	Relea	se Major	Harm Moderate	Minor			
OR	Acti		X				
	Potent				Percent 25.0%		
>>Prog	grammatic Matrix						
	Falsificatio	n Major	Moderate	Minor	5		
					Percent 0.0%		
			•	•	: Facility to be exposed to a sig Is protective of human health.	nificant	
					Adjustment	\$3,750	
							\$1,250
							7-1-00
Violatio	on Events						
	Number (of Violation Events	2		274 Number of violation da	VS	
	Number	Violation Events			1 variber of violation da	ys	
		daily					
		weekly					
		monthly					
		quarterly			Violation Base		
		semiannual	11		Violation base	Penalty	\$2,500
					Violation base	Penalty	\$2,500
		annual	X		Violation base	Penalty	\$2,500
			Х		Violation base	Penalty	\$2,500
		annual	X		Violation base	Penalty	\$2,500
		annual single event		re recommende		Penalty	\$2,500
		annual single event		re recommende		Penalty	\$2,500
		annual single event Two a	nnual events a	re recommende	d, one per site.		
Good F	aith Efforts to Co	annual single event Two a	nnual events a		d, one per site. Re	duction	\$2,500 \$0
Good F	aith Efforts to Co	annual single event Two a	nnual events a 0.0% Before NOE/NOV	nce recommende	d, one per site. Re		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary	nnual events a 0.0% Before NOE/NOV		d, one per site. Re		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary Ordinary	nnual events a 0.0% Before NOE/NOV		d, one per site. Re		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary	nnual events a 0.0% Before NOE/NOV		d, one per site. Re		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary Ordinary N/A	nnual events a 0.0% Before NOE/NOV X The Responde	NOE/NOV to EDPR	d, one per site. Reconstruction of the control of		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary Ordinary	nnual events a 0.0% Before NOE/NOV X The Responde	NOE/NOV to EDPR	d, one per site. Reconstruction of the control of		
Good F	aith Efforts to Co	annual single event Two a mply Extraordinary Ordinary N/A	nnual events a 0.0% Before NOE/NOV X The Responde	NOE/NOV to EDPR	d, one per site. Reconstruction of the control of	duction	
		annual single event Two a mply Extraordinary Ordinary N/A Notes	nnual events a 0.0% Before NOE/NOV X The Responde	NOE/NOV to EDPR	d, one per site. Re P/Settlement Offer et the good faith criteria for ation. Violation S	duction	\$0
	nic Benefit (EB) f	annual single event Two a mply Extraordinary Ordinary N/A Notes or this violation	nnual events a 0.0% Before NOE/NOV x The Responde	NOE/NOV to EDPR	d, one per site. Re P/Settlement Offer et the good faith criteria for ation. Violation S Statutory Limit T	ubtotal est	\$2,500
	nic Benefit (EB) f	annual single event Two a mply Extraordinary Ordinary N/A Notes	nnual events a 0.0% Before NOE/NOV x The Responde	NOE/NOV to EDPR	d, one per site. Re P/Settlement Offer et the good faith criteria for ation. Violation S	ubtotal est	\$0

	E	conomic	Benefit	Woı	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	65385	Water Supply Corp	ooration				
	Public Water 9					Percent Interest	Years of Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	30-Jun-2023	19-Aug-2027	4.14	\$69	\$1,380	\$1,449
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 Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	necessary cor	rective actions to first quarte	return to compl r of noncomplia	iance w nce to tl	ith MCL for TTHM, he estimated date	<u> </u>	last day of the
Avoided Costs	ANNU	ALIZE avoided c	osts before er		<u> </u>	one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,449

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



Compliance History Report

Compliance History Report for CN600696827, RN101268688, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Classification: NOT APPLICABLE

Rating: N/A

Customer, Respondent, CN600696827, Green Creek Water

Supply Corporation

Regulated Entity: RN101268688, GREEN CREEK WSC Classification: NOT APPLICABLE Rating: N/A

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

CH Group: 14 - Other

Location: 18460 SOUTH UNITED STATES HIGHWAY 377 NEAR STEPHENVILLE, ERATH COUNTY, TEXAS

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

or Owner/Operator:

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0720028

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

Date Compliance History Report Prepared: August 26, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 26, 2019 to August 26, 2024

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

Name: Tessa Bond Phone: (512) 239-1269

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 May 23, 2023 (1888175)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date: 01/10/2024 (1955513)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 4Q2023 - During the 4th quarter of 2023 the system

violated the maximum contaminant level for trihalomethanes with a LRAA of 0.104~mg/L at 238 CR 195 Stephenville, TX (DBP2-01) and with a LRAA of 0.109~mg/L at 3023 CR 242, Stephenville, TX (DBP2-02). ETT Point Value = 5

	N/A
G.	Type of environmental management systems (EMSs): $\ensuremath{N/A}$
н.	Voluntary on-site compliance assessment dates: $\ensuremath{N/A}$
I.	Participation in a voluntary pollution reduction program: $\ensuremath{N/A}$
J.	Early compliance: N/A
	es Outside of Texas: N/A

F. Environmental audits:

Component Appendices

Appendix A

All NOVs Issued During Component Period 8/26/2019 and 8/26/2024

1 Date: 01/27/2020 (1623000)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.44(h)(4)

Description: Failure to test backflow prevention assemblies used for protection against

health hazards at least annually.

EIC B17 MOD(2)(E)

Self Report? NO Classification: Moderate

Citation:

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

Description: Failure to verify the accuracy of the manual disinfectant residual analyzer and

the analyzer used to determine chloramine effectiveness at least once every

90 days.

EIC B1 MOD(2)(E)

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.45(f)(5)

Description: Failure to provide a maximum hourly purchase rate of at least 2.0 gallons per

minute (gpm) per connection.

EIC C7 MIN(3)(C)

2* Date: 05/26/2023 (1955513)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 2Q2023 – During the 2nd quarter of 2023 the system

violated the maximum contaminant level for trihalomethanes with a LRAA of 0.089 mg/L at 238 CR 195 Stephenville, TX (DBP2-01). ETT Point Value = 5

3* Date: 08/23/2023 (1955513)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 3O2023 – During the 3rd guarter of 2023 the system

violated the maximum contaminant level for trihalomethanes with a LRAA of 0.094 mg/L at 238 CR 195 Stephenville, TX (DBP2-01) and with a LRAA of 0.082 mg/L at 3023 CR 242, Stephenville, TX (DBP2-02). ETT Point Value = 5

4 Date: 01/10/2024 (1955513)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 4Q2023 - During the 4th quarter of 2023 the system

violated the maximum contaminant level for trihalomethanes with a LRAA of 0.104 mg/L at 238 CR 195 Stephenville, TX (DBP2-01) and with a LRAA of 0.109 mg/L at 3023 CR 242, Stephenville, TX (DBP2-02). ETT Point Value = 5

Appendix B

All Investigations Conducted During Component Period August 26, 2019 and August 26, 2024

 Item 1
 January 23, 2020**
 (1623000)

 Item 2
 February 28, 2020**
 (1632223)

 Item 3
 July 08, 2020**
 (1658209)

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

Item 4*	May 23, 2023**	(1888175)
Item 5	January 24, 2024	(1955513)
Item 6	January 26, 2024	(1956136)

 $[\]ensuremath{^{*}}$ No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

AGREED ORDER DOCKET NO. 2024-0211-PWS-E

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCEQ") cons	sidered this agreement of the parties, resolving an enforcement
action regarding Green Creek	x Water Supply Corporation (the "Respondent") under the authority
of Tex. Health & Safety Code	ch. 341. The Executive Director of the TCEQ, through the
Enforcement Division, and th	e Respondent presented this Order to the Commission.

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

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

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

I. FINDINGS OF FACT

- 1. The Respondent owns and operates a public water supply located at 18460 South United States Highway 377 near Stephenville, Erath County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 185 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 Tex. ADMIN. CODE § 290.38(73).
- 2. During a record review for the Facility conducted on January 15, 2024 through January 26, 2024, an investigator documented that the locational running annual average concentrations of total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 were 0.089 milligrams per liter ("mg/L") for the second quarter of 2023, 0.094 mg/L for the third quarter of 2023, and 0.104 mg/L for the fourth quarter of 2023. Additionally, the locational running annual average concentrations of TTHM for DBP2 at Site 2 were 0.082 mg/L for the third quarter of 2023 and 0.109 mg/L for the fourth quarter of 2023.

II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM, based on the locational running annual average, in violation of 30 Tex. ADMIN. CODE § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c).
- 3. Pursuant to Tex. Health & Safety Code § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 4. An administrative penalty in the amount of \$2,625 is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. HEALTH & SAFETY CODE § 341.049(b). The amount of \$2,625 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and 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 requirement contained in this Order, the Executive Director may demand payment of all or part of the conditionally deferred penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Green Creek Water Supply Corporation, Docket No. 2024-0211-PWS-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 90 days after the effective date of this Order, negotiate a water purchase contract that will enable the Facility to comply with the MCL for TTHM within 1,095 days after the effective date of this Order, in accordance with 30 Tex. ADMIN. CODE § 290.115.

- b. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
- c. Within 1,095 days after the effective date of this Order, return to compliance with the MCL for TTHM based on a locational running annual average, in accordance with 30 Tex. ADMIN. CODE § 290.115.
- d. Within 1,110 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 No. 2.c. 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:

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

- 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

Green Creek Water Supply Corporation DOCKET NO. 2024-0211-PWS-E Page 4

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. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Cun	11/8/2024
For the Executive Director	Date
I, the undersigned, have read and understand the atta the attached Order, and I do agree to the terms and co acknowledge that the TCEQ, in accepting payment for on such representation.	onditions specified therein. I further
I also understand that failure to comply with the Orde and/or failure to timely pay the penalty amount, may	
 A negative impact on compliance history; Greater scrutiny of any permit applications substracted and or attorney fees, or to a collection agency; Increased penalties in any future enforcement a Automatic referral to the OAG of any future enforcement. TCEQ seeking other relief as authorized by law. 	ajunctive relief, additional penalties, ctions;
In addition, any falsification of any compliance docum	nents may result in criminal prosecution.
Grenda Gilman	9-30-24
Signature	Date
BrendaGilman	President GCWS Board
Name (Printed or typed)	Title
Authorized Representative of Green Creek Water Supply Corporation	

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