

Executive Summary – Enforcement Matter – Case No. 66714

City of Post

RN101421519

Docket No. 2024-1469-PWS-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of Post PWS, 105 East Main Street, Post, Garza 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: June 27, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$17,006

Amount Deferred for Expedited Settlement: \$3,401

Total Paid to General Revenue: \$13,605

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - N/A

Major Source: 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: May 13, 2024 through May 16, 2024

Date(s) of NOE(s): August 30, 2024

Violation Information

1. Failed to inspect the Facility's pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].

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Docket No. 2024-1469-PWS-E

2. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual was last updated on August 19, 2021, and contained outdated information regarding the Public Works Director, the connection count, and did not mention the wells, standpipe, or liquid ammonia sulfate equipment. Additionally, the manual only mentioned one booster pump for the pressure tank, one monthly microbiological sample, and referenced a free chlorine residual of 0.2 milligrams per liter (“mg/L”) [30 TEX. ADMIN. CODE § 290.42(l)].

3. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day. Specifically, monitoring was primarily conducted at Pressure Plane No. 1 and the most recent samples collected at Pressure Plane No. 2 were on November 9, 2022, and June 3, 2024 [30 TEX. ADMIN. CODE § 290.110(c)(4)(B)].

4. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, a record of the amount of each chemical used each day was not maintained on-site for review [30 TEX. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(i)(II)].

5. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements. Specifically, the monitoring plan contained outdated information for the water system contact, did not include the location of the disinfection point for White River in Pressure Plane No. 1, and the sample siting plan did not include the number of samples per month or the repeat upstream and downstream sample sites [30 TEX. ADMIN. CODE § 290.121(a) and (b)].

6. Failed to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations [30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i)].

7. Failed to verify the accuracy of the analyzers used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days [30 TEX. ADMIN. CODE § 290.46(s)(2)(D)].

8. Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled. Specifically, the monochloramine sampling was last completed on November 29, 2022, at the Cedar Hills fire hydrant at Pressure Plane No. 2, and on October 9, 2023, and July 31, 2023, at the White River entry points at Pressure Plane No. 1 [30 TEX. ADMIN. CODE § 290.110(c)(5)].

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9. Failed to complete a Customer Service Inspection ("CSI") certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. Specifically, the CSI for Hitch-N-Post RV Park was not conducted [30 TEX. ADMIN. CODE § 290.46(j)].

10. Failed to have all Backflow Prevention Assemblies ("BPAs") tested upon installation and on annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Specifically, the BPAs at the Swift Stop, Brady's Package Store, the pool and splash pad, Sonic Drive-In, Subway, Garza County Healthcare at 1002 North Avenue S, the boiler room at Family Cleaners, and Garza Animal Hospital had not been tested on an annual basis [30 TEX. ADMIN. CODE § 290.44(h)(4)].

11. 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. Specifically, the service agreements referenced the previous 8.0% lead limits for installation and repair, which was greater than the current regulatory level of 0.25% lead [30 TEX. ADMIN. CODE § 290.46(i)].

12. Failed to maintain a disinfectant residual of at least 0.5 mg/L of chloramine (measured as total chlorine) throughout the distribution system and in each water storage tank at all times. Specifically, on May 15, 2024, total chlorine residual concentrations of 0.08 mg/L and 0.29 mg/L were measured at 1566 Cedar Hills and the Joe Marts ground storage tank, respectively, and on May 16, 2024, total chlorine residual concentrations of 0.06 mg/L, 0.08 mg/L, and 0.01 mg/L were measured at 1554 Cedar Hills Road, 1573 Cedar Hills Road, and 1585 Cedar Hills Road, respectively [30 TEX. ADMIN. CODE §§ 290.46(d)(2)(B) and 290.110(b)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By June 3, 2024, maintained a minimum residual of 0.5 mg/L of chloramine (measured as total chlorine) throughout the distribution system and in each water storage tank;
- b. By July 24, 2024, ensured all BPAs were tested;
- c. By August 27, 2024, the CSI certificate for Hitch-N-Post RV Park was provided;

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- d. By August 28, 2024, updated service agreements were provided;
- e. By September 27, 2024, provided an up-to-date plant operations manual;
- f. By September 28, 2024, an annual pressure tank inspection was completed;
- g. By October 2, 2024, recorded the amount of each chemical used each day;
- h. By December 5, 2024, verified the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations;
- i. By February 20, 2025, monitored the disinfectant residual samples sites at representative locations at least once per day; and
- j. By February 20, 2025, collected all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, verify the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 60 days, maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, including but not limited to, outdated information for the water system contact, the location of the disinfection point for White River in Pressure Plane No. 1, and the information in the sample siting plan regarding the number of samples per month and the repeat upstream and downstream sample sites; and
- d. Within 75 days, submit written certification to demonstrate compliance with c.

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City of Post
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Docket No. 2024-1469-PWS-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Savannah Jackson, Enforcement Division,
Enforcement Team 5, MC 219, (512) 239-4306; Michael Parrish, Enforcement Division,
MC 219, (512) 239-2548

Respondent: The Honorable Marvin Self, Mayor, City of Post, 105 East Main Street,
Post, Texas 79356

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

| | | |
|-------|-----------|------------|
| DATES | Assigned | 3-Sep-2024 |
| | PCW | 5-Sep-2024 |
| | Screening | 4-Sep-2024 |
| | EPA Due | |

| | | | |
|---------------------------------|--------------|--------------------|-------|
| RESPONDENT/FACILITY INFORMATION | | | |
| Respondent | City of Post | | |
| Reg. Ent. Ref. No. | RN101421519 | | |
| Facility/Site Region | 2-Lubbock | Major/Minor Source | Major |

| | | | |
|---------------------------------|---------------------|-----------------------|--------------------|
| CASE INFORMATION | | | |
| Enf./Case ID No. | 66714 | No. of Violations | 12 |
| Docket No. | 2024-1469-PWS-E | Order Type | 1660 |
| Media Program(s) | Public Water Supply | Government/Non-Profit | Yes |
| Multi-Media | | Enf. Coordinator | Savannah Jackson |
| | | EC's Team | Enforcement Team 5 |
| Admin. Penalty \$ Limit Minimum | \$50 | Maximum | \$5,000 |

Penalty Calculation Section

| | | |
|--|------------|----------|
| TOTAL BASE PENALTY (Sum of violation base penalties) | Subtotal 1 | \$16,200 |
|--|------------|----------|

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

| | | | | |
|--------------------|-------|------------|---------------------|---------|
| Compliance History | 25.0% | Adjustment | Subtotals 2, 3, & 7 | \$4,050 |
|--------------------|-------|------------|---------------------|---------|

| | | | | |
|-------|---|--|--|--|
| Notes | Enhancement for one agreed order without a denial of liability. | | | |
|-------|---|--|--|--|

| | | | | | |
|-------------|----|------|-------------|------------|-----|
| 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 | -\$3,244 |
|---|------------|----------|

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

| | | |
|------------------------------|-------|-----------------------------------|
| Total EB Amounts | \$69 | *Capped at the Total EB \$ Amount |
| Estimated Cost of Compliance | \$932 | |

| | | |
|----------------------|----------------|----------|
| SUM OF SUBTOTALS 1-7 | Final Subtotal | \$17,006 |
|----------------------|----------------|----------|

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

Reduces or enhances the Final Subtotal by the indicated percentage.

| | | | |
|-------|----------------------|----------|--|
| Notes | | | |
| | Final Penalty Amount | \$17,006 | |

| | | |
|----------------------------|------------------------|----------|
| STATUTORY LIMIT ADJUSTMENT | Final Assessed Penalty | \$17,006 |
|----------------------------|------------------------|----------|

| | | | | |
|----------|-------|-----------|------------|----------|
| DEFERRAL | 20.0% | Reduction | Adjustment | -\$3,401 |
|----------|-------|-----------|------------|----------|

Reduces the Final Assessed Penalty by the indicated percentage.

| | | | |
|-------|--|--|--|
| Notes | Deferral offered for expedited settlement. | | |
|-------|--|--|--|

| | |
|-----------------|----------|
| PAYABLE PENALTY | \$13,605 |
|-----------------|----------|

| | | | | |
|-------------------------|---------------------|------------|-----------------|-----|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW |
| Respondent | City of Post | | | |
| Case ID No. | 66714 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | |
| Media | Public Water Supply | | | |
| Enf. Coordinator | Savannah Jackson | | | |

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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>) | 0 | 0% |
| | Other written NOVs | 0 | 0% |
| 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 | 1 | 25% |
| 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) 25%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 25%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 25%

Screening Date4-Sep-2024

RespondentCity of Post

Case ID No.66714

Reg. Ent. Reference No.RN101421519

MediaPublic Water Supply

Enf. CoordinatorSavannah Jackson

Docket No.2024-1469-PWS-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number1

Rule Cite(s)30 Tex. Admin. Code § 290.46(m)(1)(B)

Violation DescriptionFailed to inspect the Facility's pressure tank annually.

Base Penalty\$5,000

>> Environmental, Property and Human Health Matrix

OR

Release

Actual

Potential

Major

Moderate

Minor

Percent

30.0%

>> Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

Failure to inspect the pressure tank could result in non-detection of defects resulting in a loss of tank integrity and could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment\$3,500

\$1,500

Violation Events

Number of Violation Events1

114

Number of violation days

daily

weekly

monthly

quarterly

semiannual

annual

single event

x

Violation Base Penalty\$1,500

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction\$150

Before NOE/NOV

NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

Notes

The Respondent achieved compliance by September 28, 2024.

Violation Subtotal\$1,350

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount\$43

Violation Final Penalty Total\$1,725

This violation Final Assessed Penalty (adjusted for limits)\$1,725

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
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) | | | | 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) | \$41 | 13-May-2024 | 28-Sep-2024 | 0.38 | \$1 | n/a | \$1 |
| Notes for DELAYED costs | The delayed cost includes the estimated amount to conduct annual pressure tank inspections, calculated from the date of the investigation 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 | \$41 | 13-May-2024 | 4-Sep-2024 | 0.31 | \$1 | \$41 | \$42 |
| Other (as needed) | | | | 0.00 | \$0 | \$0 | \$0 |
| Notes for AVOIDED costs | The avoided cost includes the estimated amount to conduct annual pressure tank inspections, calculated from the date of the investigation to the date of screening. | | | | | | |

Approx. Cost of Compliance \$82

TOTAL \$43

| | | | | | |
|---|---|--------------------------------------|-----------------------------------|-----------------------------|--------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 2 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.42(l) | | | | |
| Violation Description | Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual was last updated on August 19, 2021, and contained outdated information regarding the Public Works Director, the connection count, and did not mention the wells, standpipe, or liquid ammonia sulfate equipment. Additionally, the manual only mentioned one booster pump for the pressure tank, one monthly microbiological sample, and referenced a free chlorine residual of 0.2 milligrams per liter ("mg/L"). | | | | |
| Base Penalty | | | \$5,000 | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Release | Major | Harm Moderate | Minor | |
| | Actual | | | | |
| | Potential | | | | Percent 0.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | x | Percent 1.0% |
| Matrix Notes | Less than 30% of the rule requirements were not met. | | | | |
| Adjustment | | | \$4,950 | | |
| | | | \$50 | | |
| Violation Events | | | | | |
| Number of Violation Events | | 1 | 114 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | x | | Violation Base Penalty \$50 | |
| One single event is recommended. | | | | | |
| Good Faith Efforts to Comply | | 10.0% | Reduction \$5 | | |
| | Extraordinary | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | |
| | Ordinary | | x | | |
| | N/A | | | | |
| Notes | The Respondent achieved compliance by September 27, 2024. | | | | |
| Violation Subtotal | | | \$45 | | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | \$1 | | Violation Final Penalty Total | \$58 | |
| This violation Final Assessed Penalty (adjusted for limits) | | | \$58 | | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 2

| 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) | | | | 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) | \$45 | 13-May-2024 | 27-Sep-2024 | 0.38 | \$1 | n/a | \$1 |
| Notes for DELAYED costs | The delayed cost includes the estimated amount to maintain a thorough and up-to-date plant operations manual, calculated from the date of the investigation 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 \$45

TOTAL \$1

| | | | | | |
|---|--|--------------------------------------|---------------------------------------|--------------------------|---------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 3 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.110(c)(4)(B) | | | | |
| Violation Description | Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day. Specifically, monitoring was primarily conducted at Pressure Plane No. 1 and the most recent samples collected at Pressure Plane No. 2 were on November 9, 2022, and June 3, 2024. | | | | |
| Base Penalty | | | \$5,000 | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | | Harm | | | |
| | Release | Major | Moderate | Minor | |
| | Actual | | | | |
| | Potential | | x | | Percent 15.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | | Percent 0.0% |
| Matrix Notes | Failure to monitor the disinfectant residual at representative locations in the distribution system at least once each day could expose customers of 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 | | 2 | 114 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | x | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | | | | |
| Violation Base Penalty | | \$1,500 | | | |
| Two quarterly events are recommended, calculated from the date of the investigation, May 13, 2024, to the date of screening, September 4, 2024. | | | | | |
| Good Faith Efforts to Comply | | 10.0% | Reduction \$150 | | |
| | Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer | | | | |
| | Extraordinary | | | | |
| | Ordinary | | x | | |
| | N/A | | | | |
| Notes | The Respondent achieved compliance by February 20, 2025. | | | | |
| Violation Subtotal | | | \$1,350 | | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | | \$4 | Violation Final Penalty Total \$1,725 | | |
| This violation Final Assessed Penalty (adjusted for limits) | | | \$1,725 | | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 3

| 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) | | | | 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 | 13-May-2024 | 20-Feb-2025 | 0.78 | \$4 | n/a | \$4 |
| Remediation/Disposal | | | | 0.00 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.00 | \$0 | n/a | \$0 |
| Other (as needed) | \$10 | 13-May-2024 | 20-Feb-2025 | 0.78 | \$0 | n/a | \$0 |
| Notes for DELAYED costs | <p>The Training/Sampling delayed cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that the disinfectant residual is monitored at representative locations in the distribution system at least once per day, calculated from the date of the investigation to date of compliance.</p> <p>The Other (as needed) delayed cost includes the estimated amount to monitor the disinfectant residual at sample sites at representative locations at least once per day, calculated from the date of the investigation to date of compliance.</p> | | | | | | |

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 \$110

TOTAL \$4

| | | | | |
|--|--|---|----------------------------------|--------------------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | |
| Reg. Ent. Reference No. | RN101421519 | | | |
| Media | Public Water Supply | | | |
| Enf. Coordinator | Savannah Jackson | | | |
| Violation Number | 4 | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(A)(i)(II) | | | |
| Violation Description | Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, a record of the amount of each chemical used each day was not maintained on-site for review. | | | |
| | | Base Penalty | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | |
| OR | | Harm | | |
| | Release | Major | Moderate | Minor |
| | Actual | | | |
| | Potential | | | |
| | | Percent | 0.0% | |
| >> Programmatic Matrix | | | | |
| | Falsification | Major | Moderate | Minor |
| | | | | x |
| | | Percent | 1.0% | |
| Matrix Notes | Less than 30% of the rule requirements were not met. | | | |
| | | Adjustment | \$4,950 | |
| | | | \$50 | |
| Violation Events | | | | |
| Number of Violation Events | | 1 | 114 | Number of violation days |
| | daily | | | |
| | weekly | | | |
| | monthly | | | |
| | quarterly | | | |
| | semiannual | | | |
| | annual | | | |
| | single event | x | | |
| | | Violation Base Penalty | | |
| | | \$50 | | |
| | | One single event is recommended. | | |
| Good Faith Efforts to Comply | | 10.0% | Reduction | \$5 |
| | Before NOE/NOV | | NOE/NOV to EDRP/Settlement Offer | |
| | Extraordinary | | | |
| | Ordinary | | x | |
| | N/A | | | |
| | Notes | The Respondent achieved compliance by October 2, 2024. | | |
| | | Violation Subtotal | \$45 | |
| Economic Benefit (EB) for this violation | | | | |
| Statutory Limit Test | | | | |
| Estimated EB Amount | | \$1 | Violation Final Penalty Total | \$58 |
| | | This violation Final Assessed Penalty (adjusted for limits) | | \$58 |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 4

| 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) | | | | 0.00 | \$0 | \$0 | \$0 |
| Engineering/Construction | | | | 0.00 | \$0 | \$0 | \$0 |
| Land | | | | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System | \$45 | 13-May-2024 | 2-Oct-2024 | 0.39 | \$1 | n/a | \$1 |
| 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 delayed cost includes the estimated amount to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request including the amount of each chemical used each day, calculated from the date of the investigation 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 | \$45 | TOTAL | \$1 |
|----------------------------|------|-------|-----|

| | | | | |
|--|---|---|-------------------------------|--------------------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | |
| Reg. Ent. Reference No. | RN101421519 | | | |
| Media | Public Water Supply | | | |
| Enf. Coordinator | Savannah Jackson | | | |
| Violation Number | 5 | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.121(a) and (b) | | | |
| Violation Description | Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements. Specifically, the monitoring plan contained outdated information for the water system contact, did not include the location of the disinfection point for White River in Pressure Plane No. 1, and the sampling siting plan did not include the number of samples per month or the repeat upstream and downstream sample sites. | | | |
| | | Base Penalty | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | |
| OR | Release | Major | Harm Moderate | Minor |
| | Actual | | | |
| | Potential | | | |
| | | Percent | 0.0% | |
| >> Programmatic Matrix | | | | |
| | Falsification | Major | Moderate | Minor |
| | | | x | |
| | | Percent | 7.0% | |
| Matrix Notes | Between 30% and 70% of the rule requirements were not met. | | | |
| | | Adjustment | \$4,650 | |
| | | | \$350 | |
| Violation Events | | | | |
| Number of Violation Events | | 1 | 114 | Number of violation days |
| | daily | | | |
| | weekly | | | |
| | monthly | | | |
| | quarterly | | | |
| | semiannual | | | |
| | annual | | | |
| | single event | x | | |
| | | Violation Base Penalty | | |
| | | \$350 | | |
| | | One single event is recommended. | | |
| Good Faith Efforts to Comply | | 0.0% | Reduction | \$0 |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | |
| | Extraordinary | | | |
| | Ordinary | | | |
| | N/A | x | | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | |
| | | Violation Subtotal | \$350 | |
| Economic Benefit (EB) for this violation | | | | |
| Statutory Limit Test | | | | |
| Estimated EB Amount | | \$3 | Violation Final Penalty Total | \$438 |
| | | This violation Final Assessed Penalty (adjusted for limits) | | |
| | | \$438 | | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 5

| 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) | | | | 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) | \$45 | 13-May-2024 | 17-Aug-2025 | 1.26 | \$3 | n/a | \$3 |

Notes for DELAYED costs

The delayed cost includes the estimated amount to update and begin maintaining a chemical and microbiological monitoring plan, including but not limited to, updating the outdated information for the water system contact, the location of the disinfection point for White River, and updating the sampling siting plan to include the number of samples per month and the repeat upstream and downstream sample sites, calculated from the date of the investigation to the estimated 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

\$45

TOTAL

\$3

| | | | | | |
|---|---|--------------------------------------|-------------------------------|--------------------------|-------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 6 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.46(s)(2)(C)(i) | | | | |
| Violation Description | Failed to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations. | | | | |
| Base Penalty | | | | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Release | Major | Harm Moderate | Minor | |
| | Actual | | | | |
| | Potential | | x | | |
| Percent | | | | 15.0% | |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | | |
| Percent | | | | 0.0% | |
| Matrix Notes | Failure to verify the accuracy of the manual disinfectant residual analyzer could result in the non-detection of improperly disinfected water and potentially 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 | | 1 | 114 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | x | | | |
| Violation Base Penalty | | | | | \$750 |
| One single event is recommended. | | | | | |
| Good Faith Efforts to Comply | | 10.0% | Reduction | | \$75 |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | | |
| | Extraordinary | | | | |
| | Ordinary | | x | | |
| | N/A | | | | |
| Notes | The Respondent achieved compliance by December 5, 2024. | | | | |
| Violation Subtotal | | | | \$675 | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | | \$0 | Violation Final Penalty Total | | \$863 |
| This violation Final Assessed Penalty (adjusted for limits) | | | | \$863 | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 6

| 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) | | | | 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) | \$5 | 13-May-2024 | 5-Dec-2024 | 0.56 | \$0 | n/a | \$0 |
| Notes for DELAYED costs | The delayed cost includes the estimated amount to properly verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations, calculated from the date of the investigation 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 | TOTAL | \$0 |
|----------------------------|-----|-------|-----|

| | | | | | |
|---|---|--------------------------------------|-------------------------------|------------------------------|--------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 7 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.46(s)(2)(D) | | | | |
| Violation Description | Failed to verify the accuracy of the analyzers used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days. | | | | |
| Base Penalty | | | | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Release | Major | Harm Moderate | Minor | |
| | Actual | | | | |
| | Potential | | | x | Percent 7.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | | Percent 0.0% |
| Matrix Notes | Failure to verify the accuracy of the analyzer used to determine the effectiveness of chloramination could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health. | | | | |
| Adjustment | | | | \$4,650 | |
| | | | | \$350 | |
| Violation Events | | | | | |
| Number of Violation Events | | 1 | 114 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | | x | Violation Base Penalty \$350 | |
| One single event is recommended. | | | | | |
| Good Faith Efforts to Comply | | 0.0% | Reduction \$0 | | |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | | |
| | Extraordinary | | | | |
| | Ordinary | | | | |
| | N/A | x | | | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | | |
| Violation Subtotal | | | | \$350 | |
| Economic Benefit (EB) for this violation | | Statutory Limit Test | | | |
| Estimated EB Amount | | \$5 | Violation Final Penalty Total | \$438 | |
| This violation Final Assessed Penalty (adjusted for limits) | | | | \$438 | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 7

| 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) | | | | 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) | \$5 | 13-May-2024 | 16-Jul-2025 | 1.18 | \$0 | n/a | \$0 |
| Notes for DELAYED costs | The delayed cost includes the estimated amount to verify the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days, calculated from the date of the investigation to the estimated 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 | \$5 | 13-May-2024 | 4-Sep-2024 | 0.31 | \$0 | \$5 | \$5 |
| Other (as needed) | | | | 0.00 | \$0 | \$0 | \$0 |
| Notes for AVOIDED costs | The avoided cost includes the estimated amount to verify the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days, calculated from the date of the investigation to the date of screening. | | | | | | |

Approx. Cost of Compliance \$10

TOTAL \$5

| | | | | |
|--|---|--|---|--|
| Screening Date Respondent Case ID No. Reg. Ent. Reference No. Media Enf. Coordinator | 4-Sep-2024 City of Post 66714 RN101421519 Public Water Supply Savannah Jackson | Docket No. 2024-1469-PWS-E | PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i> | |
| Violation Number 8 | | | | |
| Rule Cite(s) 30 Tex. Admin. Code § 290.110(c)(5) | | | | |
| Violation Description Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled. Specifically, the monochloramine sampling was last completed on November 29, 2022, at the Cedar Hills fire hydrant at Pressure Plane No. 2, and on October 9, 2023, and July 31, 2023, at the White River entry points at Pressure Plane No. 1. | | | | |
| | | Base Penalty | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | |
| OR | Release Major Harm Moderate Minor Actual Potential x | | | Percent 7.0% |
| | | | | |
| | | | | |
| >> Programmatic Matrix | | | | |
| Matrix Notes | Falsification Major Moderate Minor | | | Percent 0.0% |
| | Failure to conduct chloramine effectiveness sampling could lead to nitrification in the distribution system which could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health. | | | |
| | | | | |
| | | | Adjustment \$4,650 | |
| | | | \$350 | |
| Violation Events | | | | |
| Number of Violation Events 1 | | 114 Number of violation days | | |
| <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;"> daily weekly monthly quarterly semiannual annual single event </div> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;"> x </div> </div> | | Violation Base Penalty \$350 | | |
| One single event is recommended. | | | | |
| Good Faith Efforts to Comply | | 10.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer | Reduction \$35 | |
| Extraordinary | | <div style="border: 1px solid black; padding: 5px;"> The Respondent achieved compliance by February 20, 2025. </div> | | |
| Ordinary x | | | | |
| N/A | | | | |
| Notes | | | | |
| | | | Violation Subtotal \$315 | |
| Economic Benefit (EB) for this violation | | Statutory Limit Test | | |
| Estimated EB Amount \$8 | | Violation Final Penalty Total \$403 | | |
| This violation Final Assessed Penalty (adjusted for limits) | | | \$403 | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 8

| 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) | | | | 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 | \$200 | 13-May-2024 | 20-Feb-2025 | 0.78 | \$8 | n/a | \$8 |
| 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 delayed cost includes the estimated amount to collect chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, calculated from the date of the investigation 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 | \$200 | TOTAL | \$8 |
|----------------------------|-------|-------|-----|

| | | | | | |
|--|---|--------------------------------------|---------------------------------------|--------------------------|---------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 9 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.46(j) | | | | |
| Violation Description | Failed to complete a Customer Service Inspection ("CSI") certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. Specifically, the CSI for Hitch-N-Post RV Park was not conducted. | | | | |
| Base Penalty | | | \$5,000 | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Release | Major | Harm Moderate | Minor | |
| | Actual | | | | |
| | Potential | x | | | Percent 30.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | | Percent 0.0% |
| Matrix Notes | Failure to conduct a CSI could result in persons served by the Facility being exposed to contaminants which would exceed levels protective of human health. | | | | |
| Adjustment | | | \$3,500 | | |
| | | | \$1,500 | | |
| Violation Events | | | | | |
| Number of Violation Events | | 4 | 114 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | x | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | | | | |
| Violation Base Penalty | | \$6,000 | | | |
| Four monthly events are recommended, calculated from the date of the investigation, May 13, 2024, to the date of screening, September 4, 2024. | | | | | |
| Good Faith Efforts to Comply | | 25.0% | Reduction \$1,500 | | |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | | |
| | Extraordinary | | | | |
| | Ordinary | x | | | |
| | N/A | | | | |
| Notes | The Respondent achieved compliance by August 27, 2024. | | | | |
| Violation Subtotal | | | \$4,500 | | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | | \$1 | Violation Final Penalty Total \$6,000 | | |
| This violation Final Assessed Penalty (adjusted for limits) | | | \$6,000 | | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 9

| 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) | | | | 0.00 | \$0 | \$0 | \$0 |
| Engineering/Construction | | | | 0.00 | \$0 | \$0 | \$0 |
| Land | | | | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System | \$45 | 13-May-2024 | 27-Aug-2024 | 0.29 | \$1 | n/a | \$1 |
| 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 record keeping system delayed cost includes the estimated amount to complete a CSI certificate prior to providing continuous water service to new construction or sites of any material changes, including but to limited to, Hitch-N-Post RV Park, calculated from the date of the investigation 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 | \$45 | TOTAL | \$1 |
|----------------------------|------|-------|-----|

| | | | | |
|--|---|--|----------------------|-----------------------------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | |
| Reg. Ent. Reference No. | RN101421519 | | | |
| Media | Public Water Supply | | | |
| Enf. Coordinator | Savannah Jackson | | | |
| Violation Number | 10 | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.44(h)(4) | | | |
| Violation Description | Failed to have all Backflow Prevention Assemblies ("BPAs") tested upon installation and on annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Specifically, the BPAs at the Swift Stop, Brady's Package Store, the pool and splash pad, Sonic Drive-In, Subway, Garza County Healthcare at 1002 North Avenue S, the boiler room at Family Cleaners, and Garza Animal Hospital had not been tested on an annual basis. | | | |
| | | Base Penalty | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | |
| OR | Release | Major | Harm Moderate | Minor |
| | Actual | | | |
| | Potential | x | | |
| | | Percent | 30.0% | |
| >> Programmatic Matrix | | | | |
| Matrix Notes | Falsification | Major | Moderate | Minor |
| | | | | |
| | | | | |
| | | Percent | 0.0% | |
| | | Adjustment | \$3,500 | |
| | | | \$1,500 | |
| Violation Events | | | | |
| Number of Violation Events | | 3 | 72 | Number of violation days |
| | daily | | | |
| | weekly | | | |
| | monthly | x | | |
| | quarterly | | | |
| | semiannual | | | |
| | annual | | | |
| | single event | | | |
| | | Violation Base Penalty | \$4,500 | |
| | | Three monthly events are recommended, calculated from the date of the investigation, May 13, 2024, to the date of compliance, July 24, 2024. | | |
| Good Faith Efforts to Comply | | 25.0% | Reduction | \$1,125 |
| | Extraordinary | | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer |
| | Ordinary | x | | |
| | N/A | | | |
| | Notes | The Respondent achieved compliance by July 24, 2024. | | |
| | | Violation Subtotal | \$3,375 | |
| Economic Benefit (EB) for this violation | | | | |
| Estimated EB Amount | | \$1 | Statutory Limit Test | Violation Final Penalty Total |
| | | | | \$4,500 |
| | | This violation Final Assessed Penalty (adjusted for limits) | | \$4,500 |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 10

| 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) | | | | 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) | \$100 | 13-May-2024 | 24-Jul-2024 | 0.20 | \$1 | n/a | \$1 |
| Notes for DELAYED costs | The delayed cost includes the estimated amount to ensure that all BPAs are tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications, calculated from the date of the investigation 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 \$100

TOTAL \$1

| | | | | | |
|--|--|--|---|--------------------------|--------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 11 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 290.46(i) | | | | |
| Violation Description | 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. Specifically, the service agreements referenced the previous 8.0% lead limits for installation and repair, which was greater than the current regulatory level of 0.25% lead. | | | | |
| | | | Base Penalty | \$5,000 | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | | Harm | | | |
| | Release | Major | Moderate | Minor | |
| | Actual | | | | |
| | Potential | | | | Percent 0.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | x | Percent 1.0% |
| Matrix Notes | Less than 30% of the rule requirement was not met. | | | | |
| | | | Adjustment | \$4,950 | |
| | | | | \$50 | |
| Violation Events | | | | | |
| Number of Violation Events | | 1 | 107 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | x | | | |
| | | One single event is recommended. | | | |
| Good Faith Efforts to Comply | | 25.0% | Reduction | \$12 | |
| | Before NOE/NOV | | NOE/NOV to EDPRP/Settlement Offer | | |
| | Extraordinary | | | | |
| | Ordinary | x | | | |
| | N/A | | | | |
| | Notes | The Respondent achieved compliance by August 28, 2024. | | | |
| | | | Violation Subtotal | \$38 | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | | \$1 | Violation Final Penalty Total | \$51 | |
| | | | This violation Final Assessed Penalty (adjusted for limits) | \$51 | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 11

| 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) | | | | 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) | \$45 | 13-May-2024 | 28-Aug-2024 | 0.29 | \$1 | n/a | \$1 |

Notes for DELAYED costs

The delayed cost includes the estimated amount to update the plumbing ordinance, regulations, or service agreements, including the agreements that reference the previous 8.0% lead limits for installation and repair, calculated from the date of the investigation 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

\$45

TOTAL

\$1

| | | | | | |
|---|---|---|-------------------------------------|------------------------------|---------------|
| Screening Date | 4-Sep-2024 | Docket No. | 2024-1469-PWS-E | PCW | |
| Respondent | City of Post | Policy Revision 5 (January 28, 2021) | | | |
| Case ID No. | 66714 | PCW Revision February 11, 2021 | | | |
| Reg. Ent. Reference No. | RN101421519 | | | | |
| Media | Public Water Supply | | | | |
| Enf. Coordinator | Savannah Jackson | | | | |
| Violation Number | 12 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code §§ 290.46(d)(2)(B) and 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c) | | | | |
| Violation Description | Failed to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") of chloramine (measured as total chlorine) throughout the distribution system and in each water storage tank at all times. Specifically, on May 15, 2024, total chlorine residual concentrations of 0.08 mg/L and 0.29 mg/L were measured at 1566 Cedar Hills and the Joe Marts ground storage tank respectively, and on May 16, 2024, total chlorine residual concentrations of 0.06 mg/L, 0.08 mg/L, and 0.01 mg/L were measured at 1554 Cedar Hills Road, 1573 Cedar Hills Road, and 1585 Cedar Hills Road, respectively. | | | | |
| Base Penalty | | | \$5,000 | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Release | Major | Harm Moderate | Minor | |
| | Actual | | | | |
| | Potential | | x | | Percent 15.0% |
| >> Programmatic Matrix | | | | | |
| | Falsification | Major | Moderate | Minor | |
| | | | | | Percent 0.0% |
| Matrix Notes | Failure to maintain proper levels of disinfection 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 | | 1 | 21 | Number of violation days | |
| | daily | | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | x | | Violation Base Penalty \$750 | |
| | semiannual | | | | |
| | annual | | | | |
| | single event | | | | |
| One quarterly event is recommended, calculated from the date of the investigation, May 13, 2024, to the date of compliance, June 3, 2024. | | | | | |
| Good Faith Efforts to Comply | | 25.0% | Reduction \$187 | | |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | | |
| | Extraordinary | | | | |
| | Ordinary | x | | | |
| | N/A | | | | |
| Notes | | The Respondent achieved compliance by June 3, 2024. | | | |
| Violation Subtotal | | | \$563 | | |
| Economic Benefit (EB) for this violation | | | | | |
| Statutory Limit Test | | | | | |
| Estimated EB Amount | | \$1 | Violation Final Penalty Total \$751 | | |
| This violation Final Assessed Penalty (adjusted for limits) | | | \$751 | | |

Economic Benefit Worksheet

Respondent City of Post
Case ID No. 66714
Reg. Ent. Reference No. RN101421519
Media Public Water Supply
Violation No. 12

| 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) | | | | 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) | \$200 | 13-May-2024 | 3-Jun-2024 | 0.06 | \$1 | n/a | \$1 |
| Notes for DELAYED costs | The Other (as needed) delayed cost includes the estimated amount to determine the cause of noncompliance, make any necessary repairs or adjustments to the Facility, and maintain a disinfectant residual of at least 0.5 mg/L total chlorine throughout the distribution system and in each finished water storage tank, calculated from the date of the investigation 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 \$200

TOTAL \$1



Compliance History Report

Compliance History Report for CN600248876, RN101421519, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600248876, City of Post
Classification: SATISFACTORY
Rating: 19.80

Regulated Entity: RN101421519, CITY OF POST PUBLIC WATER SUPPLY
Classification: NOT APPLICABLE
Rating: N/A

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

CH Group: 14 - Other

Location: 105 EAST MAIN STREET IN POST, GARZA COUNTY, TEXAS

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0850001

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

Date Compliance History Report Prepared: February 24, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 24, 2020 to February 24, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Savannah Jackson
Phone: (512) 239-4306

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:

- 1 Effective Date: 11/28/2022 ADMINORDER 2021-0978-PWS-E (Findings Order-Agreed Order Without Denial)
- Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A)
Description: Failed to inspect the Facility's 1 MG GST annually,
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)
Description: Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(B)
Description: Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day,
Classification: Major
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(4)(C)
Rqmt Prov: Provision No. 2.a.i ORDER
Description: Failed to operate the Facility under the direct supervision of at least two water works operators who hold a Class "C" or higher license and each work at least 16 hours per month at the Facility. Failure to comply with
Ordering Provision No. 2.a.i of Agreed Order Docket No. 2018-0972-PWS-E.
Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iii)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)

Rqmt Prov: Provision No. 2.a.ii ORDER

Description: Failed to maintain water works operation and maintenance records and make them available for review to the Executive Director during the investigation. Failure to comply with Ordering Provision No. 2.a.ii of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Rqmt Prov: Provision No. 2.a.iv ORDER

Description: Failed to conduct an inspection of the interior of the Facility's 0.01 MG pressure tank with an inspection port at least once every five years. Failure to comply with Ordering Provision No. 2.a.iv of Agreed Order Docket No. 2018-0972-PWS-E..

Classification: Major

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

Rqmt Prov: Provision No. 2.a.v ORDER

Description: Failed to have all backflow prevention assemblies tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Failure to comply with Ordering Provision No. 2.a.v of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)

Rqmt Prov: Provision No. 2.a.vi ORDER

Description: Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled. Failure to comply with Ordering Provision No. 2.a.vi of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

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

Rqmt Prov: Provision No. 2.c.i ORDER

Description: 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. Failure to comply with Ordering Provision No. 2.c.i of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

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

Rqmt Prov: Provision No. 2.c.ii ORDER

Description: Failed to complete a CSI certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe that a cross-connection or other potential contamination hazard exist. Failure to comply with Ordering Provision No. 2.c.ii of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

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

Rqmt Prov: Provision No. 2.c.iii ORDER

Description: Failed to develop a NAP for a system distributing chloraminated water. Failure to comply with Ordering Provision No. 2.c.iii of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

30 TAC Chapter 290, SubChapter F 290.121(b)

Rqmt Prov: Provision No. 2.c.iv ORDER

Description: Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Failure to comply with Ordering Provision No. 2.c.iv of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)

Rqmt Prov: Provision No. 2.e.i ORDER

Description: Failed to provide adequate containment facilities for all liquid chemical storage tanks. Failure to comply with Ordering Provision No. 2.e.i of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(7)(C)

Rqmt Prov: Provision No. 2.e.ii ORDER

Description: Failed to provide a sampling tap at locations that allow for the chlorine and ammonia to be added to the

water to form monochloramine as the primary species. Failure to comply with Ordering Provision No. 2.e.ii of Agreed Order Docket No. 2018-0972-PWS-E.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(C)

Description: Failed to provide forced air ventilation, which includes both high level and floor level screened and

louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch located outside, for enclosures containing more than one operating 150-pound cylinder of chlorine.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(3)

Description: Failed to provide a device to readily determine the air-water-volume for the pressure tank.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Description: Failed to inspect the Facility's 0.01 MG pressure tank annually,

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

| | | |
|--------|---------------|-----------|
| Item 4 | July 24, 2024 | (1983322) |
|--------|---------------|-----------|

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF POST
RN101421519

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

AGREED ORDER DOCKET NO. 2024-1469-PWS-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 the City of Post (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 together stipulate that:

1. The Respondent owns and operates a public water supply located at 105 East Main Street in Post, Garza County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 1,549 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. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE § 7.002 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 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 \$17,006 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$13,605 of the penalty and \$3,401 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:
 - a. By June 3, 2024, maintained a minimum residual of 0.5 milligrams per liter ("mg/L") of chloramine (measured as total chlorine) throughout the distribution system and in each water storage tank;
 - b. By July 24, 2024, the Respondent ensured all Backflow Prevention Assemblies ("BPAs") were tested;
 - c. By August 27, 2024, the Customer Service Inspection ("CSI") certificate for Hitch-N-Post RV Park was provided;
 - d. By August 28, 2024, updated service agreements were provided;
 - e. By September 27, 2024, provided an up-to-date plant operations manual;
 - f. By September 28, 2024, an annual pressure tank inspection was completed;
 - g. By October 2, 2024, recorded the amount of each chemical used each day;
 - h. By December 5, 2024, verified the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations;
 - i. By February 20, 2025, monitored the disinfectant residual samples sites at representative locations at least once per day; and
 - j. By February 20, 2025, collected all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled.

II. ALLEGATIONS

During an investigation at the Facility conducted on May 13, 2024 through May 16, 2024, an investigator documented that the Respondent:

1. Failed to inspect the Facility's pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
2. Failed to 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). Specifically, the plant operations manual was last updated on August 19, 2021, and contained outdated information regarding the Public Works Director, the connection count, and did not mention the wells, standpipe, or liquid ammonia sulfate equipment. Additionally, the manual only mentioned one booster pump for the pressure tank, one monthly microbiological sample, and referenced a free chlorine residual of 0.2 mg/L.
3. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once per day, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(4)(B). Specifically, monitoring was primarily conducted at Pressure Plane No. 1 and the most recent samples collected at Pressure Plane No. 2 were on November 9, 2022, and June 3, 2024.
4. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(i)(II). Specifically, a record of the amount of each chemical used each day was not maintained on-site for review.
5. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b). Specifically, the monitoring plan contained outdated information for the water system contact, did not include the location of the disinfection point for White River in Pressure Plane No. 1, and the sample siting plan did not include the number of samples per month or the repeat upstream and downstream sample sites.
6. Failed to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i).
7. Failed to verify the accuracy of the analyzers used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(D).
8. Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(5). Specifically, the monochloramine sampling was last completed on November 29, 2022, at the Cedar Hills fire hydrant at Pressure Plane No. 2, and on October 9, 2023, and July 31, 2023, at the White River entry points at Pressure Plane No. 1.
9. Failed to complete a CSI certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities, in violation of 30 TEX. ADMIN. CODE § 290.46(j). Specifically, the CSI for Hitch-N-Post RV Park was not conducted.

10. Failed to have all BPAs tested upon installation and on 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, the BPAs at the Swift Stop, Brady's Package Store, the pool and splash pad, Sonic Drive-In, Subway, Garza County Healthcare at 1002 North Avenue S, the boiler room at Family Cleaners, and Garza Animal Hospital had not been tested on an annual basis.
11. 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). Specifically, the service agreements referenced the previous 8.0% lead limits for installation and repair, which was greater than the current regulatory level of 0.25% lead.
12. Failed to maintain a disinfectant residual of at least 0.5 mg/L of chloramine (measured as total chlorine) throughout the distribution system and in each water storage tank at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(B) and 290.110(b)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, on May 15, 2024, total chlorine residual concentrations of 0.08 mg/L and 0.29 mg/L were measured at 1566 Cedar Hills and the Joe Marts ground storage tank, respectively, and on May 16, 2024, total chlorine residual concentrations of 0.06 mg/L, 0.08 mg/L, and 0.01 mg/L were measured at 1554 Cedar Hills Road, 1573 Cedar Hills Road, and 1585 Cedar Hills Road, respectively.

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: City of Post, Docket No. 2024-1469-PWS-E" to:

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

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order, verify the accuracy of the analyzer used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations, in accordance with 30 TEX. ADMIN. CODE § 290.46.

- b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
- c. Within 60 days after the effective date of this Order, maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, including but not limited to, outdated information for the water system contact, the location of the disinfection point for White River in Pressure Plane No. 1, and the information in the sample siting plan regarding the number of samples per month and the repeat upstream and downstream sample sites, in accordance with 30 TEX. ADMIN. CODE § 290.121.
- d. Within 75 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Lubbock Regional Office
Texas Commission on Environmental Quality
5012 50th Street, Suite 100
Lubbock, Texas 79414-3426

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



For the Executive Director

08/08/2025

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

5-8-25

Date

MARVIN SELF

Name (Printed or typed)
Authorized Representative of
City of Post

Mayor

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.