

**Executive Summary – Enforcement Matter – Case No. 66827**  
**CSWR-Texas Utility Operating Company, LLC**  
**RN101247815**  
**Docket No. 2024-1605-PWS-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

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

**Media:**

PWS

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

La Playa Subdivision Water System, located less than one mile west of Farm-to-Market Road 2390 and Farm-to-Market Road 2139, Broadus, San Augustine County

**Type of Operation:**

Public water supply

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 27, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$13,204

**Total Paid to General Revenue:** \$13,204

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

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - N/A

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:** September 18, 2024 through September 20, 2024

**Date(s) of NOE(s):** September 20, 2024

**Executive Summary – Enforcement Matter – Case No. 66827**  
**CSWR-Texas Utility Operating Company, LLC**  
**RN101247815**  
**Docket No. 2024-1605-PWS-E**

***Violation Information***

1. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter for total trihalomethanes ("TTHM") based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
2. Failed to conduct water quality parameter sampling at each of the Facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the Executive Director ("ED") [30 TEX. ADMIN. CODE § 290.117(e)(2), (h), and (i)(3)].
3. Failed to conduct an operation evaluation and submit a written operation evaluation report to the ED within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for TTHM for Stage 2 Disinfection Byproducts at Site 1 [30 TEX. ADMIN. CODE § 290.115(e)(2)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

- a. Collect one water quality parameter sample at each entry point and one water quality parameter sample at each of the Facility's required distribution sample sites on a quarterly basis throughout the first six-month monitoring period and ensure that the samples are analyzed and the results reported to the ED;
- b. Within 30 days, conduct an operation evaluation and submit an operation evaluation report to the ED;
- c. Within 45 days, submit written certification to demonstrate compliance with b.;
- d. Within 195 days, submit written certification to demonstrate compliance with a.;
- e. Within 365 days, return to compliance with the MCL for TTHM based on the locational running annual average; and
- f. Within 380 days, submit written certification to demonstrate compliance with e.

**Executive Summary – Enforcement Matter – Case No. 66827**  
**CSWR-Texas Utility Operating Company, LLC**  
**RN101247815**  
**Docket No. 2024-1605-PWS-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** De'Shaune Blake, Enforcement Division, Enforcement Team 4, MC R-13, (210) 403-4033; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Josiah Cox, President, CSWR-Texas Utility Operating Company, LLC, 1630 Des Peres Road, Suite 140, Des Peres, Missouri, 63131-1871

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	23-Sep-2024	<b>Screening</b>	26-Sep-2024	<b>EPA Due</b>	31-Mar-2024
	<b>PCW</b>	26-Sep-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	CSWR-Texas Utility Operating Company, LLC				
<b>Reg. Ent. Ref. No.</b>	RN101247815				
<b>Facility/Site Region</b>	10-Beaumont		<b>Major/Minor Source</b>	Major	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	66827	<b>No. of Violations</b>	3
<b>Docket No.</b>	2024-1605-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	De'Shaune Blake
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$5,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$8,000
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>84.0%</b>	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$6,720
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Notes: Enhancement for four NOV's with the same/similar violations, one NOV with dissimilar violations, two agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violations.

<b>Culpability</b>	No	<b>0.0%</b>	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	<b>0.0%</b>	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$1,028	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$5,165	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$14,720
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>-10.3%</b>	<b>Adjustment</b>	<b>- \$1,516</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended reduction to offset the portion of the Compliance History adjustment caused by the Order that occurred before the change in ownership (\$1,600) minus the recommended enhancement to capture the avoided cost of compliance associated with Violation No. 2 (\$84).

<b>Final Penalty Amount</b>	\$13,204
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$13,204
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<b>DEFERRAL</b>	<b>0.0%</b>	<b>Reduction</b>	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$13,204
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<b>Screening Date</b>	26-Sep-2024	<b>Docket No.</b>	2024-1605-PWS-E	<b>PCW</b>
<b>Respondent</b>	CSWR-Texas Utility Operating Company, LLC			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	66827			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN101247815			
<b>Media</b>	Public Water Supply			
<b>Enf. Coordinator</b>	De'Shaune Blake			

### 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> )	4	20%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	2	40%
	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> )	1	-1%
	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> )	1	-2%
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)** 84%

#### >> Repeat Violator (Subtotal 3)

N/A

**Adjustment Percentage (Subtotal 3)** 0%

#### >> Compliance History Person Classification (Subtotal 7)

N/A

**Adjustment Percentage (Subtotal 7)** 0%

#### >> Compliance History Summary

**Compliance History Notes**

Enhancement for four NOVs with the same/similar violations, one NOV with dissimilar violations, two agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 84%

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 84%

<b>Screening Date</b>	26-Sep-2024	<b>Docket No.</b>	2024-1605-PWS-E	<b>PCW</b>
<b>Respondent</b>	CSWR-Texas Utility Operating Company, LLC			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	66827			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN101247815			
<b>Media</b>	Public Water Supply			
<b>Enf. Coordinator</b>	De'Shaune Blake			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)			
<b>Violation Description</b>	Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 were 0.209 mg/L for the third quarter of 2023, 0.255 mg/L for the fourth quarter of 2023, 0.195 mg/L for the first quarter of 2024, and 0.187 mg/L for the second quarter of 2024.			
		<b>Base Penalty</b>	\$5,000	
>> Environmental, Property and Human Health Matrix				
OR	<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor
	Actual		x	
	Potential			
				<b>Percent</b> 50.0%
>>Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				<b>Percent</b> 0.0%
Matrix Notes	Exceeding the MCL for TTHM caused persons served by the Facility to be exposed to a significant amount of contaminants which did not exceed levels protective of human health.			
		<b>Adjustment</b>	\$2,500	
			\$2,500	
Violation Events				
	Number of Violation Events	1	365	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual	x		
	single event			
		Violation Base Penalty \$2,500		
	One annual 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.		
		<b>Violation Subtotal</b>	\$2,500	
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	\$940	<b>Violation Final Penalty Total</b>	\$4,126
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$4,126

# Economic Benefit Worksheet

**Respondent** CSWR-Texas Utility Operating Company, LLC  
**Case ID No.** 66827  
**Reg. Ent. Reference No.** RN101247815  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	30-Sep-2023	6-Jun-2026	2.68	\$45	\$895	\$940
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs The delayed cost includes the estimated amount to investigate, identify, and implement the necessary corrective actions to return to compliance with the MCL for TTHM, calculated from the last date of the first quarter of noncompliance 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 \$5,000

**TOTAL** \$940

<b>Screening Date</b>	26-Sep-2024	<b>Docket No.</b>	2024-1605-PWS-E	<b>PCW</b>
<b>Respondent</b>	CSWR-Texas Utility Operating Company, LLC			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	66827			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN101247815			
<b>Media</b>	Public Water Supply			
<b>Enf. Coordinator</b>	De'Shaune Blake			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.117(e)(2), (h), and (i)(3)			
<b>Violation Description</b>	Failed to conduct water quality parameter sampling at each of the Facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2023 through June 30, 2023, July 1, 2023 through December 31, 2023 and January 1, 2024 through June 30, 2024 monitoring periods.			
	<b>Base Penalty</b>	\$5,000		

>> Environmental, Property and Human Health Matrix

OR

		<b>Harm</b>		
	<b>Release</b>	Major	Moderate	Minor
	Actual			
	Potential	x		

Percent 30.0%

>> Programmatic Matrix

			<b>Falsification</b>	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to conduct water parameter sampling could result in persons served by the Facility being exposed to undetected contaminants which would exceed levels protective of human health.

Adjustment \$3,500

Violation Events

Number of Violation Events 3

453 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$4,500

Three single events are recommended, one for each monitoring period.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$4,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount	\$86	Violation Final Penalty Total	\$7,427
This violation Final Assessed Penalty (adjusted for limits)		\$7,427	



# Economic Benefit Worksheet

**Respondent** CSWR-Texas Utility Operating Company, LLC  
**Case ID No.** 66827  
**Reg. Ent. Reference No.** RN101247815  
**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
<b>Delayed Costs</b>							
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	\$40	30-Jun-2024	10-Sep-2025	1.20	\$2	n/a	\$2
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 all required water quality parameter samples [\$20 per sample x one missed sample x (one entry point + one distribution sample site) x one monitoring period], calculated from the last day of the monitoring period of non-compliance to the estimated date of compliance.							
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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	\$40	30-Jun-2023	26-Sep-2024	1.24	\$3	\$40	\$43
Other (as needed)	\$40	31-Dec-2023	26-Sep-2024	0.74	\$1	\$40	\$41
Notes for AVOIDED costs Each of the avoided costs include the estimated amount to collect all required water quality parameter samples [\$20 per sample x one missed sample x (one entry point + one distribution sample site) x one monitoring period], calculated from the last day of the monitoring period in which sampling was required to the screening date.							
Approx. Cost of Compliance	\$120			<b>TOTAL</b>		\$86	

<b>Screening Date</b> 26-Sep-2024 <b>Respondent</b> CSWR-Texas Utility Operating Company, LLC <b>Case ID No.</b> 66827 <b>Reg. Ent. Reference No.</b> RN101247815 <b>Media</b> Public Water Supply <b>Enf. Coordinator</b> De'Shaune Blake	<b>Docket No.</b> 2024-1605-PWS-E  <div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 290.115(e)(2)</div>	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	3				
<b>Rule Cite(s)</b>					
<b>Violation Description</b>	Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level ("OEL") for TTHM for DBP2 at Site 1 during the first quarter of 2024.				
<b>Base Penalty</b>				\$5,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 20.0%
	100% of the rule requirements were not met.				

<b>Adjustment</b>		\$4,000
		\$1,000

**Violation Events**

Number of Violation Events	1	98	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
<b>Violation Base Penalty</b> \$1,000			
One single event is recommended.			

**Good Faith Efforts to Comply**

	0.0%		<b>Reduction</b> \$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.		
<b>Violation Subtotal</b>			\$1,000

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$2		<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b>	\$1,651
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$1,651

# Economic Benefit Worksheet

**Respondent** CSWR-Texas Utility Operating Company, LLC  
**Case ID No.** 66827  
**Reg. Ent. Reference No.** RN101247815  
**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
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## 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	17-Jun-2024	6-Jul-2025	1.05	\$2	n/a	\$2
Notes for DELAYED costs	The delayed cost includes the estimated amount to conduct an operation evaluation and submit an operation evaluation report to the Executive Director, calculated from the due date of the operation evaluation report 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** \$2



# Compliance History Report

Compliance History Report for CN605844786, RN101247815, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

**Customer, Respondent, or Owner/Operator:** CN605844786, CSWR-Texas Utility Operating Company, LLC  
**Classification:** NOT APPLICABLE **Rating:** N/A

**Regulated Entity:** RN101247815, LA PLAYA SUBDIVISION WATER SYSTEM  
**Classification:** NOT APPLICABLE **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** Less than one mile west of Farm-to-Market Road 2390 and Farm-to-Market Road 2139 in Broaddus, San Augustine County, Texas

**TCEQ Region:** REGION 10 - BEAUMONT

**ID Number(s):**  
**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION**  
2030015

**Compliance History Period:** September 01, 2020 to August 31, 2025 **Rating Year:** 2025 **Rating Date:** 09/01/2025

**Date Compliance History Report Prepared:** March 18, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** March 18, 2020 to March 18, 2025

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** De'Shaune Blake **Phone:** (210) 403-4033

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) Who is the current owner/operator? CSWR-TEXAS UTILITY OPERATING COMPANY, LLC OWNER since 11/8/2022
- 4) Who was/were the prior owner(s)/operator(s)? Simply Aquatics, Inc., OWNER, 11/15/2017 to 11/7/2022

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

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

- 1 Effective Date: 09/20/2022 ADMINORDER 2021-0422-PWS-E (1660 Order-Agreed Order With Denial)  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)  
Description: Failure to obtain a sanitary control easement covering land within 150 feet of the Facility's Well No. 2.  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(iv)  
Description: Failure to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, records of the amount of each chemical used each week did not include the liquid ammonium sulfate, records of the dates that dead-end mains were flushed did not include the dead-end on the distribution map south-east of the plant, and records of the Customer Service Inspection reports were not retained on-site for review.  
Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(iii)  
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the Facility had 25 connections requiring a service pump capacity of 50 gpm. However, the Facility only provided one service pump which provided 125 gpm total capacity.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Description: Failure to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days.

Classification: Minor

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

Description: Failure to ensure that the electrical wiring is securely installed in compliance with a local or national electric code. Specifically, the wiring on Well No. 2 was exposed.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(i)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to provide a well capacity of 0.6 gpm per connection. Specifically, the Facility had 25 connections requiring a well capacity of 15 gpm. However, only 4 gpm were provided, indicating an 73% deficiency.

2 Effective Date: 02/14/2023 ADMINORDER 2022-1308-UTL-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 2B TWC Chapter 13, SubChapter A 13.1394(b)(2)

Description: Failure to submit to the TCEQ for approval an emergency preparedness plan ("EPP") that demonstrates the Facility's ability to provide emergency operations. As of the date of this investigation, System has not submitted EPP for approval.

3 Effective Date: 07/16/2024 ADMINORDER 2022-1135-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 2Q2022 – During the 2nd quarter of 2022 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.150 mg/L at 467 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

Classification: Moderate

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

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: TTHM LRAA MCL 1Q2022 – During the 1st quarter of 2022 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.151 mg/L at 467 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

## B. Criminal convictions:

N/A

## C. Chronic excessive emissions events:

N/A

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

Item 1	August 16, 2021	(1750707)
Item 2	December 21, 2022	(1866727)
Item 3	May 18, 2023	(1887768)

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

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

1 Date: 05/07/2024 (2010607)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
Description: TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.195 mg/L at 499 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

2 Date: 07/25/2024 (2010607)  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2)  
30 TAC Chapter 290, SubChapter F 290.115(f)(5)

Description: DBP2 TTHM OEL Reporting 1Q2024 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at 499 CR 4719, Broaddus (DBP2-01) within the required timeline. ETT Point Value = 1

- 3 Date: 07/29/2024 (1994126)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)  
30 TAC Chapter 290, SubChapter D 290.46(q)(2)  
30 TAC Chapter 290, SubChapter D 290.46(q)(3)  
30 TAC Chapter 290, SubChapter D 290.46(q)(6)  
Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to properly issue and rescind boil water notices.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)  
Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to monitor disinfectant residuals at representative locations in the distribution system at least once every seven days.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)  
Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to submit operating records upon request.
- 4 Date: 08/09/2024 (2010607)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)  
30 TAC Chapter 290, SubChapter F 290.117(h)  
30 TAC Chapter 290, SubChapter F 290.117(i)(3)  
Description: LCR WQP MR 1st 6M2024 - The system failed to monitor for water quality parameters in accordance with TCEQ rules during the 1st 6M2024 monitoring period at entry point location 126 CR 4717, Broaddus (EP001) and/or the distribution system. ETT Point Value = 1 Normal Monitoring
- 5 Date: 08/28/2024 (2010607)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
Description: TTHM LRAA MCL 2Q2024 - During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.187 mg/L at 499 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

## F. Environmental audits:

- Notice of Intent Date: 12/12/2022 (1866926)  
Disclosure Date: 12/12/2022  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)  
Description: Failed to have operating records accessible for review upon request, including Specifically, records of the amount of each chemical used each week did not include the liquid ammonium sulfate, records of the dates that dead-end mains were flushed did not include the dead-end on the distribution map south-east of the plant, and records of the Customer Service Inspection reports were not retained onsite for review.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)  
Description: Failed to maintain a minimum distribution pressure of 35 pounds per square inch (psi) under normal operating conditions.  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)  
Description: Failed to maintain the chlorination room, pressure tank, and ground storage tank in a good working condition and appearance.  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)

Description: Failed to maintain records of the results of the interior tank inspections for the 5,000-gallon ground storage tank.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)  
30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failed to calibrate the flow meter and maintain a record of calibrations.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)  
30 TAC Chapter 290, SubChapter D 290.42(e)(3)

Description: Failed to label chemical tanks and provide a spare chemical pump.  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(b)(7)

Description: Failed to screen the air release on the HPT.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)  
30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failed to properly seal the wellhead and slope the well pad correctly.  
Viol. Minor  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failed to maintain O&M at the plants.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(1)

Description: Failed to maintain as-built drawings.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failed to maintain distribution system maps.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)

Description: Failed to conduct customer service inspections.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failed to establish a retail service agreement.  
Viol. Moderate  
Classification:  
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(B)

Description: Failed to establish an adequate cross connection prevention program denoting appropriate backflow prevention devices and testing requirements.

**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

## Appendix A

### All NOV's Issued During Component Period 3/18/2020 and 3/18/2025

### All NOV's Issued During Component Period 3/18/2020 and 3/18/2025

- Page 5



Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)  
 Description: Failure by CSWR – La Playa Subdivision to have an adequate Plant Operations Manual.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(b)  
 Description: Failure by CSWR – La Playa Subdivision to have a complete monitoring plan.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)  
 Description: Failure by CSWR – La Playa Subdivision to have the overflow on the ground storage tank covered with a gravity hinged and weighted cover, an elastomeric duckbill valve, or other approved device.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)  
 Description: Failure by CSWR – La Playa Subdivision to lock all roof hatches.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(4)  
 Description: Failure by CSWR – La Playa Subdivision to maintain the disinfection residual above 0.2 milligrams per liter (mg/L) free chlorine throughout distribution.

7 Date: 11/03/2023 (1932297)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)  
 Description: Failure by CSWR Texas Utility Operating Company – La Playa Subdivision to maintain a complete record of the distribution residual monitoring results.

8 Date: 11/03/2023 (2010607)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
 Description: TTHM LRAA MCL 3Q2023 – During the 3rd quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.209 mg/L at 499 CR 4719, Broadus (DBP2-01). ETT Point Value = 5

9 Date: 01/24/2024 (2010607)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
 Description: TTHM LRAA MCL 4Q2023 – During the 4th quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.255 mg/L at 499 CR 4719, Broadus (DBP2-01). ETT Point Value = 5

10 Date: 02/21/2024 (2010607)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(e)  
 30 TAC Chapter 290, SubChapter F 290.117(h)  
 30 TAC Chapter 290, SubChapter F 290.117(i)(3)  
 Description: LCR WQP MR 2nd 6M2023 - The system failed to monitor for water quality parameters in accordance with TCEQ rules during the 2nd 6M2023 monitoring period at entry point location 126 CR 4717, Broadus (EP001) and/or the distribution system. ETT Point Value = 1 Normal Monitoring

11 Date: 05/07/2024 (2010607)  
 Self Report? NO Classification: Moderate  
 Citation:

Description: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.195 mg/L at 499 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

12 Date: 07/25/2024 (2010607)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.115(e)(2)  
30 TAC Chapter 290, SubChapter F 290.115(f)(5)

Description: DBP2 TTHM OEL Reporting 1Q2024 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for trihalomethanes at 499 CR 4719, Broaddus (DBP2-01) within the required timeline. ETT Point Value = 1

13 Date: 07/29/2024 (1994126)

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(q)  
30 TAC Chapter 290, SubChapter D 290.46(q)(2)  
30 TAC Chapter 290, SubChapter D 290.46(q)(3)  
30 TAC Chapter 290, SubChapter D 290.46(q)(6)

Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to properly issue and rescind boil water notices.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to monitor disinfectant residuals at representative locations in the distribution system at least once every seven days.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)

Description: Failure by CSWR-Texas Utility Operating Company LLC - La Playa Subdivision to submit operating records upon request.

14 Date: 08/09/2024 (2010607)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.117(e)  
30 TAC Chapter 290, SubChapter F 290.117(h)  
30 TAC Chapter 290, SubChapter F 290.117(i)(3)

Description: LCR WQP MR 1st 6M2024 - The system failed to monitor for water quality parameters in accordance with TCEQ rules during the 1st 6M2024 monitoring period at entry point location 126 CR 4717, Broaddus (EP001) and/or the distribution system. ETT Point Value = 1 Normal Monitoring

15 Date: 08/28/2024 (2010607)

Self Report? NO

Classification: Moderate

Citation:

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

Description: TTHM LRAA MCL 2Q2024 – During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.187 mg/L at 499 CR 4719, Broaddus (DBP2-01). ETT Point Value = 5

\* NOVs applicable for the Compliance History rating period 9/1/2020 to 8/31/2025

## Appendix B

### All Investigations Conducted During Component Period March 18, 2020 and March 18, 2025

Item 1	May 19, 2020	(1646554)
Item 2	March 24, 2021**	(1703036)
Item 3*	August 16, 2021**	(1750707)
Item 4	August 30, 2022**	(1840254)
Item 5	September 08, 2022**	(1840840)
Item 6	September 27, 2022**	(1846131)
Item 7*	December 21, 2022**	(1866727)
Item 8*	May 18, 2023**	(1887768)
Item 9	August 18, 2023**	(1918365)
Item 10	September 13, 2024**	(2010607)
Item 11	September 20, 2024**	(2014803)

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2020 and 08/31/2025.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION

CONCERNING  
CSWR-TEXAS UTILITY OPERATING  
COMPANY, LLC  
RN101247815

§  
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§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-1605-PWS-E

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding CSWR-Texas Utility Operating Company, LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

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

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

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

### I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located less than one mile west of Farm-to-Market Road 2390 and Farm-to-Market Road 2139 in Broaddus, San Augustine County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 25 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(73).
2. During a record review for the Facility conducted on September 18, 2024 through September 20, 2024, an investigator documented that:
  - a. The locational running annual average concentrations of total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 were 0.209 milligrams per liter ("mg/L") for the third quarter of 2023, 0.255 mg/L for the fourth quarter of 2023, 0.195 mg/L for the first quarter of 2024 and 0.187 mg/L for the second quarter of 2024;

- b. The Respondent did not conduct water quality parameter sampling at each of the Facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2023 through June 30, 2023, July 1, 2023 through December 31, 2023 and January 1, 2024 through June 30, 2024 monitoring periods; and
- c. The Respondent did not conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level ("OEL") for TTHM for DBP2 at Site 1 during the first quarter of 2024.

## II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM, based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to conduct water quality parameter sampling at each of the Facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(e)(2), (h), and (i)(3).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the OEL for TTHM for DBP2 at Site 1, in violation of 30 TEX. ADMIN. CODE § 290.115(e)(2).
- 5. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 6. An administrative penalty in the amount of \$13,204 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid the \$13,204 penalty.

## III. ORDERING PROVISIONS

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

- 1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 6 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be

constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: CSWR-Texas Utility Operating Company, LLC, Docket No. 2024-1605-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. Collect one water quality parameter sample at each entry point and one water quality parameter sample at each of the Facility's required distribution sample sites on a quarterly basis throughout the first six-month monitoring period<sup>1</sup> and ensure that the samples are analyzed and the results reported to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.117.
- b. Within 30 days after the effective date of this Order, conduct an operation evaluation and submit an operation evaluation report to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.115. The operation evaluation report shall be submitted to:

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

- c. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.b.
- d. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
- e. Within 365 days after the effective date of this Order, return to compliance with the MCL for TTHM, based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115.
- f. Within 380 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

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<sup>1</sup> "First six-month monitoring period" refers to the January 1 through June 30 or July 1 through December 31 monitoring period that begins immediately after the effective date of this Order.

Ordering Provision No. 2.e. The certification shall be signed by the Respondents and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.



SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

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Date



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10/11/2025

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For the Executive Director

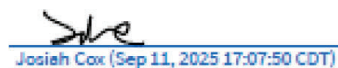
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Date

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.

  
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Josiah Cox (Sep 11, 2025 17:07:50 CDT)

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09/11/2025

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Signature

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Date

-----  
Josiah Cox

-----  
President

-----  
Name (Printed or typed)

-----  
Title

-----  
Authorized Representative of  
CSWR-Texas Utility Operating Company, LLC

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