

Executive Summary – Enforcement Matter – Case No. 66123
Beulah Water Supply Corporation
RN101230076
Docket No. 2024-0933-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

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

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Beulah WSC, 12182 Farm-to-Market Road 58, Suite 200, near Lufkin, Angelina 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: January 17, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,275

Total Paid to General Revenue: \$1,275

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: May 13, 2024 through May 24, 2024

Date(s) of NOE(s): May 24, 2024

**Executive Summary – Enforcement Matter – Case No. 66123
Beulah Water Supply Corporation
RN101230076
Docket No. 2024-0933-PWS-E**

Violation Information

Failed to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By November 7, 2024, the Respondent complied with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes at the Facility.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

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

Respondent: Ragen Thompson, President of the Board, Beulah Water Supply Corporation, 12182 Farm-to-Market 58, Suite 200, Lufkin, Texas 75901

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

| | | | | | | |
|--------------|---------------------|-------------|------------------|-------------|----------------|-------------|
| DATES | Assigned PCW | 28-May-2024 | Screening | 29-May-2024 | EPA Due | 30-Sep-2024 |
|--------------|---------------------|-------------|------------------|-------------|----------------|-------------|

| | |
|--|---------------------------------|
| RESPONDENT/FACILITY INFORMATION | |
| Respondent | Beulah Water Supply Corporation |
| Reg. Ent. Ref. No. | RN101230076 |
| Facility/Site Region | 10-Beaumont |
| Major/Minor Source | Minor |

| | | | |
|--|---------------------|------------------------------|--------------------|
| CASE INFORMATION | | | |
| Enf./Case ID No. | 66123 | No. of Violations | 1 |
| Docket No. | 2024-0933-PWS-E | Order Type | Findings |
| Media Program(s) | Public Water Supply | Government/Non-Profit | Yes |
| Multi-Media | | Enf. Coordinator | Tessa Bond |
| | | EC's Team | Enforcement Team 4 |
| Admin. Penalty \$ Limit Minimum | \$50 | Maximum | \$5,000 |

Penalty Calculation Section

| | | |
|---|-------------------|----------------|
| TOTAL BASE PENALTY (Sum of violation base penalties) | Subtotal 1 | \$1,250 |
|---|-------------------|----------------|

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

| | | | |
|---------------------------|-------------------------|--------------------------------|--------------|
| Compliance History | 12.0% Adjustment | Subtotals 2, 3, & 7 | \$150 |
|---------------------------|-------------------------|--------------------------------|--------------|

Notes: Enhancement for two NOV's with the same/similar violations and one NOV with dissimilar violations.

| | | | | |
|--------------------|----|-------------------------|-------------------|------------|
| Culpability | No | 0.0% Enhancement | Subtotal 4 | \$0 |
|--------------------|----|-------------------------|-------------------|------------|

Notes: The Respondent does not meet the culpability criteria.

| | | |
|--|-------------------|---------------|
| Good Faith Effort to Comply Total Adjustments | Subtotal 5 | -\$125 |
|--|-------------------|---------------|

| | | | |
|-------------------------|--------------------------|-------------------|------------|
| Economic Benefit | 0.0% Enhancement* | Subtotal 6 | \$0 |
|-------------------------|--------------------------|-------------------|------------|

| | | |
|------------------------------|---------|-----------------------------------|
| Total EB Amounts | \$299 | *Capped at the Total EB \$ Amount |
| Estimated Cost of Compliance | \$5,000 | |

| | | |
|-----------------------------|-----------------------|----------------|
| SUM OF SUBTOTALS 1-7 | Final Subtotal | \$1,275 |
|-----------------------------|-----------------------|----------------|

| | | |
|---|------------------------|------------|
| OTHER FACTORS AS JUSTICE MAY REQUIRE | 0.0% Adjustment | \$0 |
|---|------------------------|------------|

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

| | |
|-----------------------------|----------------|
| Final Penalty Amount | \$1,275 |
|-----------------------------|----------------|

| | | |
|-----------------------------------|-------------------------------|----------------|
| STATUTORY LIMIT ADJUSTMENT | Final Assessed Penalty | \$1,275 |
|-----------------------------------|-------------------------------|----------------|

| | | |
|-----------------|----------------------------------|------------|
| DEFERRAL | 0.0% Reduction Adjustment | \$0 |
|-----------------|----------------------------------|------------|

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

| | |
|------------------------|----------------|
| PAYABLE PENALTY | \$1,275 |
|------------------------|----------------|

Screening Date 29-May-2024

Docket No. 2024-0933-PWS-E

PCW

Respondent Beulah Water Supply Corporation

Policy Revision 5 (January 28, 2021)

Case ID No. 66123

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101230076

Media Public Water Supply

Enf. Coordinator Tessa Bond

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

| Component | Number of... | Number | Adjust. |
|-------------------------------|--|--------|---------|
| NOVs | Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>) | 2 | 10% |
| | Other written NOVs | 1 | 2% |
| Orders | Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>) | 0 | 0% |
| | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 0 | 0% |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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 (<i>number of events</i>) | 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% |
| | 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% |
| Other | Environmental management systems in place for one year or more | No | 0% |
| | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program | No | 0% |
| | Participation in a voluntary pollution reduction program | No | 0% |
| | Early compliance with, or offer of a product that meets future state or federal government environmental requirements | No | 0% |

Adjustment Percentage (Subtotal 2) 12%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with the same/similar violations and one NOV with dissimilar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 12%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 12%

Screening Date 29-May-2024 **Docket No.** 2024-0933-PWS-E **PCW**
Respondent Beulah Water Supply Corporation *Policy Revision 5 (January 28, 2021)*
Case ID No. 66123 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101230076
Media Public Water Supply
Enf. Coordinator Tessa Bond

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM") based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts at Site 1 were 0.091 mg/L for the fourth quarter of 2023, 0.090 mg/L for the first quarter of 2024, and 0.086 mg/L for the second quarter of 2024.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

| OR | Release | Harm | | | Percent |
|----|-----------|-------|----------|-------|---------|
| | | Major | Moderate | Minor | |
| | Actual | | x | | 25.0% |
| | Potential | | | | |

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
| | | | | 0.0% |

Matrix Notes Exceeding the MCL for TTHM caused persons served by the Facility to be exposed to a significant amount of contaminants which did not exceed levels protective of human health.

Adjustment \$3,750

\$1,250

Violation Events

Number of Violation Events 1 273 Number of violation days

| | |
|--------------|---|
| daily | |
| weekly | |
| monthly | |
| quarterly | |
| semiannual | |
| annual | x |
| single event | |

Violation Base Penalty \$1,250

One annual event is recommended.

Good Faith Efforts to Comply 10.0% Reduction \$125

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

| | | |
|---------------|--|---|
| Extraordinary | | |
| Ordinary | | x |
| N/A | | |

Notes The Respondent achieved compliance on November 7, 2024.

Violation Subtotal \$1,125

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$299 **Violation Final Penalty Total** \$1,275

This violation Final Assessed Penalty (adjusted for limits) \$1,275

Economic Benefit Worksheet

Respondent Beulah Water Supply Corporation
Case ID No. 66123
Reg. Ent. Reference No. RN101230076
Media Public Water Supply
Violation No. 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0 | 15 |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Costs Saved | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|

Delayed Costs

| | | | | | | | |
|--------------------------|---------|-------------|------------|------|------|-------|-------|
| Equipment | | | | 0.00 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed) | \$5,000 | 31-Dec-2023 | 7-Nov-2024 | 0.85 | \$14 | \$285 | \$299 |
| Engineering/Construction | | | | 0.00 | \$0 | \$0 | \$0 |
| Land | | | | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.00 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.00 | \$0 | n/a | \$0 |
| Other (as needed) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The other (as needed) amount includes the estimated cost to investigate, identify, and implement the necessary corrective actions to return to compliance with the MCL for TTHM, calculated from the last day of the first quarter of noncompliance to the date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

| | | | | | | | |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal | | | | 0.00 | \$0 | \$0 | \$0 |
| Personnel | | | | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.00 | \$0 | \$0 | \$0 |
| Supplies/Equipment | | | | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance | | | | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs | | | | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$299



Compliance History Report

Compliance History Report for CN600669972, RN101230076, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600669972, Beulah Water Supply Corporation **Classification:** UNCLASSIFIED **Rating:** -----

Regulated Entity: RN101230076, BEULAH WSC **Classification:** NOT APPLICABLE **Rating:** N/A

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

CH Group: 14 - Other

Location: 12182 FARM-TO-MARKET ROAD 58 SUITE 200 NEAR LUFKIN, ANGELINA COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
0030017

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

Date Compliance History Report Prepared: November 14, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 14, 2019 to November 14, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Tessa Bond **Phone:** (512) 239-1269

Site and Owner/Operator History:

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

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

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

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

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

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

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

- 1 Date: 02/22/2024 (1988202)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.090 mg/L at 5636 FM 1818, Diboll (DBP2-01). ETT Point Value = 5

- 2 Date: 03/15/2024 (1965909)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)
 Description: Failure by Beulah WSC to inspect the interior surface of pressure tanks every five years.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
 Description: Failure by Beulah WSC to maintain record of the amount of chemicals used each week.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)(1)
 Description: Failure by Beulah WSC to have a complete monitoring plan.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 288, SubChapter B 288.20(c)
 Description: Failure by Beulah WSC to have an up to date drought contingency plan.

3 Date: 05/07/2024 (1988202)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
 Description: TTHM LRAA MCL 2Q2024 – During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 5636 FM 1818, Diboll (DBP2-01). ETT Point Value = 5

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 11/14/2019 and 11/14/2024

- 1 Date: 06/29/2021 (1735994)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)
Description: Failure by Beulah WSC to inspect the interior surface of pressure tanks every five years.
- 2* Date: 11/03/2023 (1988202)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 4Q2023 – During the 4th quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.091 mg/L at 5636 FM 1818, Diboll (DBP2-01). ETT Point Value = 5
- 3* Date: 02/22/2024 (1988202)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.090 mg/L at 5636 FM 1818, Diboll (DBP2-01). ETT Point Value = 5
- 4* Date: 03/15/2024 (1965909)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)
Description: Failure by Beulah WSC to inspect the interior surface of pressure tanks every five years.
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
Description: Failure by Beulah WSC to maintain record of the amount of chemicals used each week.
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter F 290.121(b)(1)
Description: Failure by Beulah WSC to have a complete monitoring plan.
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 288, SubChapter B 288.20(c)
Description: Failure by Beulah WSC to have an up to date drought contingency plan.
- 5* Date: 05/07/2024 (1988202)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 2Q2024 – During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 5636 FM 1818, Diboll (DBP2-01). ETT Point Value = 5

* NOV's applicable for the Compliance History rating period 9/1/2019 to 8/31/2024

Appendix B

All Investigations Conducted During Component Period November 14, 2019 and November 14, 2024

| | | |
|--------|------------------|-----------|
| Item 1 | June 29, 2021** | (1735994) |
| Item 2 | March 13, 2024** | (1965909) |
| Item 3 | May 23, 2024** | (1988202) |
| Item 4 | May 24, 2024** | (1988469) |
| Item 5 | October 22, 2024 | (2008935) |

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2019 and 08/31/2024.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
BEULAH WATER SUPPLY
CORPORATION
RN101230076

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

AGREED ORDER DOCKET NO. 2024-0933-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Beulah Water Supply Corporation (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 12182 Farm-to-Market Road 58 Suite 200 near Lufkin, Angelina County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 234 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(73).
2. During a record review for the Facility conducted on May 13, 2024 through May 24, 2024, an investigator documented that the locational running annual average concentrations of total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts at Site 1 were 0.091 milligrams per liter ("mg/L") for the fourth quarter of 2023, 0.090 mg/L for the first quarter of 2024, and 0.086 mg/L for the second quarter of 2024.
3. The Executive Director recognizes that by November 7, 2024, the Respondent complied with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM at the Facility.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, the Respondent failed to comply with the MCL of 0.080 mg/L for TTHM based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
3. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of \$1,275 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid the \$1,275 penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Beulah Water Supply Corporation, Docket No. 2024-0933-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.

5. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
6. 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.
7. 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.
8. 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.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



For the Executive Director

2/10/2025


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

Nov 19, 2021

Date

Ragene Thompson

Name (Printed or typed)
Authorized Representative of
Beulah Water Supply Corporation

Pres BOP

Title

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

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.