**Order Type:** 1660 Agreed Order **Findings Order Justification:** N/A Media: MLM – PWS, WR **Small Business:** No Location(s) Where Violation(s) Occurred: The Cliffs, 8615 Texas Highway 16, Graford, Palo Pinto 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 1, 2024 Comments Received: No

#### **Penalty Information**

Total Penalty Assessed: \$18,199 Amount Deferred for Expedited Settlement: \$3,639 Total Paid to General Revenue: \$14,560 Total Due to General Revenue: \$0 Payment Plan: N/A Compliance History Classifications: Person/CN - Satisfactory Site/RN - High Major Source: WR: No; PWS: Yes 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 29, 2024 Date(s) of NOE(s): February 2, 2024

#### **Violation Information**

1. Failed to calibrate the Facility's benchtop turbidimeter with primary standards at least once every 90 days and check the calibration with secondary standards each time a series of samples is tested [30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(i) and (s)(2)(B)(ii)].

2. Failed to calibrate the Facility's two on-line turbidimeters with primary standards at least once every 90 days and check the calibration with a primary standard, secondary standard, or manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week [30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(iii) and (s)(2)(B)(iv)].

3. Failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, the Respondent did not notify the Executive Director prior to utilizing polymer ahead of the pressure filters, adding two 30-micron cartridge filters after the pressure filters, and changing the two 5-micron cartridge filters before the reverse osmosis units to one 1-micron cartridge filter [30 TEX. ADMIN. CODE § 290.39(j) and TEX. HEALTH & SAFETY CODE § 341.0351].

4. Failed to flush all dead-end mains at monthly intervals. Specifically, the Respondent was flushing at hydrants near the dead ends instead of at all dead-end mains [30 Tex. ADMIN. CODE § 290.46(l)].

5. Failed to collect routine distribution coliform samples at a customer's premise, dedicated sampling station, or other designated compliance sampling location at active service connections which are representative of water quality throughout the distribution system. Specifically, the sampling locations were not equally distributed throughout the distribution system as there were no bacteriological sampling locations on the southern part of the sampling map [30 TEX. ADMIN. CODE § 290.109(d)(1)(A)].

6. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map [30 Tex. ADMIN. CODE § 290.110(c)(4)(C)].

7. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the on-line turbidity monitoring results and exception reports for individual filters, the results of inspections for all water storage and pressure maintenance facilities, the results of inspections for all pressure filters, and the previous one and a half years of Customer Service Inspection reports were not maintained on-site for review [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(C)(iv), (f)(3)(D)(ii), (f)(3)(D)(iii), and (f)(3)(E)(iv)].

8. Failed to ensure that the Facility has at least one Class "C" or higher surface water operator on duty when it is in operation or that the Facility is provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms to summon operators so as to ensure that the water produced continues to meet the Commission's drinking water standards during periods when the Facility is not staffed. Specifically, the plant does not automatically shutdown if an alarm is triggered and there are no operators on-site overnight [30 TEX. ADMIN. CODE § 290.46(e)(6)(C)].

9. 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, five of the six pressure filters were leaking from their effluent lines [30 TEX. ADMIN. CODE § 290.46(m)(4)].

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

11. Failed to install water transmission and distribution lines below the frost line and in no case less than 24 inches below the ground surface. Specifically, the raw water transmission line and distribution line leaving the plant were sitting above ground [30 Tex. ADMIN. CODE § 290.44(a)(4)].

12. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference [30 Tex. ADMIN. CODE § 290.42(l)].

13. Failed to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Specifically, BPAs at the restaurant, the marina, the marina ice machine, and the wastewater treatment plant were not being tested on an annual basis [30 Tex. ADMIN. CODE § 290.44(h)(4)].

14. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier [30 Tex. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B), and Tex. WATER CODE § 11.1272(c)].

## Corrective Actions/Technical Requirements

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

The Respondent implemented the following corrective measures by February 1, 2024:

a. Began collecting routine distribution coliform samples at a customer's premise, dedicated sampling station, or other designated compliance sampling location at active service connections which are representative of water quality throughout the distribution system;

b. Began monitoring the disinfectant residual at representative locations throughout the distribution system at least once per day;

c. Made the results of inspections for all water storage and pressure maintenance facilities and Customer Service Inspection reports readily available for review by the Executive Director;

d. Adopted an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted;

e. Adopted a drought contingency plan which includes all elements for municipal use by a retail public water supplier; and

f. Compiled and maintained a thorough and up-to-date plant operations manual for operator review and reference.

#### **Technical Requirements:**

The Order will require the Respondent to:

a. Within 30 days:

i. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, the results of pressure filter inspections and online turbidity monitoring results and exception reports for individual filters;

ii. Calibrate the benchtop turbidimeter with primary standards and check the calibration with secondary standards each time a series of samples is tested. This provision will be satisfied upon one month of compliant monitoring;

iii. Calibrate the two on-line turbidimeters with primary standards and check the calibration with a primary standard, secondary standard, or manufacturer's proprietary calibration confirmation device or by comparing the results from the online unit with the results from a properly calibrated benchtop unit at least once every week. This provision will be satisfied upon one month of compliant monitoring; and

iv. Begin flushing all dead-end mains at monthly intervals or more often as needed if water quality complaints are received from water customers or if disinfectant residuals fall below acceptable levels. This provision will be satisfied upon three months of consecutive compliant monthly flushing.

b. Within 45 days, submit written certification to demonstrate compliance with a.i.

c. Within 60 days:

i. Repair the automatic plant shutdown and alarms at the Facility;

ii. 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 the five pressure filters that were leaking from their effluent lines; and

iii. Ensure that all BPAs are tested upon installation and on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, including but not limited to the BPAs at the restaurant, the marina, the marina ice machine, and the wastewater treatment plant.

d. Within 75 days, submit written certification to demonstrate compliance with a.ii., a.iii., and c.

e. Within 90 days, ensure that all water transmission and distribution lines are located below the frost line and in no case less than 24 inches below the ground surface.

f. Within 105 days, submit written certification to demonstrate compliance with e.

g. Within 135 days, submit written certification to demonstrate compliance with a.iv.

h. Within 180 days, submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to utilizing polymer ahead of the pressure filters, adding two 30-micron cartridge filters after the pressure filters, and changing the two 5-micron cartridge filters before the reverse osmosis units to one 1-micron cartridge filter.

i. Within 195 days, submit written certification to demonstrate compliance with h.

j. Within 270 days, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director.

k. Within 285 days, submit written certification to demonstrate compliance with j.

## **Contact Information**

TCEQ Attorney: N/A TCEQ Enforcement Coordinator: Kaisie Hubschmitt, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1482; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 Respondent: Jeffrey McIntyre, President, MIDWAY WATER UTILITIES, INC., 2150 Town Square Place, Suite 400, Sugar Land, Texas 77479 Respondent's Attorney: N/A

COMMISSION COMMISSION	Policy Re	Pe evision 5 (January 28	•	alculatio	n Worksl	heet (PC	-	vision February	/ 11, 2021
DATES	Assigned	5-Feb-2024							
	PCW	26-Feb-2024	Screening	7-Feb-2024	EPA Due				
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Dec	Respondent g. Ent. Ref. No.	MIDWAY WATER	UTILITIES,	INC. (PCW No. 3	L of 2)				
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	NFORMATION f./Case ID No.	65399			No	of Violations	13		1
	Docket No.	2024-0215-MLM				Order Type			
Med	lia Program(s)		ply			t/Non-Profit			
	Multi-Media	water Rights			Ent.		Kaisie Hubsch Enforcement		-
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		-					•		
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	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	5	10%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%	
	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%	
	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 ( <i>number of audits for which notices were submitted</i> )	0	0%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment Per	centage (Sub	total 2)	30%
>> R	epeat Violator	(Subtotal 3)			
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>> Fir	iai compliance	History Adjustment Final Adjustment Percente	age *capped a	at 100%	30%

#### Screening Date 7-Feb-2024 **Docket No.** 2024-0215-MLM-E Respondent MIDWAY WATER UTILITIES, INC. (PCW No. 1 of 2) **Case ID No.** 65399

Reg. Ent. Reference No. RN101265213

Media Public Water Supply

Enf. Coordinator Kaisie Hubschmitt

Component Number of...

## **Compliance History Worksheet** >> Compliance History Site Enhancement (Subtotal 2)

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

Adjust.

Number

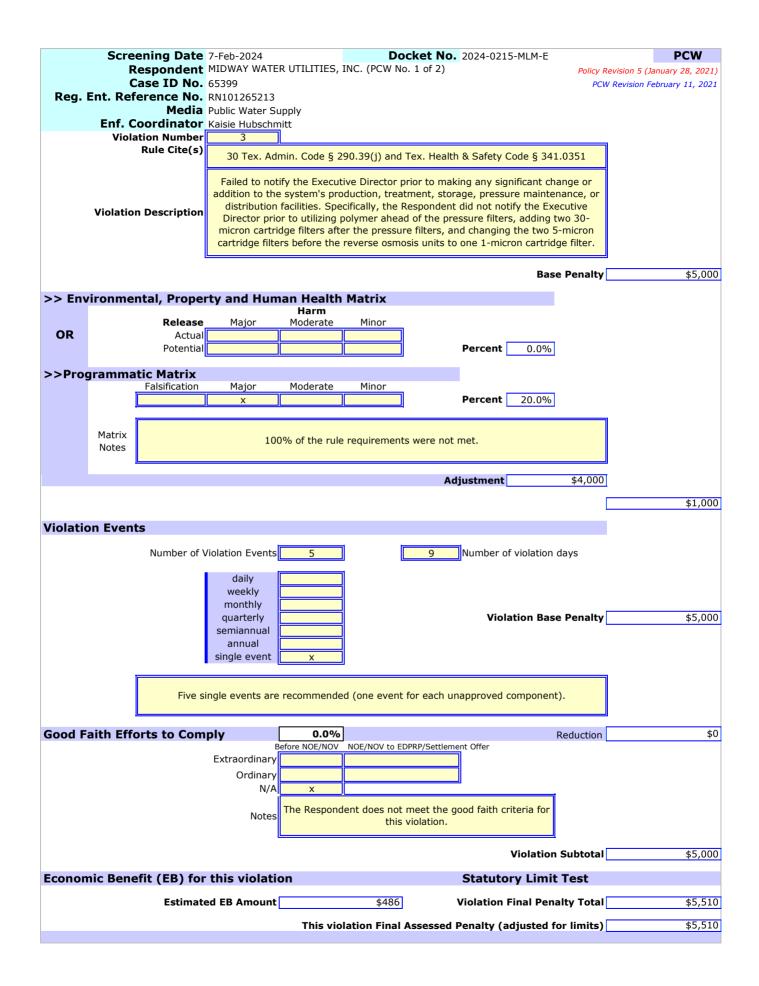
#### PCW

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		oordinator	Kaisie Hubschm	nitt						
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			Extraordinary							
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			N/A	x						
			Notes	The Respond	dent does not meet for this violat		o criteria			
			L				Violation	Subtotal		\$750
Econor	nic Bene	efit (EB) for	this violatio	on		Statuto	ory Limit			φ <b>, 50</b>
			ed EB Amount		\$12					\$827
		Estimation	Eu ED AINOUNT			Violation				
				This viola	tion Final Assess	ed Penalty (a	djusted fo	or limits)		\$827

	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	2)			
Case ID No.		,,,	. (	_,			
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	Public Water S	supply				<b>Percent Interest</b>	Years of
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Item Description							
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Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
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Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The Other (a with primar each time a s ANNU	s needed) delayed y standards at lea series of samples the ALIZE avoided c	I cost includes th st once every 90 is tested, calcula e violation to the osts before en	2.83 ne estimo days a ated from e estimo e estimo tering 0.00 0.00 0.00 0.00	\$1 ated amount to ca and check the calib m the date of the i ited date of compli- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a alibrate the benchto pration with seconda investigation initially iance. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 p turbidimeter ry standards v documenting d 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	The Other (a: with primar each time a s ANNU, standards a standards a	s needed) delayed y standards at lea series of samples the ALIZE avoided c 26-Apr-2022 ed cost includes the at least once event	I cost includes the store every 90 is tested, calculate violation to the osts before en 7-Feb-2024	2.83 1 2.83 2 days a ated from 2 estima 2 estima 4 estima 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0	\$1 nated amount to ca and check the calib m the date of the i item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a alibrate the benchto pration with seconda investigation initially iance. <b>one-time avoidee</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 p turbidimeter ry standards / documenting <b>d costs)</b> <b>d costs)</b> <b>d costs)</b> <b>s</b> 0 <b>s</b> 0

		ening Date espondent	7-Feb-2024 MIDWAY WATER UTILITIES,	<b>Docket No.</b> 2024-0215-MLM-E INC. (PCW No. 1 of 2)	PCW Policy Revision 5 (January 28, 2021
		ase ID No.			PCW Revision February 11, 202
Reg.	Ent. Ref		RN101265213		
	<b>F</b> 6-0		Public Water Supply		
		oordinator	Kaisie Hubschmitt		
	VIOIA	Rule Cite(s)			
		(-)	30 Tex. Admin.	Code § 290.46(s)(2)(B)(iii) and (s)(2)(B)(iv)	
	Violatio	n Description	least once every 90 day secondary standard, or mar by comparing the results	ty's two on-line turbidimeters with primary star rs and check the calibration with a primary stan pufacturer's proprietary calibration confirmation from the on-line unit with the results from a pro- benchtop unit at least once every week.	idard, device or
				Base	e Penalty \$5,00
>> En	vironme	ntal, Prope	rty and Human Health	n Matrix	
		Release	Harm		
OR		Kelease Actual	Major Moderate	Minor	
UN		Potential		Percent 15.0%	
			nn		
>>Pro	ogramma	tic Matrix	Madau Madauata	Maran	
	1	Falsification	Major Moderate	Minor Percent 0.0%	
	Matrix Notes	detection of	treatment problems and cou	ters could cause inaccurate data collection and Id expose persons served by the Facility to a sig Id not exceed levels protective of human healt	gnificant
		amou	it of contaminants which wo	ind not exceed levels protective of number real	
				Adjustment	\$4,250
					\$75
					φ <b>,</b> ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Violati	ion Event	ts			
		Number of \	/iolation Events 2	9 Number of violation of	davs
		Number of s			10 y 5
			daily	]	
			weekly		
			monthly quarterly	 Violation Base	e Penalty \$1,50
			semiannual		Fenalty \$1,50
			annual	]	
			single event x	]	
	1				
		Тwo	single events are recommer	nded (one event for each on-line turbidimeter).	
Good F	Faith Effo	orts to Com	Before NOE/NOV		Reduction \$
			Extraordinary		
			Ordinary		
			N/A x		
			The Respon	dent does not meet the good faith criteria for	
			Notes	this violation.	
				Violation	Subtotal \$1,50
Econor	mic Bene	fit (EB) for	this violation	Statutory Limit	Test
		Estimat	ed EB Amount	\$25 Violation Final Pena	alty Total \$1,65
			<u> </u>		-
			I his vie	plation Final Assessed Penalty (adjusted fo	or limits) \$1,65

	, MIDWAI WAN	ER UTILITIES, INC	. (PCW No. 1 of	<sup>:</sup> 2)			
Case ID No.		,	,	,			
leg. Ent. Reference No.							
	Public Water S					Percent Interest	Years of
Violation No.	2					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
-							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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)	\$20	26-Apr-2022	21-Feb-2025	2.83	\$3	n/a	\$3
	standards	at least once ever	he estimated an ry 90 days and o	nount to check th	calibrate the on-l ne calibration with	ine turbidimeters w a primary standard, or by comparing the	ith primary , secondary
Notes for DELAYED costs	standards standard, or the on-line un	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated	nount to check th ation co calibra from th	o calibrate the on-I ne calibration with onfirmation device ted benchtop unit e date of the inves	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc	ith primary , secondary e results from week (\$10 per
	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	hount to check th ation co calibra from the estimate	o calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the invested date of compliar	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc nce.	ith primary , secondary e results from week (\$10 per umenting the
Avoided Costs	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	nount to check th ation co calibra from the estimate <b>tering</b>	o calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the invest ed date of complian <b>item (except for</b>	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc nce. one-time avoided	ith primary , secondary e results from week (\$10 per umenting the d costs)
Avoided Costs Disposal	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	nount to check th ation co calibra from the estimate tering 0.00	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar <b>item (except for</b> \$0	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. one-time avoided \$0	ith primary , secondary e results from week (\$10 per umenting the d costs) \$0
Avoided Costs Disposal Personnel	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	nount to check the ation co calibra from the estimate tering 0.00	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar item (except for \$0 \$0	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. one-time avoideo \$0 \$0	th primary , secondary e results from week (\$10 per umenting the d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	nount to check th ation co calibra from the estimate tering 0.00 0.00	calibrate the on-line calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar item (except for \$0 \$0 \$0 \$0	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc nce. one-time avoided \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the d costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	rount to check the ation co calibra from the estimate tering 0.00 0.00 0.00	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar <b>item (except for</b> \$0 \$0 \$0 \$0 \$0	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc ice. <b>one-time avoidee</b> \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the s0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	standards standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimeter ALIZE avoided c	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated t violation to the e osts before en	to the second se	calibrate the on-l be calibration with onfirmation device ted benchtop unit e date of the invest d date of compliar item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	standards, standard, or the on-line un turbidimeter	at least once even manufacturer's p it with the results x two turbidimete	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated violation to the e	rount to check the ation co calibra from the estimate tering 0.00 0.00 0.00	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar <b>item (except for</b> \$0 \$0 \$0 \$0 \$0	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc ice. <b>one-time avoidee</b> \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the s0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	standards standard, or the on-line un turbidimeter ANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, SANNU, S	at least once even manufacturer's p it with the results x two turbidimeter ALIZE avoided c	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated t violation to the e osts before en 7-Feb-2024	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	calibrate the on-l be calibration with onfirmation device ted benchtop unit e date of the invested date of complian <b>item (except for</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ith primary , secondary e results from week (\$10 per umenting the s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	standards standard, or the on-line un turbidimeter ANNU, \$20 \$20 The avoid	at least once ever manufacturer's p it with the results x two turbidimeter ALIZE avoided c ALIZE avoided c ALI	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated t violation to the e osts before en 7-Feb-2024 ne estimated an	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the invested date of compliar item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 calibrate the on-l	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	standards standard, or the on-line un turbidimeter ANNU, standards	at least once ever manufacturer's p it with the results x two turbidimeter ALIZE avoided c ALIZE avoided c ALI	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated t violation to the e osts before en 7-Feb-2024 ne estimated an ry 90 days and o	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar item (except for \$0 \$0 \$0 \$0 \$0 \$0 colibrate the on-l ne calibration with	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	standards standard, or the on-line un turbidimeter ANNU \$20 The avoid standards standard, or	at least once ever manufacturer's p it with the results x two turbidimete ALIZE avoided c ALIZE avoided c ALIZ	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated t violation to the e osts before en 7-Feb-2024 the estimated an ry 90 days and o roprietary calibr	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	calibrate the on-l ne calibration with onfirmation device ted benchtop unit e date of the inves ed date of compliar item (except for \$0 \$0 \$0 \$0 \$0 \$0 calibrate the on-l ne calibration with onfirmation device	ine turbidimeters w a primary standard, or by comparing the at least once every tigation initially doc nce. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	th primary , secondary e results from week (\$10 per umenting the s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	standards standard, or the on-line un turbidimeter ANNU, \$20 The avoid standards standard, or the on-line un	at least once even manufacturer's p it with the results * x two turbidimeter ALIZE avoided c ALIZE avoided c alignment 26-Apr-2022 ed cost includes the at least once even manufacturer's p it with the results	ne estimated an ry 90 days and o roprietary calibr from a properly ers), calculated triolation to the e osts before en 7-Feb-2024 the estimated an ry 90 days and o roprietary calibr from a properly	tering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibratering calibrate	calibrate the on-le calibration with onfirmation device ted benchtop unit e date of the invest ed date of compliar <b>item (except for</b> \$0 \$0 \$0 \$0 \$0 \$0 calibrate the on-le calibration with onfirmation device ted benchtop unit	ine turbidimeters w a primary standard or by comparing the at least once every tigation initially doc ice. <b>one-time avoidee</b> \$0 \$0 \$0 \$0 \$0 \$0 a \$0 a \$0 a \$0 a \$0 a	ith primary , secondary e results from week (\$10 per umenting the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
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RESDUILLEIL	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	- 2)			
Case ID No.		, -		,			
eg. Ent. Reference No.							
	Public Water S						Years of
		зирріу				<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	1						
p							
Delayed Costs							
Equipment	, 	1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Engineering/Construction				0.00	\$0	\$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
					T -		
Permit Costs				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$3,000	26-Apr-2022	21-Jul-2025			· · · · · · · · · · · · · · · · · · ·	
				0.00 3.24	\$0 \$486	n/a n/a	\$0 \$486
Other (as needed)	The delayed of	cost includes the e	stimated amour	0.00 3.24	\$0 \$486 tify and receive ap	n/a n/a proval from the Exe	\$0 \$486 cutive Director
	The delayed of	cost includes the e nificant changes t	stimated amour o the water syst	0.00 3.24 nt to not cem, cal	\$0 \$486 tify and receive ap culated from the c	n/a n/a proval from the Exe late of the investiga	\$0 \$486 cutive Director
Other (as needed)	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 nt to not cem, cal n to the	\$0 \$486 tify and receive ap culated from the c estimated date of	n/a n/a proval from the Exe late of the investiga compliance.	\$0 \$486 cutive Director tion initially
Other (as needed)	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 nt to not cem, cal n to the	\$0 \$486 tify and receive ap culated from the c estimated date of	n/a n/a proval from the Exe late of the investiga compliance.	\$0 \$486 cutive Director tion initially
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to not cem, cal n to the <b>tering</b> 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of <b>item (except for</b> \$0	n/a n/a proval from the Exe late of the investiga compliance. rone-time avoided \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 t to no cem, cal to the tering 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0	\$0 \$486 cutive Director tion initially d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 t to no cem, cal to the tering 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>d costs)</b> \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 t to not cem, cal to the tering 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of <b>item (except for</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially 4 costs) \$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	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tern, cal tering 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially 1 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 ONE-TIME avoided costs	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$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	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tern, cal tering 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially 1 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 ONE-TIME avoided costs	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$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)	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$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	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$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)	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$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)	The delayed of for the sig	cost includes the e nificant changes t document	stimated amour o the water syst ting the violation	0.00 3.24 at to noise tem, cal tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$486 tify and receive ap culated from the c estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a proval from the Exe late of the investiga compliance. one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$486 cutive Director tion initially <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

-	nt MIDWAY WATER UTILITIES		PCW Revision 5 (January 28, 2021)
Case ID N Reg. Ent. Reference N Med		PC	W Revision February 11, 2021
	or Kaisie Hubschmitt		
Violation Num			
Rule Cite	3	0 Tex. Admin. Code § 290.46(I)	
Violation Descript	on	mains at monthly intervals. Specifically, the Respondent s near the dead ends instead of at all dead-end mains.	
		Base Penalty	\$5,000
>> Environmental, Pro	perty and Human Healt	h Matrix	
	Harm		
OR Act		Minor	
Poter	ualx	Percent 15.0%	
	rr		
>>Programmatic Matri Falsificati		Minor	
Faisilicati	on Major Moderate	Percent 0.0%	
			_
		y intervals could expose persons served by the Facility to ich would not exceed levels protective of human health.	
		Adjustment \$4,250	<b>-</b> 
			\$750
Violation Events			
Number	of Violation Events 1	9 Number of violation days	
	daily weekly monthly		
	quarterly x semiannual annual single event	Violation Base Penalty	r\$750
One quart		culated from the January 29, 2024 record review date to ry 7, 2024 screening date.	]
Good Faith Efforts to C	omply 0.0%	6 Reduction	\$0
	Before NOE/NOV	/ NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary Ordinary		
		ident does not meet the good faith criteria for this violation.	
		Violation Subtota	I\$750
Economic Benefit (EB)	for this violation	Statutory Limit Test	
	ated EB Amount	\$14 Violation Final Penalty Tota	\$827
LSU	<u> </u>		
	This vi	olation Final Assessed Penalty (adjusted for limits)	\$827

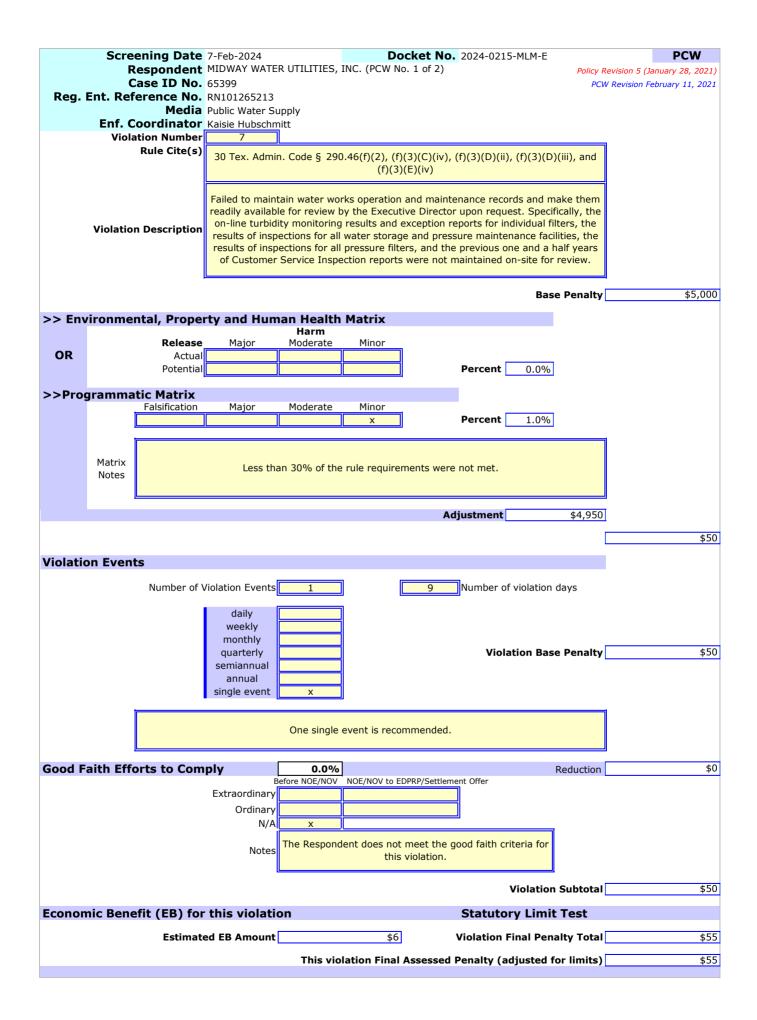
	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	<sup>:</sup> 2)			
Case ID No.							
leg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		upply				Percent Interest	Depreciation
Violation No.	4						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
-							
Delayed Costs							
Equipment	<b>I</b>			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs					40	- /-	40
				0.00	\$0	n/a	\$0
Other (as needed)	\$100 The delayed o	26-Apr-2022	21-Feb-2025 stimated amoun	2.83	\$14	n/a n/a	\$14
Other (as needed) Notes for DELAYED costs	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 It to init	\$14 iate a monthly flus e violation to the e	n/a shing program, calco stimated date of co	\$14 ulated from the mpliance.
Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 It to init Iting the	\$14 iate a monthly flus e violation to the e item (except for	n/a shing program, calcu stimated date of con one-time avoided	\$14 ulated from the mpliance. I costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 It to init iting the <b>tering</b> 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0	n/a shing program, calcu stimated date of con one-time avoided \$0	\$14 ulated from the mpliance. <b>i costs)</b> \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 It to inititing the tering 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0	n/a shing program, calcustimated date of con one-time avoided \$0 \$0	\$14 ulated from the mpliance. i costs) \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 t to init ting the tering 0.00 0.00 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0	n/a shing program, calcu stimated date of co one-time avoided \$0 \$0 \$0	\$14 ulated from the mpliance. i costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 t to init ting the tering 0.00 0.00 0.00 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a hing program, calcustimated date of con- one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$14 ulated from the mpliance. 1 costs) \$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	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 t to init ting the tering 0.00 0.00 0.00 0.00 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a shing program, calcu stimated date of con one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$14 ulated from the mpliance. 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	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83           t to inititing the           tering           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a shing program, calcu stimated date of con one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$14 ulated from the mpliance. 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	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83 t to init ting the tering 0.00 0.00 0.00 0.00 0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a shing program, calcu stimated date of con one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$14 ulated from the mpliance. 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	The delayed c date of	ost includes the extension in the investigation ine	stimated amoun nitially documen	2.83           t to inititing the           tering           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$14 iate a monthly flus e violation to the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a shing program, calcu stimated date of con one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$14 ulated from the mpliance. f costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	7-Feb-2024 MIDWAY WATER UTILITIES, 1 65399		PCW Revision 5 (January 28, 2021) V Revision February 11, 2021
Reg. Ent. Reference No. Media Enf. Coordinator	Public Water Supply		
Violation Number			
Rule Cite(s)	30 Tox	. Admin. Code § 290.109(d)(1)(A)	
	Failed to collect routine di	istribution coliform samples at a customer's premise,	
Violation Description	active service connections w distribution system. Specifica throughout the distribution	, or other designated compliance sampling location at hich are representative of water quality throughout the ally, the sampling locations were not equally distributed on system as there were no bacteriological sampling the southern part of the sampling map.	
		Base Penalty	\$5,000
>> Environmental, Prope	rty and Human Health	Matrix	
Release		Minor	
OR Actua Potentia		Percent 15.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor Percent 0.0%	
Epiluro to col	act routing coliform complex a	t active convice connections throughout the distribution	1
	l expose persons served by the	t active service connections throughout the distribution e Facility to a significant amount of contaminants which vels protective of human health.	
		Adjustment \$4,250	[
			\$750
Violation Events			
Number of	Violation Events 1	3 Number of violation days	
	daily weekly monthly	Violation Room Revelter	+750
	quarterly     x       semiannual	Violation Base Penalty	\$750
One quarter		llated from the January 29, 2024 record review date to 1, 2024 compliance date.	
Good Faith Efforts to Con	10 25.0%	Reduction	\$187
		NOE/NOV to EDPRP/Settlement Offer	· · · · · ·
	Extraordinary		
	Ordinary x		
	Ordinary x N/A	ndent achieved compliance on February 1, 2024.	
	Ordinary x N/A The Respon		\$563
Economic Benefit (EB) fo	Ordinary × N/A The Respor	2024.	\$563
	Ordinary × N/A The Respor	2024. Violation Subtotal	

Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	5.0 Costs Saved	15 EB Amount
Item Description		Date Required	Final Date	115	Interest Saveu	Costs Saveu	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	26-Apr-2022	1-Feb-2024	1.77	\$9	n/a	\$9
Demendiation (Dianagal					40		
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0 \$0	n/a n/a n/a	\$0 \$0 \$0
Permit Costs	,	oted in the Facilit	y's monitoring p	0.00 0.00 nount to plan, cal	\$0 \$0 collect bacteriolog culated from the d	n/a n/a gical samples at rep ate of the investiga	\$0 \$0 resentative
Permit Costs Other (as needed) Notes for DELAYED costs	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 nount to plan, cal plation t	\$0 \$0 collect bacteriolog culated from the d o the date of comp	n/a n/a gical samples at rep late of the investiga pliance.	\$0 \$0 resentative tion initially
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 nount to blan, cal blation t	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for	n/a n/a gical samples at rep ate of the investiga oliance. <b>one-time avoide</b> d	\$0 \$0 resentative tion initially d costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0 0.00 0 0 0 0 0 0 0 0 0 0 0 0	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0	n/a n/a gical samples at rep late of the investiga pliance. one-time avoided \$0	\$0 \$0 resentative tion initially <b>i costs)</b> \$0
Permit Costs Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0.00 0 0.00 0 0.00 0.00 0.00	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0 \$0	n/a n/a gical samples at rep late of the investiga pliance. one-time avoideo \$0 \$0	\$0 \$0 resentative tion initially <b>i costs)</b> \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0.00 0an, cal 0lation t 0lation t 0.00 0.00 0.00	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0 \$0 \$0 \$0	n/a n/a gical samples at rep ate of the investiga pliance. one-time avoided \$0 \$0 \$0	\$0 \$0 resentative tion initially 4 costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0.00 000 000 0.00 0.00 0.00	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a gical samples at rep ate of the investiga pliance. one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$0 resentative tion initially 4 costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0lan, cal 0lation t 0.00 0.00 0.00 0.00 0.00	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a gical samples at rep ate of the investiga pliance. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 resentative tion initially 1 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	locations r	noted in the Facilit docu	y's monitoring p Imenting the vio	0.00 0.00 0.00 000 000 0.00 0.00 0.00	\$0 \$0 collect bacteriolog culated from the d o the date of comp item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a gical samples at rep ate of the investiga pliance. one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$0 resentative tion initially 1 costs) \$0 \$0 \$0 \$0 \$0

>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor OR Actual Potential Selfication Major Moderate Minor Falsification Major Moderate Minor Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 0.0% Matrix Notes Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.          Adjustment       \$4,250         Violation Events       3         Number of Violation Events       3         Violation Base Penalty       \$75	Media Public Water Supply         Finf. Coordinator Kaisle Hubschmitt         Violation Number         6         30 Tex. Admin. Code § 290.110(c)(4)(C)         Rule Cite(s)         30 Tex. Admin. Code § 290.110(c)(4)(C)         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         >> Environmental, Property and Human Health Matrix         Harm         Release       Major         Moderate       Minor         OR       Actual         Potential       x         Programmatic Matrix       Percent         Falsification       Major         Matrix       Falsification         Notes       System at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         \$750       Yiolation Events         Number of Violation Events       3         Number of Violation Events       3         Violation Base Penalty       \$750 <th>Re</th> <th>ning Date espondent ise ID No.</th> <th>MIDWAY WATER UTILITIES, I</th> <th><b>Docket No.</b> 2024-0215-MLM-E INC. (PCW No. 1 of 2)</th> <th>PCW Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021</th>	Re	ning Date espondent ise ID No.	MIDWAY WATER UTILITIES, I	<b>Docket No.</b> 2024-0215-MLM-E INC. (PCW No. 1 of 2)	PCW Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
Violation Number       6         Rule Cite(s)       30 Tex. Admin. Code § 290.110(c)(4)(C)         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were no equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         >> Environmental, Property and Human Health Matrix       Harm         Release       Major         OR       Actual         Potential       X         Potential       Moderate         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Out developes persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Matrix       Stillation Events         Number of Violation Events       1         3       Number of violation days         genical with would not exceed levels protective of human health.       \$75	Violation Number       6         Rule Cite(s)       30 Tex. Admin. Code § 290.110(c)(4)(C)         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not disinfectant monitoring locations on the southern part of the sampling map.         >> Environmental, Property and Human Health Matrix         Harm         Release       Major         Matrix       Percent         Falight call       x         Potential       x         Potential       x         Potential       x         Percent       15.0%         >>Programmatic Matrix       Percent         Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution of violation Events         Number of Violation Events       3         Number of Violation Events       3         Number of Violation Events       3         Matrix       Semianual         annual       annual		Media	Public Water Supply		
Rule Cite(s)       30 Tex. Admin. Code § 290.110(c)(4)(C)         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         >>> Environmental, Property and Human Health Matrix       Base Penalty       \$5,00         >>> Environmental, Property and Human Health Matrix       Harm       OR       Actual       Actual       \$5,00         >>> Programmatic Matrix       Harm       Percent       15,0%       \$5,00         >> Programmatic Matrix       Failincation       Major       Moderate       Minor         Failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Spectration       Percent       0.0%         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution or contaminants which would not exceed levels protective of human health.       \$4,250         Violation Events       Mumber of Violation Events       3       Number of violation days         Violation Events       Mainity       Yiolation Base Penalty       \$75	Rule Cite(s)       30 Tex. Admin. Code § 290.110(c)(4)(C)         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         >> Environmental, Property and Human Health Matrix       Base Penalty       \$5,000         >> Environmental, Property and Human Health Matrix       Harm       Moderate       Minor         OR       Actual       x       Percent       15.0%         >> Programmatic Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring location stroughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Violation Events       1       3       Number of violation days         daily       weekly       semiannual annual       \$750					
So fex. Admin. Code § 290.110(c)(4)(c)         Violation Description         Failed to monitor the disinfectant residual at representative locations throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         Base Penalty \$5,00         >> Environmental, Property and Human Health Matrix         Harm         Release Major Moderate Minor         OR Actual Ac	So Tex. Admin. Code § 29.110(C)(4)(C)         Violation Description         Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were no disinfectant monitoring locations on the southern part of the sampling map.         Base Penalty       \$5,000         >> Environmental, Property and Human Health Matrix         Release       Major         Moderate       Minor         Actual       x         Potential       x         Percent       0.0%         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of huma					
Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         Base Penalty \$5,00         >> Environmental, Property and Human Health Matrix         Major Moderate Minor         Actual Attual Matrix         Programmatic Matrix         Percent 15.0%         >>Programmatic Matrix         Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Violation Events         Maint gaily gail	Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day. Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.         Base Penalty \$5,000         >> Environmental, Property and Human Health Matrix         Marm         OR         Actual         Percent 15.0%         >>Programmatic Matrix         Paisification         Moderate         Minor         Percent 0.0%         Matrix         Faisification         Moderate         Minor         Percent 0.0%         Matrix         Faisification         Moderate         Minor         Percent 0.0%         Matrix         Faisification         Moderate         Minor         Adjustment         Second colspan="2">Second colspan="2">Second colspan="2"Second colspan= 2"Second colspan="2"Second colspan="2"Second colspan="		Rule Cite(s)	30 Tex.	. Admin. Code § 290.110(c)(4)(C)	
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential >>Programmatic Matrix Falsification Major Moderate Minor Percent 0.0%           >>Programmatic Matrix Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.           Matrix Notes         Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.           Adjustment         \$4,250           Violation Events         3           Number of Violation Events         3           Violation Base Penalty         \$75	>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Potential x Percent 15.0% >Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Matrix Fallure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health. Violation Events          Violation Events       3       Number of violation days         Violation Base Penalty       \$750	Violation	Description	Failed to monitor the disinfec distribution system at least o not equally distributed th	tant residual at representative locations throug nce per day. Specifically, the monitoring location proughout the distribution system as there wer	ons were e no
OR       Release       Major       Moderate       Minor         Potential       x       Percent       15.0%         >>Programmatic Matrix       Falsification       Major       Moderate       Minor         Falsification       Major       Moderate       Minor       Percent       0.0%         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.       Adjustment       \$4,250         Violation Events       1       3       Number of violation days       \$75         daily	OR       Release       Major       Moderate       Minor         Actual				Base	Penalty \$5,000
OR       Release       Major       Moderate       Minor         Potential       x       Percent       15.0%         >>Programmatic Matrix       Falsification       Major       Moderate       Minor         Falsification       Major       Moderate       Minor       Percent       0.0%         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.       Adjustment       \$4,250         Violation Events       1       3       Number of violation days       \$75         daily	OR       Release       Major       Moderate       Minor         Actual	>> Environmen	tal, Prope	rty and Human Health	Matrix	
Falsification       Major       Moderate       Minor         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       3       Number of violation days         daily       3       Number of violation days         weekly       monthly       4         yearterly       x       Violation Base Penalty       \$75	Falsification       Major       Moderate       Minor         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$750         Violation Events       1       3       Number of violation days         daily	OR	Actual	Major Moderate		
Falsification       Major       Moderate       Minor         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       3       Number of violation days         daily       3       Number of violation days         weekly       monthly       4         yearterly       x       Violation Base Penalty       \$75	Falsification       Major       Moderate       Minor         Matrix       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$750         Violation Events       1       3       Number of violation days         daily					
Matrix Notes       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$75         Number of Violation Events       3       Number of violation days         Violation Base Penalty       \$75	Matrix Notes       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$750         Vulation Events       3         Number of Violation Events       3         Violation Base Penalty       \$750         Violation Base Penalty       \$750	>>Programmat				
Matrix Notes       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$75         Violation Events       3         Number of Violation Events       3         Violation Base Penalty       \$75	Matrix Notes       Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         Violation Events       \$750         Violation Events       3         Vulue of Violation Events       3         Violation Base Penalty       \$750         Violation Base Penalty       \$750	E E	Falsification	Major Moderate		
Matrix Notes       system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         \$75         Violation Events       3         Number of Violation Events       3         Adjustment of violation days       \$75         Violation Base Penalty       \$75	Matrix Notes       system at least once per day could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.         Adjustment       \$4,250         \$750         Violation Events         Number of Violation Events         daily weekly monthly quarterly semiannual annual    Violation Base Penalty \$750	L.			Percent 0.0%	
\$75         Violation Events         Number of Violation Events         1       3         Aaily         weekly         monthly         quarterly         x         Semiannual	\$750         Violation Events         Number of Violation Events         1       3         Aaily         weekly         monthly         quarterly         semiannual         annual	Matrix	system at leas	st once per day could expose p	persons served by the Facility to a significant a	
\$75         Violation Events         Number of Violation Events         1       3         Aaily         weekly         monthly         quarterly         semiannual	\$750         Violation Events         Number of Violation Events         1       3         Aaily         weekly         monthly         quarterly         semiannual         annual				Adjustment	¢4.250
Violation Events         Number of Violation Events         1       3         Aaily         weekly         monthly         quarterly       x         semiannual	Violation Events          Number of Violation Events       3       Number of violation days         daily       3       Number of violation days         daily       9       9         weekly       9       9         monthly       9       9         semiannual       9       9         annual       9       9				Aujustment	\$4,230
Number of Violation Events       1       3       Number of violation days         daily	Number of Violation Events       1       3       Number of violation days         daily					\$750
Number of Violation Events       1       3       Number of violation days         daily	Number of Violation Events       1       3       Number of violation days         daily					
weekly     Image: Constraint of the second sec	weekly monthly quarterly x Violation Base Penalty \$750 semiannual annual	Violation Events		Violation Events	3 Number of violation d	ays
	annual			weekly monthly quarterly	Violation Base	Penalty \$750
				annual		
	One quarterly event is recommended, calculated from the January 29, 2024 record review date to the February 1, 2024 compliance date.		One quarterly			date to
		Good Faith Effor	rts to Com	ply 25.0%	R	eduction \$187
the February 1, 2024 compliance date.	Good Faith Efforts to Comply 25.0% Reduction \$187					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary       0         Ordinary       x       x	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x			Notes The Respor	ndent achieved compliance on February 1, 2024.	
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X       X <th>Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A The Respondent achieved compliance on February 1,</th> <th></th> <th></th> <th></th> <th>Violation</th> <th>Subtotal \$563</th>	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A The Respondent achieved compliance on February 1,				Violation	Subtotal \$563
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A N/A The Respondent achieved compliance on February 1, 2024.	Economic Benef	it (EB) for	this violation	Statutory Limit	Test
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A Notes The Respondent achieved compliance on February 1, 2024. Violation Subtotal \$563		Estimate	ed EB Amount	\$1 Violation Final Pena	Ity Total \$668
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary       x       x       x         N/A       x       x       x       x         N/A       x       x       x       x         Violation Subtotal       \$56         Economic Benefit (EB) for this violation	Before NOE/NOV       NOE/NOV to EDPRP/Settlement Offer         Extraordinary			This viol	lation Final Assessed Penalty (adjusted fo	r limits) \$668
	<u>I</u>	<b>Ľ</b>				
		Good Faith Effor	rts to Com			eduction \$187
the February 1, 2024 compliance date.		Good Faith Effor	rts to Com			eduction \$187
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18				Extraordinary		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18						
the February 1, 2024 compliance date.         Good Faith Efforts to Comply         Reduction         State         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply         Sefore NOE/NOV         NOE/NOV to EDPRP/Settlement Offer	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply         Before NOE/NOV         NOE/NOV to EDPRP/Settlement Offer	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary			Ordinary x		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary			· · · · · · · · · · · · · · · · · · ·		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary			· · · · · · · · · · · · · · · · · · ·		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary			N/A		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18         Before NOE/NOV       NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary       x	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x				L	
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary       0         Ordinary       x       0	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary       0         Ordinary       x       0	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x					
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%         Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary       0         Ordinary       x       0	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x			The Respor	ndent achieved compliance on February 1.	
Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV       NOE/NOV to EDPRP/Settlement Offer       \$18         Cordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A			Notes		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary       x         N/A	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary X N/A The Respondent achieved compliance on February 1			Notes	2024.	
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A The Respondent achieved compliance on February 1,				20211	
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A The Respondent achieved compliance on February 1,			L	Violation	Subtotal 4563
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Before NOE/NOV       NOE/NOV to EDPRP/Settlement Offer         Extraordinary	Factor and a Day				·
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary       0rdinary       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x       x <td< th=""><th>Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A Notes The Respondent achieved compliance on February 1, 2024. Violation Subtotal \$563</th><th>Economic Bener</th><th>IL (CD) TOP</th><th>uns violation</th><th></th><th></th></td<>	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary x N/A Notes The Respondent achieved compliance on February 1, 2024. Violation Subtotal \$563	Economic Bener	IL (CD) TOP	uns violation		
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Ordinary       x       x       x         N/A       x       x       x       x         N/A       x       x       x       x         Violation Subtotal       \$56         Economic Benefit (EB) for this violation	Before NOE/NOV       NOE/NOV to EDPRP/Settlement Offer         Extraordinary		Estimate	ed EB Amount	\$1 Violation Final Pena	ty Total \$668
the February 1, 2024 compliance date.         Good Faith Efforts to Comply       25.0%       Reduction       \$18         Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer         Extraordinary         Volation Subtotal       \$56         Violation Subtotal         \$50         Reduction         Statutory Limit Test	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A Notes The Respondent achieved compliance on February 1, 2024. Violation Subtotal \$563 Economic Benefit (EB) for this violation Statutory Limit Test			This viol	lation Final Assessed Penalty (adjusted fo	r limits) \$668

		ER UTILITIES, INC		f 7)			
		LK UTILITILS, INC	(PCW NO. 1 0	12)			
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				Percent Interest	Years of
Violation No.	6					Percent Interest	Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Delayed Costs		II		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$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)	\$10	26-Apr-2022	1-Feb-2024	1.77	\$1	n/a	\$0
Other (as needed)				1.77	\$1	n/a	\$1
	The delaye	d cost includes the	e estimated am	1.77 ount to	\$1 monitor the disinfe	n/a ectant residual at re	\$1 presentative
Other (as needed) Notes for DELAYED costs	The delaye	d cost includes the throughout the di	e estimated amo	1.77 ount to m at lea	\$1 monitor the disinfe ast once per day, c	n/a ectant residual at re calculated from the	\$1 presentative
Notes for DELAYED costs	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the	\$1 monitor the disinfe ast once per day, c violation to the da	n/a ectant residual at re calculated from the ate of compliance.	\$1 presentative date of the
Notes for DELAYED costs	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the <b>tering</b>	\$1 monitor the disinfe ast once per day, c violation to the da item (except for	n/a ectant residual at re calculated from the ate of compliance.	\$1 presentative date of the d costs)
Notes for DELAYED costs Avoided Costs Disposal	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the tering 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0	n/a ectant residual at re calculated from the ate of compliance. <b>rone-time avoide</b> \$0	\$1 presentative date of the d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the tering 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0	\$1 presentative date of the date of the d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the tering 0.00 0.00 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0	n/a ectant residual at re- alculated from the ate of compliance. one-time avoided \$0 \$0 \$0	\$1 presentative date of the d costs) \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the tering 0.00 0.00 0.00 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re- alculated from the ate of compliance. • one-time avoider \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the d costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the 0.00 0.00 0.00 0.00 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re alculated from the ate of compliance. • one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$0 \$0 \$0 \$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	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$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	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77 ount to m at lea ting the 0.00 0.00 0.00 0.00 0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re alculated from the ate of compliance. • one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$0 \$0 \$0 \$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	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$0 \$0 \$0 \$0 \$0 \$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	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$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 ONE-TIME avoided costs Other (as needed)	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$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 ONE-TIME avoided costs Other (as needed)	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re calculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$0 \$0 \$0 \$0 \$0 \$0 \$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 Other (as needed)	The delaye locations	d cost includes the throughout the di investigation in	e estimated amo stribution syste itially documen	1.77           punt to           m at leading the           ting the           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$1 monitor the disinfe ast once per day, c violation to the da item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a ectant residual at re- alculated from the ate of compliance. one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$1 presentative date of the date of the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



	E	conomic	Benefit	Wo	rksheet		
Respondent	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	<sup>-</sup> 2)			
Case ID No.	65399		·				
Reg. Ent. Reference No.		2					
	Public Water S						Years of
		supply				Percent Interest	Depreciation
Violation No.	/						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	Г.	1	1	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)		-		0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	26-Apr-2022	21-Feb-2025	2.83	\$6	n/a	\$6
Training/Sampling	<u> </u>	20 / 01 2022	21100 2023	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	records and m the date o	nake them readily of the investigation	available for rev n initially docum	/iew by enting t	the Executive Dire he violation to the	orks operation and in ctor upon request, estimated date of	calculated from compliance.
Avoided Costs	ANNU	ALIZE avoided o	osts before en		<u> </u>	one-time avoide	
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		\$45			TOTAL		\$6

		ening Date				cket No. 2024-0215-MLM-E			PCW
			MIDWAY WATER	UTILITIES, I	INC. (PCW No	o. 1 of 2)			anuary 28, 2021)
Dec. I		Case ID No.					PCV	V Revision Fe	ebruary 11, 2021
Reg. I	Ent. Ref		RN101265213						
	Enf (		Public Water Sup Kaisie Hubschmit						
	-	ation Number							
		Rule Cite(s)		20 Tox	Admin Cod	e § 290.46(e)(6)(C)			
				JUTEX	. Admin. Cod				
	Violatio	n Description	operator on continuous t shutdown and ala continues to me the Facility is no	duty when it turbidity and arms to sum eet the Comm ot staffed. Sp	t is in operation disinfectant r mon operator nission's drink pecifically, the	ast one Class "C" or higher surfa on or that the Facility is provided residual monitors with automatic rs so as to ensure that the water king water standards during peri plant does not automatically sh re no operators on-site overnigh	d with plant · produced ods when utdown if		
	-					Bas	e Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Huma		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual							
		Potential	x			Percent 30.0%			
		tic Matrix							
>>Prog	gramma	<b>tic Matrix</b> Falsification	Major	Moderate	Minor				
						Percent 0.0%			
		- Ir						ז	
	Matrix Notes	provides aut	omatic shutdown weet the shutdown weet the shutdown weet the second strain of the shutdown weet the shutdown we	with alarms t affed could e	to summon of expose custor	opriately licensed operator or the perators during periods when the ners of the Facility to contamina of human health.	e surface		
		-				Adjustment	¢2 E00	T	
						Adjustment	\$3,500	1	
									\$1,500
Violatio	n Even	te							
Violatio									
		Number of V	Violation Events	1		9 Number of violation	days		
			daily						
			daily weekly						
			monthly	х					
			quarterly			Violation Bas	e Penalty		\$1,500
			semiannual						
			annual single event						
								_	
		One monthly			lated from the 7, 2024 scre	e January 29, 2024 record revie ening date.	w date to		
		ļ						4	
Good Fa	aith Eff	orts to Com		0.0%			Reduction		\$0
			Extraordinary	fore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer			
			Ordinary						
			N/A	x					
			Notes T	The Responde		meet the good faith criteria for violation.			
						Violation	Subtotal		\$1,500
Fconor	nic Bong	afit (FR) for	this violatior	n		Statutory Limit	Test		
LCOHON	ine bene								
		Estimat	ed EB Amount		\$145	Violation Final Pen	alty Total		\$1,653
				This viol	ation Final /	Assessed Penalty (adjusted f	or limits)		\$1,653

	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	<sup>:</sup> 2)			
Case ID No.							
leg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		Juppiy				Percent Interest	Depreciation
	-					5.0	. 15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
Item Description		Bute Required					LD Amount
Item Description							
Delayed Cente							
Delayed Costs	ir	1		0.00	¢0	±0	¢0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$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)	\$1,000	26-Apr-2022	21-Mar-2025	2.90	\$145	n/a	\$145
. ,	The delayed	cost includes the e	estimated amour	2.90 nt to rep	pair the automatic	n/a plant shutdown and	\$145 d alarms at the
Other (as needed) Notes for DELAYED costs	The delayed	cost includes the e	estimated amour ate of the invest	2.90 nt to rep tigation	pair the automatic	n/a	\$145 d alarms at the
. ,	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rep tigation e of cor	pair the automatic initially documenti npliance.	n/a plant shutdown and	\$145 d alarms at the the estimated
Notes for DELAYED costs	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rep tigation e of cor	pair the automatic initially documenti npliance.	n/a plant shutdown and ng the violation to t	\$145 d alarms at the the estimated
Notes for DELAYED costs	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rep igation e of cor <b>tering</b>	pair the automatic initially document npliance. item (except for \$0 \$0	n/a plant shutdown and ng the violation to t one-time avoided \$0 \$0	\$145 d alarms at the the estimated d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rep igation e of cor tering 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0	n/a plant shutdown and ng the violation to t one-time avoided \$0 \$0 \$0	\$145 d alarms at the the estimated d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rep igation e of cor tering 0.00 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0 \$0 \$0	n/a plant shutdown and ng the violation to t one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$145 alarms at the the estimated a costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rej igation e of cor tering 0.00 0.00 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a plant shutdown and ng the violation to t one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$145 d alarms at the the estimated d costs) \$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 ONE-TIME avoided costs	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 at to rej igation e of cor tering 0.00 0.00 0.00 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a plant shutdown and ng the violation to to one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$145 d alarms at the the estimated d 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	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 nt to rej igation e of cor tering 0.00 0.00 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a plant shutdown and ng the violation to t one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$145 d alarms at the the estimated d 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	The delayed Facility, calc	cost includes the e culated from the da	estimated amour ate of the invest dat	2.90 at to rej igation e of cor tering 0.00 0.00 0.00 0.00 0.00 0.00	pair the automatic initially documenti npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a plant shutdown and ng the violation to to one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$145 d alarms at the the estimated (costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date		Docket No. 202	4-0215-MLM-E	PCW
		espondent ase ID No.	MIDWAY WATER UTILITIES	, INC. (PCW No. 1 of 2)		Revision 5 (January 28, 2021)
Rea.			RN101265213		PCV	<i>W Revision February 11, 2021</i>
			Public Water Supply			
			Kaisie Hubschmitt			
	Viola	ition Number	9			ก
		Rule Cite(s)	30 -	Tex. Admin. Code § 290.46(m)	(4)	
	Violatio	n Description	facilities, distribution sy condition and free of exc	ter treatment units, storage an stem lines, and related appurte essive solids. Specifically, five o e leaking from their effluent lin	enances in a watertight of the six pressure filters	
					Base Penalty	\$5,000
>> En	vironme	ntal, Prone	rty and Human Healt	h Matrix		
			Harm			
OR		<b>Release</b> Actual	Major Moderate	Minor		
OK		Potential	X	Per	cent 15.0%	
			<u> </u>			
>>Pro	gramma	tic Matrix Falsification	Major Moderate	Minor		
	1	Taisincation			cent 0.0%	
			'			1
	Matrix Notes		•	n a watertight condition could e ntaminants which would not ex human health.	,	
				Adjusti	ment \$4,250	- I
						\$750
						\$750
Violati	ion Event	ts				
		Number of \	/iolation Events 1	9 Nun	nber of violation days	
			daily weekly monthly			
			quarterly     x       semiannual		Violation Base Penalty	\$750
		One quarterly		culated from the January 29, 2 ry 7, 2024 screening date.	024 record review date to	
Good F	Faith Effo	orts to Com			Reduction	\$0
				V NOE/NOV to EDPRP/Settlement Of	fer	
			Ordinary			
			N/A x			
			Notes The Respor	ndent does not meet the good f this violation.	faith criteria for	
					Violation Subtotal	\$750
Econor	mic Bene	efit (EB) for	this violation	Sta	atutory Limit Test	
		Estimate	ed EB Amount	\$102 Viola	ation Final Penalty Total	\$827
			This vi	olation Final Assessed Pena	lty (adjusted for limits)	\$827
					, (,	Ļ

	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	<sup>-</sup> 2)			
Case ID No.		,	,	,			
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		арріу				<b>Percent Interest</b>	Depreciation
	. 9						
						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)	\$500	26-Apr-2022	21-Mar-2025	2.90	\$5	\$97	\$102
Engineering/Construction			21 1101 2020	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)	The delayed c	ost includes the e	stimated amour	0.00	\$0	1.	\$0 \$0
Other (as needed) Notes for DELAYED costs	of the	investigation init	ially documentin	0.00 0.00 nt to rep ng the v	\$0 bair the leaks at th iolation to the esti	n/a n/a e Facility, calculateo mated date of comp	\$0 \$0 I from the date liance.
Other (as needed) Notes for DELAYED costs Avoided Costs	of the	investigation init	ially documentin	0.00 0.00 Int to rep ing the v	\$0 bair the leaks at th iolation to the esti <b>item (except for</b>	n/a n/a e Facility, calculated mated date of comp one-time avoided	\$0 \$0 I from the date liance.
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	of the	investigation init	ially documentin	0.00 0.00 t to rep g the v tering 0.00	\$0 pair the leaks at th iolation to the esti item (except for \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0	\$0 \$0 I from the date liance. <b>d costs)</b> \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel	of the	investigation init	ially documentin	0.00 0.00 t to rep the v tering 0.00	\$0 bair the leaks at th iolation to the esti <b>item (except for</b> \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0	\$0 \$0 from the date liance. f costs) \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	of the	investigation init	ially documentin	0.00 0.00 t to rep tering 0.00 0.00	\$0 pair the leaks at th iolation to the esti item (except for \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0 \$0	\$0 \$0 I from the date liance. 1 costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	of the	investigation init	ially documentin	0.00 0.00 0 0.00 0 0.00 0.00 0.00 0.00	\$0 bair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$0 1 from the date liance. 1 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	of the	investigation init	ially documentin	0.00 0.00 t to rep g the v tering 0.00 0.00 0.00 0.00	\$0 pair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 1 from the date liance. 1 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 ONE-TIME avoided costs	of the	investigation init	ially documentin	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 bair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 1 from the date liance. 1 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	of the	investigation init	ially documentin	0.00 0.00 t to rep g the v tering 0.00 0.00 0.00 0.00	\$0 pair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 I from the date liance. I 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 ONE-TIME avoided costs	of the	investigation init	ially documentin	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 bair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 I from the date liance. I 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)	of the	investigation init	ially documentin	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 bair the leaks at the iolation to the esti item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a e Facility, calculated mated date of comp one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 I from the date liance. I costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date Respondent Case ID No	MIDWAY WATER UTILITIES,	<b>Docket No.</b> 2024-0215-MLM-E INC. (PCW No. 1 of 2)	PCW Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
	Public Water Supply		
Enf. Coordinato			
Violation Number Rule Cite(s)			
Kule Cite(5)	30	Tex. Admin. Code § 290.46(i)	
Violation Descriptior	with provisions for proper e	e plumbing ordinance, regulations, or service ago nforcement to ensure that neither cross-connect eptable plumbing practices are permitted.	
		Base	Penalty \$5,000
>> Environmental, Prope		Matrix	
Release	Harm Major Moderate	Minor	
OR Actua			
Potentia		Percent 0.0%	
	<u>  </u>		
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
	x	<b>Percent</b> 20.0%	
Matrix Notes	100% of the rul	e requirements were not met.	
		Adjustment	\$4,000
			\$1,000
			<i><i><i></i></i></i>
Violation Events			
Number of	Violation Events 1	3 Number of violation da	ays
	daily weekly monthly quarterly	Violation Base	
	semiannual		\$1,000
	One single	event is recommended.	
<b>Good Faith Efforts to Con</b>	1 <b>ply</b> 25.0%	R	eduction \$250
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary x		
	N/A The Respo	Il ondent achieved compliance on February 1, 2024.	
	L	Violation S	Subtotal \$750
Economic Benefit (EB) fo	r this violation	Statutory Limit	
Estimat	ed EB Amount	\$4 Violation Final Penal	ity Total \$890
	This vio	olation Final Assessed Penalty (adjusted for	r limits) \$890

Kesponaent	MIDWAY WAT	ER UTILITIES, INC	. (PCW No. 1 of	<sup>-</sup> 2)			
Case ID No.							
leg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		uppiy				<b>Percent Interest</b>	Depreciation
VIOIALION NO.	10						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	r	<u>,                                     </u>		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction		i i		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
				0.00	<b>\$</b> 0	II/a	
Other (as needed)	\$40	26-Apr-2022	1-Feb-2024	1.77	\$0 \$4	n/a	\$0 \$4
Other (as needed)				1.77	\$4	n/a	\$4
	The delaye	d cost includes the	e estimated am	1.77 ount to	\$4 adopt an adequate	n/a e plumbing ordinand	\$4 ce or service
Other (as needed) Notes for DELAYED costs	The delaye	d cost includes the	e estimated am	1.77 ount to vestigat	\$4 adopt an adequate ion initially docum	n/a	\$4 ce or service
	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia	\$4 adopt an adequate ion initially docum ance.	n/a e plumbing ordinand enting the violation	\$4 ce or service to the date of
	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia	\$4 adopt an adequate ion initially docum ance.	n/a e plumbing ordinand	\$4 ce or service to the date of
Notes for DELAYED costs	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0	n/a e plumbing ordinand enting the violation one-time avoided \$0	\$4 ce or service to the date of d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0	n/a e plumbing ordinanc enting the violation one-time avoided \$0 \$0	\$4 te or service to the date of d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0	\$4 to the date of to the date of to the date of to the date of to the date of the da
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77           ount to           vestigat           complia           tering           0.00           0.00           0.00           0.00           0.00           0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinanc enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of d costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinanc enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$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 ONE-TIME avoided costs	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$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	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinanc enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$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	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$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 Other (as needed)	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$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 ONE-TIME avoided costs	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$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 ONE-TIME avoided costs Other (as needed)	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$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 Other (as needed)	The delaye agreement,	d cost includes the calculated from the	e estimated am e date of the in	1.77 ount to vestigat complia tering 0.00 0.00 0.00 0.00 0.00	\$4 adopt an adequate ion initially docum ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a e plumbing ordinance enting the violation one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 to the date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date Respondent	7-Feb-2024 MIDWAY WATER UTILITIES, 3	<b>Docket No.</b> 2024-0215-MLM-E INC. (PCW No. 1 of 2)	PCW Policy Revision 5 (January 28, 2021)
Case ID No.	65399		PCW Revision February 11, 2021
Reg. Ent. Reference No. Media	RN101265213 Public Water Supply		
Enf. Coordinator			
Violation Number			
Rule Cite(s)	30 Te	ex. Admin. Code § 290.44(a)(4)	
Violation Description	no case less than 24 inches	nission and distribution lines below the frost line below the ground surface. Specifically, the raw pution line leaving the plant were sitting above gr	water
		Base P	enalty \$5,000
>> Environmental, Prope	rty and Human Health	Matrix	
Release	Harm Major Moderate	Minor	
OR Actual			
Potentia	x	Percent 30.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0.0%	
		es below the frost line could result in its damage d water which would exceed levels protective of h health.	
		Adjustment	\$3,500
			\$1,500
Violation Events			
	Violation Events	9 Number of violation day	/5
	daily weekly monthly x quarterly semiannual annual	Violation Base P	<b>enalty</b> \$1,500
	single event		
One monthly		lated from the January 29, 2024 record review d 7, 2024 screening date.	ate to
Good Faith Efforts to Com	0.0%	Dor	duction \$0
		NOE/NOV to EDPRP/Settlement Offer	
		ent does not meet the good faith criteria for this violation.	
		Violation Su	ibtotal \$1,500
Economic Benefit (EB) for	r this violation	Statutory Limit Te	est
Estimat	ed EB Amount	\$224 Violation Final Penalty	<b>y Total</b> \$1,653
	This vio	lation Final Assessed Penalty (adjusted for l	limits) \$1,653

Case ID No.		ER UTILITIES, INC	(PCW NO. 1 OF	2)			
leg. Ent. Reference No.		3					
	Public Water S					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				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 Other (as needed)	\$1,500	26-Apr-2022	22-Apr-2025	0.00 2.99	\$0 \$224	n/a n/a	\$0 \$224
	The delaye	ed cost includes the	e estimated amo	2.99 ount to	\$224 relocate distributic		\$224 less than 24
Other (as needed) Notes for DELAYED costs	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 punt to from the estimate	\$224 relocate distributic e date of the inves ed date of complian	n/a on water lines to no tigation initially docu nce.	\$224 less than 24 umenting the
Other (as needed) Notes for DELAYED costs Avoided Costs	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 punt to rom the estimate	\$224 relocate distributic e date of the inves ed date of complian item (except for	n/a on water lines to no tigation initially docu nce. • <b>one-time avoide</b>	\$224 less than 24 umenting the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 punt to rom the estimate tering 0.00	\$224 relocate distributic e date of the invest ed date of complian item (except for \$0	n/a n water lines to no tigation initially doc nce. <b>one-time avoide</b> \$0	\$224 less than 24 umenting the d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 punt to rom the estimate tering 0.00 0.00	\$224 relocate distribution e date of the invest ad date of complian item (except for \$0 \$0	n/a n water lines to no tigation initially docu nce. one-time avoided \$0 \$0	\$224 less than 24 umenting the d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 ount to rom the estimate tering 0.00 0.00 0.00	\$224 relocate distribution date of the invested date of complian item (except for \$0 \$0 \$0	n/a n water lines to no tigation initially docu- nce. one-time avoided \$0 \$0 \$0	\$224 less than 24 umenting the f costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00	\$224 relocate distribution date of the invested date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n water lines to no tigation initially docu- nce. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0	\$224 less than 24 umenting the s0 \$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	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00	\$224 relocate distribution e date of the invest ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a on water lines to no tigation initially docu- nce. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$224 less than 24 umenting the \$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	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.00 2.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$224 relocate distribution e date of the invest ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a on water lines to no tigation initially docu- nce. • <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$224 less than 24 umenting the \$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	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00	\$224 relocate distribution e date of the invest ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a on water lines to no tigation initially docu- nce. <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$224 less than 24 umenting the f costs) \$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	The delaye inches belo	ed cost includes the w the ground surfa	e estimated amo ace, calculated f violation to the e	2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.99 2.00 2.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$224 relocate distribution e date of the invest ed date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a on water lines to no tigation initially docu- nce. • <b>one-time avoideo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$224 less than 24 umenting the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Reg.	R	ase ID No. erence No.	MIDWAY WATER UTILITIES,		2024-0215-MLM-E	PCW Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021
	-	oordinator	Kaisie Hubschmitt			
	Viola	ation Number	12			
		Rule Cite(s)	30	) Tex. Admin. Code § 290	.42(I)	
	Violatio	n Description	Failed to compile and main for	tain a thorough and up-to operator review and refe		nanual
					Base Po	enalty \$5,000
>> Env	vironme	ntal, Prope	rty and Human Health	n Matrix		
OR		<b>Release</b> Actual Potential	Harm Major Moderate	Minor	Percent 0.0%	
	aramme	tic Matrix				
>>PT0	grannia	Falsification	Major Moderate	Minor	Percent 20.0%	
	Matrix		100% of the rul	e requirements were not	met	
	Notes					
				Ad	justment	\$4,000
						\$1,000
Violati	on Even	te				
VIOIALI			/iolation Events 1	3	Number of violation day	S
			daily weekly monthly quarterly semiannual annual single event x		Violation Base Po	<b>enalty</b> \$1,000
			One single	e event is recommended.		
Good F	aith Effe	orts to Com	ply 25.0%		Red	luction \$250
			Before NOE/NOV Extraordinary Ordinary x	NOE/NOV to EDPRP/Settleme		
			N/A Notes	ondent achieved complian 2024.	ce on February 1,	
					Violation Su	btotal \$750
Econor	nic Bene	efit (EB) for	this violation		Statutory Limit Te	est
		Estimate	ed EB Amount	\$16	Violation Final Penalty	<b>Total</b> \$890
			This vio	olation Final Assessed	Penalty (adjusted for I	imits) \$890

Respondent	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 1 of	f 2)			
Case ID No.	65399						
Reg. Ent. Reference No.	RN101265213						
Media	Public Water S					Percent Interest	Years of
Violation No.	12						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
Delayed Costs	r	<u> </u>		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0	\$0 \$0	<u>\$0</u> \$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	m / m	¢0
				0.00	<b>\$</b> 0	n/a	\$0
Other (as needed)	\$180 The delayed	26-Apr-2022	1-Feb-2024 estimated amou	1.77	\$16	n/a n/a	\$16
Other (as needed)	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in e of cor	\$16 velop and maintain vestigation initially npliance.	n/a n a thorough and up r documenting the v	\$16 o-to-date plant iolation to the
Other (as needed)	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in e of cor tering	\$16 velop and maintain vestigation initially npliance. item (except for	n/a n a thorough and up documenting the v one-time avoided	\$16 o-to-date plant iolation to the d costs)
Other (as needed)	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 Int to de of the in te of cor tering 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0	n/a n a thorough and up documenting the v one-time avoided \$0	\$16 p-to-date plant iolation to the d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 Int to de of the in te of cor tering 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0	\$16 p-to-date plant iolation to the d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel inspection/Reporting/Sampling	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in te of cor tering 0.00 0.00 0.00	\$16 velop and maintail vestigation initially npliance. item (except for \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0	\$16 p-to-date plant iolation to the d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in te of cor tering 0.00 0.00 0.00 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0 \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0 \$0 \$0 \$0	\$16 p-to-date plant iolation to the d 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	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in te of cor tering 0.00 0.00 0.00 0.00 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$16 p-to-date plant iolation to the d costs) \$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	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in e of cor tering 0.00 0.00 0.00 0.00 0.00 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$16 -to-date plant iolation to the \$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	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in te of cor tering 0.00 0.00 0.00 0.00 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$16 -to-date plant iolation to the d 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	The delayed operations n	cost includes the e nanual, calculated	estimated amou from the date c dat	1.77 nt to de of the in e of cor tering 0.00 0.00 0.00 0.00 0.00 0.00	\$16 velop and maintain vestigation initially npliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n a thorough and up documenting the v one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$16 -to-date plant iolation to the <b>d costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	R	ening Date espondent ase ID No.	MIDWAY WATE	R UTILITIES, I		lo. 1 of 2)	2024-0215-	-MLM-E		PCW evision 5 (January 28, 20 Revision February 11, 2	021)
Reg. I	Enf. C	Media oordinator	RN101265213 Public Water Su Kaisie Hubschm								
	Viola	tion Number Rule Cite(s)	13	30 Te	ex. Admin. C	ode § 290.44	(h)(4)				
	Violation	n Description		ual basis by a rating within s marina ice ma	recognized pecifications achine, and t	backflow asse . Specifically,	embly tester BPAs at the er treatmen	and cert	ified that ant, the		
								Base	e Penalty	\$5,0	000
>> Env	ironme	ntal, Prope	rty and Hum	an Health <sub>Harm</sub>	Matrix						
OR		<b>Release</b> Actual Potential	Major X	Moderate	Minor	]	Percent	30.0%			
>>Prog	gramma 	tic Matrix Falsification	Major	Moderate	Minor	]	Percent	0.0%			
	Matrix Notes		st BPAs on an ar n a reverse flow	of contamina		into the wate					
						Adj	ustment		\$3,500		
									[	\$1,5	500
Violatio	on Event		/iolation Events daily weekly monthly	1	1	9	Number of v	violation (	days		
			quarterly semiannual annual single event				Violat	ion Base	e Penalty	\$1,!	500
		One monthly	event is recomr	nended, calcu the February			9, 2024 reco	ord review	v date to		
Good Fa	aith Effo	orts to Com		0.0% efore NOE/NOV		DPRP/Settlemer	at Offer	I	Reduction		\$0
			۵ Extraordinary Ordinary N/A								
			Notes	The Respond		t meet the go violation.	od faith crit	eria for			
							V	liolation	Subtotal	\$1,5	500
Econom	nic Bene	fit (EB) for	this violatio	on		_	Statutor	y Limit	Test		
		Estimate	ed EB Amount		\$153	] v	iolation Fi	nal Pena	ity Total	\$1,6	653
				This vio	lation Final	Assessed P	enalty (ad	justed fo	or limits)	\$1,6	653

Case ID No. eg. Ent. Reference No.	65399 RN101265213 Public Water S	Supply		_,			
eg. Ent. Reference No. Media Violation No. Item Description	RN101265213 Public Water S 13	Supply					
Media Violation No. Item Description	Public Water 9 13	Supply					
Violation No.	13						
Item Description						<b>Percent Interest</b>	Years of
	Item Cost						Depreciation
	Item Cost					5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Delayed Costs							
				1	1.0	1.0	
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	<u>\$0</u> \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0 \$0	\$0 n/a	\$0 \$0
Land 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 00	\$0	<b>.</b>	
Other (as needed)		s needed) delayed				n/a n/a st the BPAs (\$31 x	\$0 \$18 four locations),
Other (as needed) Notes for DELAYED costs	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim initially o complia	\$18 ated amount to te documenting the v ince.	n/a n/a st the BPAs (\$31 x iolation to the estin	\$0 <u>\$18</u> four locations), nated date of
	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim initially o complia	\$18 ated amount to te documenting the v ince.	n/a n/a st the BPAs (\$31 x	\$0 \$18 four locations), nated date of
Notes for DELAYED costs	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim initially o complia	\$18 ated amount to te documenting the v ince.	n/a n/a st the BPAs (\$31 x iolation to the estin	\$0 <u>\$18</u> four locations), nated date of
Notes for DELAYED costs Avoided Costs	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim initially o complia tering 0.00 0.00	\$18 ated amount to te documenting the v ince. item (except for \$0 \$0	n/a n/a st the BPAs (\$31 x iolation to the estin one-time avoided \$0 \$0	\$0 \$18 four locations), nated date of <b>1 costs)</b> \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 nitially of complia tering 0.00 0.00 0.00	\$18 ated amount to te documenting the v ince. item (except for \$0 \$0 \$0	n/a n/a st the BPAs (\$31 x iolation to the estin one-time avoided \$0 \$0 \$0	\$0 \$18 four locations), nated date of <b>i costs)</b> \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim complia tering 0.00 0.00 0.00	\$18 ated amount to te documenting the v ince. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a st the BPAs (\$31 x violation to the estin one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$18 four locations), nated date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The Other (as calculated f	ALIZE avoided of the second se	cost includes the investigation	2.90 e estim initially o complia tering 0.00 0.00 0.00 0.00 0.00	\$18 ated amount to te documenting the v ince. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a st the BPAs (\$31 x iolation to the estin one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$18 four locations), nated date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The Other (as calculated f	s needed) delayed rom the date of th	cost includes the investigation	2.90 e estim complia tering 0.00 0.00 0.00	\$18 ated amount to te documenting the v ince. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a st the BPAs (\$31 x violation to the estin one-time avoided \$0 \$0 \$0 \$0 \$0	\$0 \$18 four locations), nated date of <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0

S COMMISSION	Policy R	Pe evision 5 (January 28	•	Calculation	n Worksh	neet (PC	-	vision February	11, 2021
DATES	Assigned	5-Feb-2024							
	PCW	26-Feb-2024	Screening	7-Feb-2024	EPA Due		1		
							-		
RESPO		TY INFORMATI							1
Bog	Respondent g. Ent. Ref. No.	MIDWAY WATER	UTILITIES,	INC. (PCW No. 2	2 of 2)				
		4-Dallas/Fort Wo	orth		Major/M	linor Source	Minor		
raciii	cy/ Site Region	- Dullus/Fore we			hajor/h	mor Source	1-IIIIOI		
CASE I	NFORMATION								
En	f./Case ID No.				No. c	of Violations			
		2024-0215-MLM	-E		_	Order Type			
Med	lia Program(s)				Government	•			
	Multi-Media	Public Water Sup	oply		Enf.		Kaisie Hubsch		
۸dr	nin. Penalty \$ I	imit Minimum	\$0	Maximum	\$5,000	EC S Team	Enforcement	leam 5	İ
Aui	iiiii. Penaity și		φU	Maximum	\$3,000				
			Dona	Ity Calculat	ion Socti	<u>n</u>			
				,		JII			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation	n base penalt	ies)		Subtotal 1		\$500
	STMENTS (+	/-) TO SUBTO	<b>TAL 1</b>						
ADJU.	Subtotals 2-7 are of	ptained by multiplying	the Total Base	e Penalty (Subtotal 1	) by the indicated p	ercentage.			
	<b>Compliance Hi</b>			30.0%	Adjustment		tals 2, 3, & 7		\$150
	_	Enhancement	for five NOV	s with dissimilar	violations and	one agreed			
	Notes	Linancement		taining a denial o		one agreed			
					n nabincy.		]		
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent do	bes not meet the	culpability crite	eria.			
							]		
	Good Faith Eff	ort to Comply T	otal Adjust	ments			Subtotal 5	<b></b>	-\$125
	Good Faith En	ore to comply i		inchts			Subtotal S	<b></b>	
	Economic Ben				Enhancement*	A	Subtotal 6		\$0
	Estimated	Total EB Amounts Cost of Compliance	<u>\$32</u> \$360	*Capped	at the Total EB \$ /	Amount			
			\$300						
SUM (	OF SUBTOTA	LS 1-7				E	inal Subtotal		\$525
		AS JUSTICE M			-19.0%		Adjustment		-\$100
Reduces of	or enhances the Final	Subtotal by the indi					1		
				offset the portio					
	Notes	adjustment o		e Agreed Order t		rior to the			
			ch	ange in ownersh	ip.	51			+ 425
						Final Pen	alty Amount		\$425
STATI			лт			Einal Acco	ssed Penalty		\$425
STAR			• •			Filidi ASSE	sseu Penalty		φτzJ
DEFE	RAI				20.0%	Reduction	Adjustment		-\$85
		enalty by the indicated	d percentage.		20.0 /0	Reduction	Aujustineitt		40 <b>0</b>
							]		
	Notes	[	Deferral offe	red for expedited	settlement.				
							• 		
PAYA	BLE PENALT	Y							\$340

	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	5	10%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	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%
	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%
	Convictions	Any criminal convictions of this state or the federal government (number of $counts$ )	0	0%
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )		0%
		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 Pe	rcentage (Sub	ototal 2)
Re	epeat Violator	(Subtotal 3)		
	No	Adjustment Pe	rcentage (Sub	total 3)
Co	mpliance Hist	bry Person Classification (Subtotal 7)		
	Satisfactory		rcentage (Sub	total 7)
> Co	mpliance Hist	ory Summary		
	Compliance History Notes	Enhancement for five NOVs with dissimilar violations and one agreed order conta liability.	ining a denial of	
		Total Compliance History Adjustment Deventage (	Cubtotola 2	<b>→</b>
> Fina	al Compliance	Total Compliance History Adjustment Percentage ( History Adjustment	Subtotais 2,	3, & 7)

# Screening Date 7-Feb-2024 Docket No. 2024-0215-MLM-E Respondent MIDWAY WATER UTILITIES, INC. (PCW No. 2 of 2) 0 Case ID No. 65399 8N101265213

Media Water Rights

Enf. Coordinator Kaisie Hubschmitt

Component Number of...

# Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2)

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

Adjust.

Number

#### PCW

		ening Date				cket No. 2024-02	15-MLM-E			PCW
		espondent ase ID No.	MIDWAY WATE	R UTILITIES,	INC. (PCW N	lo. 2 of 2)				anuary 28, 2021)
Rea.			RN101265213					PCV	V Revision F	ebruary 11, 2021
		Media	Water Rights							
		oordinator	Kaisie Hubschm	nitt						
	VIOIA				00.20(-)		Tau Watan C			
		Rule Cite(s)	30 Tex. Adm	in. Code §§ 2		d 288.30(5)(B), and 272(c)	Tex. Water Co	bae g		
	Violatio	n Description	Failed to ad			y plan which include iil public water supp		for		
							Base P	enalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hum	an Health	Matrix					
			_	Harm						
OR		<b>Release</b> Actual	Major	Moderate	Minor					
		Potential				Percent	t 0.0%			
>>Pro	aramma	tic Matrix								
~~FI0	grannia	Falsification	Major	Moderate	Minor					
			x			Percent	10.0%			
	Matrix Notes		100%	% of the rules	requirement	ts were not met.				
						Adjustmen	t	\$4,500		
										\$500
										+
Violatio	on Event	ts								
		Number of V	iolation Events	1	] [	3 Number	of violation da	ys		
			daily		ה					
			weekly		j					
			monthly			Via	lation Dags D			¢500
			quarterly semiannual			VIO	lation Base P	enalty		\$500
			annual							
			single event	X	<u>]</u>					
				One single	event is reco	mmended.				
			-		1					
Good F	aith Effo	orts to Com		25.0% efore NOE/NOV		DPRP/Settlement Offer	Re	duction		\$125
			Extraordinary							
			Ordinary	Х						
			N/A		<u>  </u>					
			Notes	The Respor		ed compliance on Fe 2024.	bruary 1,			
							Violation Su	ubtotal		\$375
Econon	nic Bene	efit (EB) for	this violatio	on		Statut	ory Limit T	est		
				-	*33		_			± 405
		Estimate	ed EB Amount		\$32		Final Penalty			\$425
				This viola	tion Final A	ssessed Penalty (	adjusted for	limits)		\$425

	MIDWAY WAT	ER UTILITIES, INC	C. (PCW No. 2 of	f 2)			
Case ID No.	65399						
leg. Ent. Reference No.							
	Water Rights						Years of
Violation No.	-					<b>Percent Interest</b>	Depreciation
violation No.	1						
						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	\$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)	\$360 The delayed	26-Apr-2022	1-Feb-2024 estimated amou	1.77	\$32	n/a	\$32
Notes for DELAYED costs	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum	aft and adopt a dro nenting the violatio	n/a ought contingency p n to the date of con	\$32 lan, calculated npliance.
Notes for DELAYED costs	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum	aft and adopt a dro enting the violatio item (except for	n/a ought contingency p n to the date of con one-time avoided	\$32 Ilan, calculated npliance. d costs)
Notes for DELAYED costs Avoided Costs Disposal	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra docum tering	aft and adopt a dro nenting the violatio item (except for \$0	n/a pught contingency p n to the date of con <b>one-time avoide</b> \$0	\$32 Ilan, calculated npliance. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum tering 0.00	aft and adopt a dro penting the violatio item (except for \$0 \$0	n/a pught contingency p n to the date of con one-time avoided \$0 \$0	\$32 plan, calculated npliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum tering 0.00 0.00 0.00	aft and adopt a dro enting the violatio item (except for \$0 \$0 \$0	n/a pught contingency p n to the date of con one-time avoided \$0 \$0 \$0 \$0	\$32 plan, calculated npliance. f costs) \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum tering 0.00 0.00 0.00 0.00	aft and adopt a dro enting the violatio item (except for \$0 \$0 \$0 \$0	n/a pught contingency p n to the date of con cone-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$32 lan, calculated npliance. d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum 0.00 0.00 0.00 0.00 0.00	aft and adopt a dro enting the violatio item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pught contingency p n to the date of con cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$32 Ilan, calculated npliance. 1 costs) \$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	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum tering 0.00 0.00 0.00 0.00 0.00 0.00	aft and adopt a dro nenting the violatio item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pught contingency p n to the date of con cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$32 Ilan, calculated npliance. \$0 \$0 \$0 \$0 \$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	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum 0.00 0.00 0.00 0.00 0.00	aft and adopt a dro enting the violatio item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pught contingency p n to the date of con cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$32 Ilan, calculated npliance. 1 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	The delayed from th	cost includes the e le date of the inve	estimated amoun stigation initially	nt to dra y docum tering 0.00 0.00 0.00 0.00 0.00 0.00	aft and adopt a dro nenting the violatio item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a pught contingency p n to the date of con cone-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$32 Ilan, calculated npliance. <b>1 costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

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# **Compliance History Report**

Compliance History Report for CN600663579, RN101265213, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN600663579, MIDWAY WATER UT INC.	ILITIES, Classification: SATISFACT	ORY <b>Rating:</b> 2.62		
Regulated Entity:	RN101265213, CLIFFS THE	Classification: HIGH	<b>Rating:</b> 0.00		
Complexity Points: CH Group:	3 14 - Other	Repeat Violator: NO			
Location:	8615 TEXAS HIGHWAY 16 NEAR GF	RAFORD, PALO PINTO COUNTY, TEXAS			
TCEQ Region:	REGION 04 - DFW METROPLEX				
ID Number(s): AIR QUALITY NON PERMITTED ID NUMBER R04101265213 PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 67095 CLEAN WATER CERTIFICATION PROGRAM ID NUMBER POS550 CLEAN WATER CERTIFICATION PROGRAM ID NUMBER POS562 Compliance History Period: September 01, 2018 to August		PUBLIC WATER SYSTEM/SUPPLY RE 1820061 CLEAN WATER CERTIFICATION PRO POS564 CLEAN WATER CERTIFICATION PRO POS563 31, 2023 Rating Year: 2023	OGRAM ID NUMBER		
Date Compliance History Report Prepared: August 07, 2024					
Agency Decision Requiri	ng Compliance History: Enfo	prcement			
<b>Component Period Selec</b>	ted: August 07, 2019 to August	07, 2024			
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name: Kaisie Hubschm	litt	<b>Phone:</b> (512) 239-14	82		
,	<b>ator History:</b> ice and/or operation for the full five- change in ownership/operator of the	, , ,	YES YES		

 3) Who is the current owner/operator?
 3) Who is the current owner/operator?
 The Cliffs Resort, Inc. OWNER OPERATOR since 1/11/2007 Young County Butane, Inc. OWNER since 1/23/1997 Midway Water Utilities, Inc. OWNER since 11/16/2020 AC BLUFF CREEK MARINA, LLC OWNER since 12/9/2021
 4) Who was (wore the prior owner(s)/operator(s)?

4) Who was/were the prior owner(s)/operator(s)?AC Cliffs Marina, LLC, OWNER, 1/3/2020 to 12/8/2021<br/>Double Diamond Utilities Co., OWNER, 10/19/2006 to 11/15/2020<br/>Double Diamond, Inc., OWNER, 4/6/2018 to 1/3/2020

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

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

 1
 Effective Date:
 05/19/2020
 ADMINORDER
 2019-1518-PWS-E
 (1660 Order-Agreed Order With Denial)

 Classification:
 Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(2)

Description: Failed to institute special precautions as described in the flowchart found in 30 TEX. ADMIN. CODE § 290.47(e) in the event of low distribution pressures and water outages, in violation of 30 TEX. ADMIN. CODE §290.46(q)(2). Specifically, on August 10, 2019, a valve closure at Spyglass Drive and Heritage Drive caused water outages, and the water system did not immediately collect the required bacteriological samples after flushing the distribution system.

#### **B.** Criminal convictions:

N/A

C. Chronic excessive emissions events:  $$N\!/\!A$$ 

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

Item 2 February 02, 2021 (1700869)

#### 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.

1	Date: 09/07/2023 (1936854)
T	Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.111(i)(4)
	5A THSC Chapter 341, SubChapter A 341.031(a)
	Description: SWTR Acute TT Violation 07/2023 – 3 day(s) with combined filter effluent turbidity readings above 1.0 NTU at SH 16 1 MI SW OF BRAZOS RIVER BRIDGE (TP18486). ETT Point Value = 10; Violation Determination Date =
	07/31/2023 Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(1)(B) 5A THSC Chapter 341, SubChapter A 341.0315(c)
	Description: SWTR Non-acute TT Violation 07/2023 – 55.9 % of combined filter effluent turbidity readings for the month were above 0.3 NTU at SH 16 1 MI SW OF BRAZOS RIVER BRIDGE (TP18486). ETT Point Value = 5; Violation Determination Date = 07/31/2023
2	Date: 09/13/2023 (1930808)
	Self Report?NOClassification:ModerateCitation:30 TAC Chapter 290, SubChapter F 290.115(f)(1)5A THSC Chapter 341, SubChapter A 341.0315(c)
	Description: TTHM LRAA MCL 3Q2023 – During the 3rd quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.104 mg/L at 160 Cliff DR, Graford (DBP2-01). ETT Point Value = 5
3	Date: 09/28/2023 (1936854)
	Self Report?       NO       Classification:       Moderate         Citation:       30 TAC Chapter 290, SubChapter F 290.111(c)(3)(B)
	Description: SWTR Non-acute TT Violation 07/2023 – Failure to meet the minimum requirements of cryptosporidium removal in the month of 07/2023 at SH 16 1 MI SW OF BRAZOS RIVER BRIDGE (TP18486). ETT Point Value = 5; Violation Determination Date = 07/13/2023
4	Date: 12/08/2023 (1929719)
	Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)
	Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions.
	EIC C4 MOD(2)(G) Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.44(c)
	Description: Failure to provide the minimum required line size for the water main serving the employee housing area. EIC C4 MOD(2)(G)
5	Date: 12/11/2023 (1944766)
	Self Report?NOClassification:ModerateCitation:30 TAC Chapter 290, SubChapter D 290.45(b)(2)30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F)
	Description: Failure to provide a minimum service pump capacity of 2.0 gpm per connection. EIC B18(c)(10) MOD(2)(G)
Environ	ental audits:

F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs):  $$\rm N/A$$
- 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 8/7/2019 and 8/7/2024

1	Date:	08/	07/2019	(1575732)			
	Self Repo Citation:	ort?	NO			Classification:	Moderate
	Descriptic	on:	30 TAC 30 TAC	Chapter 330, S Chapter 330, S	ubChapter A 26. ubChapter A 330 ubChapter A 330 nauthorized disc	0.15(a)	lid waste.
2	Date:	08/	15/2019	(1581511)			
	Self Repo Citation:	ort?	NO			Classification:	Minor
	Descriptic Self Repo Citation:				ubChapter D 290 transmission and	D.44(a)(4) d distribution lines ad Classification:	equately. Moderate
	Descriptic	on:	Failure		ubChapter D 290 priately licensed		
	Self Repo Citation:	ort?	NO	100(2)(0)		Classification:	Moderate
	Descriptio	on:	Failure			0.46(f)(3)(A)(i)(I) al used each day.	
	Self Repo Citation:	ort?	NO			Classification:	Minor
	Descriptic	on:	Failure f entry po	to monitor and	ubChapter F 290 record the disinf bution system.	).110(c)(1)(B) ectant residual of the	water at the
	Self Repo	ort?	NO			Classification:	Moderate
	Citation: Descriptic	on:	Failure for the second	to monitor and		).110(c)(4)(C) ectant residual at rep east once per day.	presentative
	Self Repo Citation:	ort?	NO			Classification:	Moderate
	Descriptio	on:	Failure		ubChapter D 290 prate the turbidir		
	Self Repo Citation:	ort?	NO			Classification:	Moderate
	Descriptic	on:	Failure	•	ubChapter D 290 cord of flow met	D.46(f)(3)(B)(iv) ter calibrations.	
	Self Repo Citation:	ort?	NO			Classification:	Moderate
	Descriptio	on:	Failure	•	ubChapter A 26. prization prior to	121(a) a discharge of indust	rial waste.
	Self Repo Citation:	ort?	NO			Classification:	Moderate
	Descriptio	on:	Failure		ubChapter D 290 ater treatment p		
3	Date:	09/	12/2019	(1590718)			
	Self Repo Citation:	ort?	NO			Classification:	Minor
			30 TAC	Chanter 290 S	ubChanter D 29(	1.46(r)	

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Page 4
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Description: Failure to maintain a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system. EIC C4 MIN(3)(C)

Date: (1590319)10/18/2019 Self Report? NO Classification: Minor Citation: 30 TAC Chapter 335, SubChapter C 335.62 30 TAC Chapter 335, SubChapter R 335.504 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11 Description: Failure to adequately conduct a hazardous waste determination. Date: 03/17/2020 (1623894)Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.44(e)(3) 30 TAC Chapter 290, SubChapter D 290.44(h)(1) Description: Failure to prevent a cross-connection between a potable water supply line and a sewer line. EIC B17 MOD(2)(G) 07/05/2022 Date: (1818965)Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(i) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(ii) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(iii) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(iv) Failure to calibrate the online and benchtop turbidimeters. Description: EIC B1 MOD(2)(E) Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)(i) 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)(ii) Failure to calibrate the benchtop pH meter once per day and verify against Description: one standard each time a sample is run. EIC B1 MOD(2)(E) Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i) Description: Failure to verify the accuracy of the SL1000 at least once every 90 days. EIC B1 MOD(2)(E) Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.39(j) Failure to notify the executive director prior to making any significant Description: changes to the system's treatment facilities. EIC B18(c)(2) MOD(2)(B) Self Report? Classification: Moderate NO Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(15)(C) 30 TAC Chapter 290, SubChapter D 290.42(d)(15)(C)(vi) Failure to provide jar testing equipment. Description: EIC C4 MOD(2)(A) Self Report? Classification: NO Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I) Description: Failure to maintain a daily record of the amount of chemicals used. EIC B3 MOD(2)(B) Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)(I) Description: Failure to provide secondary containment for liquid chemicals.

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Self Report?	EIC C4 MOD(2)(G) NO	Classification:	Moderate
Citation: Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to provide a day tank for the sodiu control instrumentation and procedures to incidents. EIC C4 MOD(2)(G)	m hypochlorite or a	
Self Report? Citation:	NO	Classification:	Moderate
Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to have a backwash meter. EIC C4 MOD(2)(G)	2(d)(5)	
Self Report? Citation:	NO	Classification:	Minor
Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to flush all dead-end mains on a m EIC C4 MIN(3)(D)		
Self Report? Citation:	NO	Classification:	Minor
Description:	30 TAC Chapter 290, SubChapter F 290.10 Failure to collect bacteriological samples for throughout the distribution system. EIC C1 MIN(3)(A)		locations
Self Report? Citation:	NO	Classification:	Minor
Description:	30 TAC Chapter 290, SubChapter F 290.1 Failure to monitor for the disinfectant resident throughout the distribution system. EIC C1 MIN(3)(A)		ve locations
Self Report? Citation:	NO	Classification:	Minor
Description:	30 TAC Chapter 290, SubChapter D 290.4 30 TAC Chapter 290, SubChapter D 290.4 Failure to maintain the 0.1 MG ground sto condition. EIC C4 MIN(3)(D)	6(m)(4)	l working
Self Report? Citation:	NO	Classification:	Minor
Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to provide either a duckbill valve, a cover, or another approved device to prev other nuisances on the 0.075 MG ground s the SWTP building. EIC C4 MIN(3)(D)	a gravity-hinged and ent the entrance of	insects and
Self Report? Citation:	NO	Classification:	Minor
	30 TAC Chapter 290, SubChapter D 290.4 30 TAC Chapter 290, SubChapter D 290.4 30 TAC Chapter 290, SubChapter D 290.4	6(f)(3)(C)	
Description:	Failure to provide a computer and softwar and maintain records. EIC B3 MIN(3)(D)	e that can record p	erformance data
Self Report? Citation:	NO	Classification:	Moderate
Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to either have a class "C" surface w plant is in operation or provide continuous and automatic plant shutdowns and alarm ensure the water produced continues to m water standards.	vater operator onsit disinfectant residu s to summon opera	al monitoring tors so as to
Self Report?	EIC B17 MOD(2)(G) NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.4 Failure to maintain the pressure filters in a		00
Description:	EIC C4 MIN(3)(D)	Classification:	Minor
Self Report?			

Citation:			
Citation.			
Description:	30 TAC Chapter 290, SubChapt Failure to maintain one of the R		ving condition
Description.	EIC C4 MIN(3)(D)		ang condition.
Self Report? Citation:	NO	Classification:	Moderate
	30 TAC Chapter 290, SubChapt		
Description:	30 TAC Chapter 290, SubChapt Failure to have an exception to		HC/170-LT2
2000.190.000	cartridge filters. EIC B3 MOD(2)(B)		
Self Report?	NO	Classification:	Minor
Citation:	20 TAC Chapter 200 SubChapt	-or D 200 42(d)(12)	
Description:	30 TAC Chapter 290, SubChapt Failure to properly label chemic EIC C4 MIN(3)(D)		
Self Report? Citation:	NO	Classification:	Moderate
	30 TAC Chapter 290, SubChapt		
Description:	Failure to have at least one clas at the plant at least four consec EIC C4 MOD(2)(G)	ss "B" or higher surface water cutive hours at least once eve	operator that is operator that is
Self Report?	NO	Classification:	Moderate
Citation:			
Description:	30 TAC Chapter 290, SubChapt Failure to submit requested doo		
Description	EIC B3 MOD(2)(B)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapt	er D 290.44(a)(4)	
Description:	Failure to install water transmis EIC B17 MOD(2)(G)		equately.
Date: 05/	/19/2023 (1930808)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapt	-25 = 200 + 1 = (f)(1)	
	54 THSC Chapter 341, SubChapter 341, SubChapte	pter A 341.0315(c)	
Description:	TTHM LRAA MCL 1Q2023 – Dur	ing the 1st quarter of 2023 the location of th	
	mg/L at 160 Cliff DR, Graford (		
Date: 07/			
Self Report?	mg/L at 160 Cliff DR, Graford (		
Date: 07/ Self Report? Citation:	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO	DBP2-01). ETT Point Value = Classification:	5
Self Report? Citation:	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt	DBP2-01). ETT Point Value = Classification: cer F 290.115(f)(1) pter A 341.0315(c)	5 Moderate
Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt	DBP2-01). ETT Point Value = Classification: er F 290.115(f)(1) pter A 341.0315(c) ing the 2nd quarter of 2023 t nant level for trihalomethanes	5 Moderate he system s with a LRAA of
Self Report? Citation: Description:	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChap TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami	DBP2-01). ETT Point Value = Classification: er F 290.115(f)(1) pter A 341.0315(c) ing the 2nd quarter of 2023 t nant level for trihalomethanes	5 Moderate he system s with a LRAA of
Self Report? Citation: Description: Date: 09/ Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra	DBP2-01). ETT Point Value = Classification: er F 290.115(f)(1) pter A 341.0315(c) ing the 2nd quarter of 2023 t nant level for trihalomethanes	5 Moderate he system s with a LRAA of
Self Report? Citation: Description: Date: 09/	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra	DBP2-01). ETT Point Value = Classification: er F 290.115(f)(1) pter A 341.0315(c) ring the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification:	5 Moderate he system s with a LRAA of alue = 5
Self Report? Citation: Description: Date: 09/ Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra /07/2023 (1936854) NO	DBP2-01). ETT Point Value = Classification: er F 290.115(f)(1) pter A 341.0315(c) ring the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification: er F 290.111(i)(4)	5 Moderate he system s with a LRAA of alue = 5
Self Report? Citation: Description: Date: 09/ Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra /07/2023 (1936854) NO 30 TAC Chapter 290, SubChapt	DBP2-01). ETT Point Value = Classification: ter F 290.115(f)(1) pter A 341.0315(c) ring the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification: ter F 290.111(i)(4) pter A 341.031(a) 123 – 3 day(s) with combined FU at SH 16 1 MI SW OF BRAZ	5 Moderate he system s with a LRAA of alue = 5 Moderate filter effluent ZOS RIVER
Self Report? Citation: Description: Date: 09/ Self Report? Citation:	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra /07/2023 (1936854) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt SWTR Acute TT Violation 07/20 turbidity readings above 1.0 NT BRIDGE (TP18486). ETT Point N	DBP2-01). ETT Point Value = Classification: ter F 290.115(f)(1) pter A 341.0315(c) ring the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification: ter F 290.111(i)(4) pter A 341.031(a) 123 – 3 day(s) with combined FU at SH 16 1 MI SW OF BRAZ	5 Moderate he system s with a LRAA of alue = 5 Moderate filter effluent ZOS RIVER
Self Report? Citation: Description: Date: 09/ Self Report? Citation: Description: Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra /07/2023 (1936854) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt SWTR Acute TT Violation 07/20 turbidity readings above 1.0 NT BRIDGE (TP18486). ETT Point N 07/31/2023	DBP2-01). ETT Point Value = Classification: ter F 290.115(f)(1) pter A 341.0315(c) ing the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification: ter F 290.111(i)(4) pter A 341.031(a) 123 – 3 day(s) with combined TU at SH 16 1 MI SW OF BRAZ Value = 10; Violation Determi Classification: ter F 290.111(e)(1)(B)	5 Moderate he system s with a LRAA of alue = 5 Moderate filter effluent ZOS RIVER nation Date =
Self Report? Citation: Description: Date: 09/ Self Report? Citation: Description: Self Report?	mg/L at 160 Cliff DR, Graford ( /14/2023 (1930808) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt TTHM LRAA MCL 2Q2023 – Dur violated the maximum contami 0.108 mg/L at 160 Cliff DR, Gra /07/2023 (1936854) NO 30 TAC Chapter 290, SubChapt 5A THSC Chapter 341, SubChapt SWTR Acute TT Violation 07/20 turbidity readings above 1.0 NT BRIDGE (TP18486). ETT Point N 07/31/2023 NO 30 TAC Chapter 290, SubChapt	DBP2-01). ETT Point Value = Classification: ter F 290.115(f)(1) pter A 341.0315(c) ing the 2nd quarter of 2023 t nant level for trihalomethanes aford (DBP2-01). ETT Point Va Classification: ter F 290.111(i)(4) pter A 341.031(a) 123 - 3 day(s) with combined TU at SH 16 1 MI SW OF BRAZ Value = 10; Violation Determi Classification: ter F 290.111(e)(1)(B) pter A 341.0315(c)	5 Moderate he system s with a LRAA of alue = 5 Moderate filter effluent ZOS RIVER nation Date = Moderate

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turbidity readings for the month were above 0.3 NTU at SH 16 1 MI SW OF BRAZOS RIVER BRIDGE (TP18486). ETT Point Value = 5; Violation Determination Date = 07/31/2023

10	Date: 09,	/13/2023 (1930808)		
	Self Report? Citation:	NO	Classification:	Moderate
	Description:	30 TAC Chapter 290, SubChapter F 290.1 5A THSC Chapter 341, SubChapter A 341 TTHM LRAA MCL 3Q2023 – During the 3r violated the maximum contaminant level 0.104 mg/L at 160 Cliff DR, Graford (DBF	0315(c) d quarter of 2023 t for trihalomethane	s with a LRAA of
11	Date: 09,	/28/2023 (1936854)		
	Self Report? Citation:	NO	Classification:	Moderate
	Description:	30 TAC Chapter 290, SubChapter F 290.1 SWTR Non-acute TT Violation 07/2023 – requirements of cryptosporidium remova MI SW OF BRAZOS RIVER BRIDGE (TP18 Determination Date = 07/13/2023	Failure to meet the I in the month of 07	7/2023 at SH 16 1
12	Date: 12,	/08/2023 (1929719)		
	Self Report? Citation:	NO	Classification:	Moderate
	Description:	30 TAC Chapter 290, SubChapter D 290.4 Failure to maintain a minimum pressure of system under normal operating condition EIC C4 MOD(2)(G)	of 35 psi throughou	t the distribution
	Self Report? Citation:	NO	Classification:	Moderate
		30 TAC Chapter 290, SubChapter D 290.	• •	
	Description:	Failure to provide the minimum required the employee housing area. EIC C4 MOD(2)(G)	line size for the wa	ter main serving
13	Date: 12,	/11/2023 (1944766)		
	Self Report? Citation:	NO	Classification:	Moderate
	citation.	30 TAC Chapter 290, SubChapter D 290. 30 TAC Chapter 290, SubChapter D 290.		
	Description:	Failure to provide a minimum service pur connection. EIC B18(c)(10) MOD(2)(G)		gpm per

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

#### Appendix B All Investigations Conducted During Component Period August 07, 2019 and August 07, 2024

Item 1	October 18, 2019**	(1590319)
Item 2	February 06, 2020**	(1625226)
Item 3*	February 02, 2021**	(1700869)
Item 4	June 24, 2022**	(1818965)
Item 5	November 22, 2022**	(1860414)
Item 6	December 06, 2022**	(1861920)
Item 7	September 27, 2023	(1930808)
Item 8	September 29, 2023	(1930980)
Item 9	October 19, 2023	(1936854)
Item 10	October 27, 2023	(1936926)

Item 11	January 16, 2024	(1955227)
Item 12	February 01, 2024	(1956507)
Item 13	June 05, 2024	(1989167)

 $\ensuremath{^*}$  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



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S S S S S

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING MIDWAY WATER UTILITIES, INC. RN101265213 BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2024-0215-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 MIDWAY WATER UTILITIES, INC. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 11. 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 8615 Texas Highway 16 near Graford, Palo Pinto County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 311 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 adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in Tex. WATER CODE § 11.021 and 30 Tex. ADMIN. CODE § 297.1(52).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. WATER CODE §§ 7.002 and 11.0842 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 11.0842 and Tex. HEALTH & SAFETY CODE § 341.031 because it alleges violations of Tex. HEALTH & SAFETY CODE ch. 341, Tex. WATER CODE ch. 11, 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 \$18,199 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$14,560 of the penalty and \$3,639 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.
- 9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility by February 1, 2024:
  - a. Began collecting routine distribution coliform samples at a customer's premise, dedicated sampling station, or other designated compliance sampling location at active service connections which are representative of water quality throughout the distribution system;
  - b. Began monitoring the disinfectant residual at representative locations throughout the distribution system at least once per day;
  - c. Made the results of inspections for all water storage and pressure maintenance facilities and Customer Service Inspection reports readily available for review by the Executive Director;
  - d. Adopted an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted;
  - e. Adopted a drought contingency plan which includes all elements for municipal use by a retail public water supplier; and
  - f. Compiled and maintained a thorough and up-to-date plant operations manual for operator review and reference.

#### **II. ALLEGATIONS**

During a record review for the Facility conducted on January 29, 2024, an investigator documented that the Respondent:

1. Failed to calibrate the Facility's benchtop turbidimeter with primary standards at least once every 90 days and check the calibration with secondary standards each time a series of samples is tested, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(2)(B)(i) and (s)(2)(B)(ii).

- 2. Failed to calibrate the Facility's two on-line turbidimeters with primary standards at least once every 90 days and check the calibration with a primary standard, secondary standard, or manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(2)(B)(iii) and (s)(2)(B)(iv).
- 3. Failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities, in violation of 30 TEX. ADMIN. CODE § 290.39(j) and TEX. HEALTH & SAFETY CODE § 341.0351. Specifically, the Respondent did not notify the Executive Director prior to utilizing polymer ahead of the pressure filters, adding two 30-micron cartridge filters after the pressure filters, and changing the two 5-micron cartridge filters before the reverse osmosis units to one 1-micron cartridge filter.
- 4. Failed to flush all dead-end mains at monthly intervals, in violation of 30 TEX. ADMIN. CODE § 290.46(l). Specifically, the Respondent was flushing at hydrants near the dead ends instead of at all dead-end mains.
- 5. Failed to collect routine distribution coliform samples at a customer's premise, dedicated sampling station, or other designated compliance sampling location at active service connections which are representative of water quality throughout the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.109(d)(1)(A). Specifically, the sampling locations were not equally distributed throughout the distribution system as there were no bacteriological sampling locations on the southern part of the sampling map.
- 6. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(4)(C). Specifically, the monitoring locations were not equally distributed throughout the distribution system as there were no disinfectant monitoring locations on the southern part of the sampling map.
- 7. 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), (f)(3)(C)(iv), (f)(3)(D)(ii), (f)(3)(D)(iii), and (f)(3)(E)(iv). Specifically, the on-line turbidity monitoring results and exception reports for individual filters, the results of inspections for all water storage and pressure maintenance facilities, the results of inspections for all pressure filters, and the previous one and a half years of Customer Service Inspection reports were not maintained on-site for review.
- 8. Failed to ensure that the Facility has at least one Class "C" or higher surface water operator on duty when it is in operation or that the Facility is provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms to summon operators so as to ensure that the water produced continues to meet the Commission's drinking water standards during periods when the Facility is not staffed, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(6)(C). Specifically, the plant does not automatically shutdown if an alarm is triggered and there are no operators on-site overnight.

- 9. 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, five of the six pressure filters were leaking from their effluent lines.
- 10. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i).
- 11. Failed to install water transmission and distribution lines below the frost line and in no case less than 24 inches below the ground surface, in violation of 30 TEX. ADMIN. CODE § 290.44(a)(4). Specifically, the raw water transmission line and distribution line leaving the plant were sitting above ground.
- 12. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 Tex. ADMIN. CODE § 290.42(l).
- 13. Failed to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications, in violation of 30 Tex. ADMIN. CODE § 290.44(h)(4). Specifically, BPAs at the restaurant, the marina, the marina ice machine, and the wastewater treatment plant were not being tested on an annual basis.
- 14. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier, in violation of 30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B), and TEX. WATER CODE § 11.1272(c).

#### **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: MIDWAY WATER UTILITIES, INC., Docket No. 2024-0215-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. 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 results of pressure filter inspections and on-line turbidity monitoring results and exception reports for individual filters, in accordance with 30 TEX. ADMIN. CODE § 290.46.
  - ii. Calibrate the benchtop turbidimeter with primary standards and check the calibration with secondary standards each time a series of samples is tested, in accordance with 30 TEX. ADMIN. CODE §290.46. This provision will be satisfied upon one month of compliant monitoring.
  - iii. Calibrate the two on-line turbidimeters with primary standards and check the calibration with a primary standard, secondary standard, or manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit at least once every week, in accordance with 30 Tex. ADMIN. CODE § 290.46. This provision will be satisfied upon one month of compliant monitoring.
  - iv. Begin flushing all dead-end mains at monthly intervals or more often as needed if water quality complaints are received from water customers or if disinfectant residuals fall below acceptable levels, in accordance with 30 TEX. ADMIN. CODE § 290.46. This provision will be satisfied upon three months of consecutive compliant monthly flushing.
- b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.k below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.i.
- c. Within 60 days after the effective date of this Order:
  - i. Repair the automatic plant shutdown and alarms at the Facility, in accordance with 30 Tex. ADMIN. CODE § 290.46.
  - ii. 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 the five pressure filters that were leaking from their effluent lines, in accordance with 30 Tex. ADMIN. CODE § 290.46.
  - iii. Ensure that all BPAs are tested upon installation and on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, including but not limited to the BPAs at the restaurant, the marina, the marina ice machine, and the wastewater treatment plant, in accordance with 30 TEX. ADMIN. CODE § 290.44.
- d. Within 75 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.k below, and include detailed supporting documentation including photographs, receipts, and/or other

records to demonstrate compliance with Ordering Provision Nos. 2.a.ii, 2.a.iii, and 2.c.i through 2.c.iii.

- e. Within 90 days after the effective date of this Order, ensure that all water transmission and distribution lines are located below the frost line and in no case less than 24 inches below the ground surface, in accordance with 30 TEX. ADMIN. CODE § 290.44.
- f. Within 105 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.k below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e.
- g. Within 135 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.k below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.iv.
- h. Within 180 days after the effective date of this Order, submit accurate, up-todate, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to utilizing polymer ahead of the pressure filters, adding two 30micron cartridge filters after the pressure filters, and changing the two 5-micron cartridge filters before the reverse osmosis units to one 1-micron cartridge filter, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team Water Supply Division, MC 159 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

- i. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.k below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.h.
- j. Within 270 days after the effective date of this Order, obtain approval of the asbuilt plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.
- k. Within 285 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.j. The certification shall be signed by the Respondent and shall include the following certification language:

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> "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 Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 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.

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#### SIGNATURE PAGE

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

\_\_\_**11/20/2024**\_\_\_\_\_ 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.

Signature

Name (Printed or typed) Authorized Representative of MIDWAY WATER UTILITIES, INC.

 $\mathbf{x}$  If mailing address has changed, please check this box and provide the new address below:

2150 Town Square Place Suite 400 Sugar Land TX, 77479