

Executive Summary – Enforcement Matter – Case No. 66946
Village of Surfside Beach
RN101175859
Docket No. 2024-1749-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:

No

Location(s) Where Violation(s) Occurred:

Village of Surfside Beach, 202 Yucca Avenue, Surfside Beach, Brazoria County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2025-0565-MLM-E

Past-Due Penalties: Yes

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 30, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,900

Amount Deferred for Naturally Occurring Inorganic Contaminants: \$2,800

Total Paid to General Revenue: \$6,100

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Unclassified

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: October 14, 2024 through October 25, 2024

Date(s) of NOE(s): October 25, 2024

Executive Summary – Enforcement Matter – Case No. 66946
Village of Surfside Beach
RN101175859
Docket No. 2024-1749-PWS-E

Violation Information

1. Failed to comply with the maximum contaminant level ("MCL") of 0.010 milligrams per liter ("mg/L") for arsenic based on a running annual average [30 TEX. ADMIN. CODE § 290.106(f)(3)(C) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
2. Failed to comply with the MCL of 0.080 mg/L for total trihalomethanes based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed

By December 2, 2024, the Respondent returned to compliance with the MCL for arsenic based on the locational running annual average at the Facility.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 365 days, return to compliance with the MCL for total trihalomethanes based on the locational running annual average; and
- b. Within 380 days, submit written certification to demonstrate compliance with a.

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 Zach Parsch, Mayor, Village of Surfside Beach, 1304
Monument Drive, Surfside Beach, Texas 77541

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Oct-2024	Screening	30-Oct-2024	EPA Due	31-Dec-2024
	PCW	5-Nov-2024				

RESPONDENT/FACILITY INFORMATION

Respondent	Village of Surfside Beach (PCW No. 1 of 2)
Reg. Ent. Ref. No.	RN101175859
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	66946	No. of Violations	1
Docket No.	2024-1749-PWS-E	Order Type	Findings
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	\$2,500
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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.

Compliance History	22.0%	Adjustment	Subtotals 2, 3, & 7	\$550
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Notes	Enhancement for four NOVs with the same/similar violations and one NOV with dissimilar violations.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$250
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$8,228	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$100,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$2,800
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$2,800
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$2,800
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DEFERRAL	100.0%	Reduction	Adjustment	-\$2,800
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	The Executive Director recommends a conditional deferral for naturally occurring constituents.
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PAYABLE PENALTY	\$0
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Screening Date	30-Oct-2024	Docket No.	2024-1749-PWS-E	PCW
Respondent	Village of Surfside Beach (PCW No. 1 of 2)			Policy Revision 5 (January 28, 2021)
Case ID No.	66946			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN101175859			
Media	Public Water Supply			
Enf. Coordinator	Savannah Jackson			

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>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)

22%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

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

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

22%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

22%

Screening Date	30-Oct-2024	Docket No.	2024-1749-PWS-E	PCW
Respondent	Village of Surfside Beach (PCW No. 1 of 2)			Policy Revision 5 (January 28, 2021)
Case ID No.	66946			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN101175859			
Media	Public Water Supply			
Enf. Coordinator	Savannah Jackson			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.106(f)(3)(C) and Tex. Health & Safety Code § 341.0315(c)			
Violation Description	Failed to comply with the maximum contaminant level ("MCL") of 0.010 milligrams per liter ("mg/L") for arsenic based on a running annual average. Specifically, the running annual average concentrations for arsenic were 0.015 mg/L for the third and fourth quarters of 2023, 0.018 mg/L for the first quarter of 2024, and 0.014 mg/L for the second quarter of 2024.			
	Base Penalty	\$5,000		
>> Environmental, Property and Human Health Matrix				
OR	Release	Major	Harm Moderate	Minor
	Actual		x	
	Potential			
			Percent	50.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
			Percent	0.0%
Matrix Notes	Exceeding the MCL for arsenic caused the persons served by the Facility to be exposed to a significant amount of pollutants which do not exceed levels protective of human health.			
	Adjustment	\$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	10.0%		Reduction	\$250
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary		x		
N/A				
Notes	The Respondent achieved compliance by December 2, 2024.			
	Violation Subtotal	\$2,250		
>> Economic Benefit (EB) for this violation				
>> Statutory Limit Test				
Estimated EB Amount	\$8,228	Violation Final Penalty Total	\$2,800	
This violation Final Assessed Penalty (adjusted for limits)				\$2,800

Economic Benefit Worksheet

Respondent Village of Surfside Beach (PCW No. 1 of 2)
Case ID No. 66946
Reg. Ent. Reference No. RN101175859
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)	\$100,000	30-Sep-2023	2-Dec-2024	1.18	\$392	\$7,836	\$8,228
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 corrective actions to return to compliance with the MCL for arsenic, calculated from the last day of the first quarter of noncompliance to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100,000

TOTAL

\$8,228



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Oct-2024	Screening	30-Oct-2024	EPA Due	31-Dec-2024
	PCW	5-Nov-2024				

RESPONDENT/FACILITY INFORMATION

Respondent	Village of Surfside Beach (PCW No. 2 of 2)
Reg. Ent. Ref. No.	RN101175859
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	66946	No. of Violations	1
Docket No.	2024-1749-PWS-E	Order Type	Findings
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	\$5,000
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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.

Compliance History	22.0%	Adjustment	Subtotals 2, 3, & 7	\$1,100
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Notes: Enhancement for four NOV's with the same/similar violations and one NOV with dissimilar violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,077
Estimated Cost of Compliance: \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$6,100
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$6,100
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$6,100
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$6,100
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Screening Date	30-Oct-2024	Docket No.	2024-1749-PWS-E	PCW
Respondent	Village of Surfside Beach (PCW No. 2 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	66946			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101175859			
Media	Public Water Supply			
Enf. Coordinator	Savannah Jackson			

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>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 22%

>> Repeat Violator (Subtotal 3)

N/A	Adjustment Percentage (Subtotal 3) 0%
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>> Compliance History Person Classification (Subtotal 7)

Unclassified	Adjustment Percentage (Subtotal 7) 0%
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>> Compliance History Summary

Compliance History Notes	Enhancement for four NOVs with the same/similar violations and one NOV with dissimilar violations.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 22%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 22%

Screening Date	30-Oct-2024	Docket No.	2024-1749-PWS-E	PCW
Respondent	Village of Surfside Beach (PCW No. 2 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	66946			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101175859			
Media	Public Water Supply			
Enf. Coordinator	Savannah Jackson			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)			
Violation Description	Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts at Site 1 were 0.114 mg/L for the first quarter of 2023, 0.112 mg/L for the second quarter of 2023, 0.111 mg/L for the third quarter of 2023, 0.139 mg/L for the fourth quarter of 2023, 0.117 mg/L for the first quarter of 2024, 0.173 mg/L for the second quarter of 2024, and 0.183 mg/L for the third quarter of 2024 and at Site 2 were 0.115 mg/L for the first quarter of 2023, 0.110 mg/L for the second quarter of 2023, 0.110 mg/L for the third quarter of 2023, 0.131 mg/L for the fourth quarter of 2023, 0.115 mg/L for the first quarter of 2024, 0.174 mg/L for the second quarter of 2024, and 0.190 mg/L for the third quarter of 2024.			
		Base Penalty	\$5,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual		x		Percent 50.0%
Potential					

>>Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Exceeding the MCL for TTHM caused persons served by the Facility to be exposed to a significant amount of contaminants which did not exceed levels protective of human health.
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Adjustment \$2,500

\$2,500

Violation Events

Number of Violation Events	2	638	Number of violation days
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daily		Violation Base Penalty \$5,000
weekly		
monthly		
quarterly		
semiannual		
annual	x	
single event		

Two annual events are recommended (one per site).

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 \$5,000

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$1,077	Violation Final Penalty Total \$6,100
This violation Final Assessed Penalty (adjusted for limits) \$6,100	

Economic Benefit Worksheet

Respondent Village of Surfside Beach (PCW No. 2 of 2)
Case ID No. 66946
Reg. Ent. Reference No. RN101175859
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	31-Mar-2023	28-Apr-2026	3.08	\$51	\$1,026	\$1,077
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

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

\$1,077



Compliance History Report

Compliance History Report for CN600623896, RN101175859, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN600623896, Village of Surfside Beach	Classification: UNCLASSIFIED	Rating: -----
Regulated Entity:	RN101175859, VILLAGE OF SURFSIDE BEACH	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator: N/A	
CH Group:	14 - Other		
Location:	202 YUCCA AVE, IN SURFSIDE BEACH, BRAZORIA COUNTY, TEXAS		
TCEQ Region:	REGION 12 - HOUSTON		
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0200037		
Compliance History Period:	September 01, 2019 to August 31, 2024	Rating Year: 2024	Rating Date: 09/01/2024
Date Compliance History Report Prepared:	March 24, 2025		
Agency Decision Requiring Compliance History:	Enforcement		
Component Period Selected:	March 24, 2020 to March 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:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

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

Item 1	August 10, 2020	(1659191)
Item 2	August 21, 2020	(1658761)
Item 3	September 11, 2020	(1665399)
Item 4	November 23, 2021	(1762588)

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:	04/05/2024	(2021772)	
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)		
	Description:	ARS MCL 4Q2023 - During the 4th quarter of 2023 the system violated the		

maximum contaminant level for arsenic with a RAA of 0.015 mg/L. ETT Point

2

Date: 04/05/2024 (1951559)

Self Report? NO Classification: Moderate

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

Description: Failure to maintain a minimum residual disinfectant concentration in the water within the distribution system of 0.5 mg/L total chlorine.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.105(b)
30 TAC Chapter 290, SubChapter F 290.118(b)

Description: Failure to meet the secondary constituent level for color.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain and make available a current customer service agreement or plumbing ordinance that can be verified.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(3)

Description: Failure to maintain copies of well completion data.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain accurate and up-to-date as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to maintain all water treatment units and related appurtenances in a watertight condition.

Self Report? NO Classification: Minor

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

Description: Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.

Self Report? NO Classification: Minor

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

Description: Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.

Self Report? NO Classification: Minor

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

Description: Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.

Self Report? NO Classification: Moderate

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

Description: Failure to provide a full-face self-contained breathing apparatus or supplied air respirator that meets OSHA standards for construction and operation which must be readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency and failure to provide a small bottle of fresh ammonia solution which must be readily accessible outside the chlorinator room, to test for possible chlorine leakage.

Self Report? NO Classification: Minor

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

Description: Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.

Self Report? NO Classification: Moderate

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

Description: Failure to provide adequate containment facilities for all liquid chemical storage tanks.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain a minimum residual disinfectant concentration in the water within the distribution system of 0.5 mg/L total chlorine.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.105(b)
30 TAC Chapter 290, SubChapter F 290.118(b)

Description: Failure to meet the secondary constituent level for color.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 291, SubChapter F 291.93(3)

Description: Failure of a retail public utility that possesses a Certificate of Convenience

and Necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service

demands to the remaining areas within the boundaries of its certificated area.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failure to comply with the site-specific requirements of a granted exception.

- 3 Date: 05/15/2024 (2021772)
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 0.173 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.174 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5
- 4 Date: 07/18/2024 (2021772)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 2Q2024 - During the 2nd quarter of 2024 the system violated the maximum contaminant level for arsenic with a RAA of 0.014 mg/L. ETT Point Value = 5
- 5 Date: 09/24/2024 (2021772)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 3Q2024 – During the 3rd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.183 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.190 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Appendix A

All NOV's Issued During Component Period 3/24/2020 and 3/24/2025

Page 4

6	Date: 09/17/2021 (1745886)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)		
	Description: Failure to maintain a chloramine residual concentration of 0.5 mg/L (measured as total chlorine) throughout the distribution system.		
7	Date: 10/11/2021 (1761661)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(ix)		
	Description: Failure by a Public Water System that uses chloramines in the water system, to retain the monitoring results of total chlorine, monochloramine and ammonia in the distribution system for at least three years.		
8	Date: 02/24/2023 (2021772)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		
	Description: TTHM LRAA MCL 1Q2023 – During the 1st quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.114 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.115 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5		
9	Date: 06/14/2023 (2021772)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		
	Description: TTHM LRAA MCL 2Q2023 – During the 2nd quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.112 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.110 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5		
10	Date: 06/30/2023 (1897366)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)		
	Description: Failure to maintain a minimum chloramine residual, measured as total chlorine, of 0.5 milligrams per liter (mg/l) throughout the distribution system at all times.		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.118(b)		
	Description: Failure to provide water which does not exceed the Secondary Maximum Contaminant Level (SMCL) of 15 color units (CU).		
11	Date: 07/21/2023 (1909485)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)		
	Description: Failure to maintain the residual disinfectant concentration in the water within the distribution system to be at least 0.5 mg/L chloramine (measured as total chlorine).		
12*	Date: 09/08/2023 (2021772)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)		

- | | | | | | | | |
|-----|--------------|--|-----------|--------------|----|-----------------|----------|
| 13* | Date: | 09/13/2023 | (2021772) | 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 0.111 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.110 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5 | | | | | |
| 14* | Date: | 10/24/2023 | (1924335) | Self Report? | NO | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B) | | | | | |
| | Description: | Failure to maintain the residual disinfectant concentration in the water within the distribution system to be at least 0.5 mg/L chloramine. | | | | | |
| 15* | Date: | 01/24/2024 | (2021772) | 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 0.139 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.131 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5 | | | | | |
| 16* | Date: | 02/07/2024 | (2021772) | 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 0.117 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.115 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5 | | | | | |
| 17* | Date: | 02/13/2024 | (1949711) | Self Report? | NO | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B) | | | | | |
| | Description: | Failure to maintain the residual disinfectant concentration in the water within the distribution system to be at least 0.2 mg/L free chlorine or 0.5 mg/L chloramine (measured as total chlorine). | | | | | |
| 18* | Date: | 02/22/2024 | (2021772) | Self Report? | NO | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C) | | | | | |
| | Description: | ARS MCL 1Q2024 - During the 1st quarter of 2024 the system violated the maximum contaminant level for arsenic with a RAA of 0.018 mg/L. ETT Point Value = 5 | | | | | |
| 19* | Date: | 04/05/2024 | (2021772) | Self Report? | NO | Classification: | Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C) | | | | | |
| | Description: | ARS MCL 4Q2023 - During the 4th quarter of 2023 the system violated the maximum contaminant level for arsenic with a RAA of 0.015 mg/L. ETT Point Value = 5 | | | | | |

Date: 04/05/2024 (1951559)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)		
Description:	Failure to maintain a minimum residual disinfectant concentration in the water within the distribution system of 0.5 mg/L total chlorine.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.105(b) 30 TAC Chapter 290, SubChapter F 290.118(b)		
Description:	Failure to meet the secondary constituent level for color.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)		
Description:	Failure to maintain and make available a current customer service agreement or plumbing ordinance that can be verified.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(3)		
Description:	Failure to maintain copies of well completion data.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(1)		
Description:	Failure to maintain accurate and up-to-date as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(4)		
Description:	Failure to maintain all water treatment units and related appurtenances in a watertight condition.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(4)(A)		
Description:	Failure to provide a full-face self-contained breathing apparatus or supplied air respirator that meets OSHA standards for construction and operation which must be readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency and failure to provide a small bottle of fresh ammonia solution which must be readily accessible outside the chlorinator room, to test for possible chlorine leakage.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to properly maintain the good working condition and general appearance of the system's facilities and equipment.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.42(f)(1)(E)(ii)(I)		
Description:	Failure to provide adequate containment facilities for all liquid chemical storage tanks.		

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
Description: Failure to maintain a minimum residual disinfectant concentration in the water within the distribution system of 0.5 mg/L total chlorine.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.105(b)
30 TAC Chapter 290, SubChapter F 290.118(b)
Description: Failure to meet the secondary constituent level for color.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 291, SubChapter F 291.93(3)
Description: Failure of a retail public utility that possesses a Certificate of Convenience and Necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failure to comply with the site-specific requirements of a granted exception.

21* Date: 05/15/2024 (2021772)
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 0.173 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.174 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5

22* Date: 07/18/2024 (2021772)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 2Q2024 - During the 2nd quarter of 2024 the system violated the maximum contaminant level for arsenic with a RAA of 0.014 mg/L. ETT Point Value = 5

23 Date: 09/24/2024 (2021772)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 3Q2024 – During the 3rd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.183 mg/L at 201 Gayle CT, Surfside (DBP2-01); and with a LRAA of 0.190 mg/L at 314 Bay Ave Surfside TX (DBP2-02). ETT Point Value = 5

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

Appendix B

All Investigations Conducted During Component Period March 24, 2020 and March 24, 2025

Item 1*	August 10, 2020**	(1659191)
Item 2*	August 21, 2020**	(1658761)
Item 3*	September 11, 2020**	(1665399)
Item 4	November 13, 2020**	(1690374)
Item 5*	November 23, 2021**	(1762588)
Item 6	July 18, 2022**	(1825966)
Item 7	October 02, 2024	(2010887)

Item 8	October 24, 2024	(2021772)
Item 9	October 25, 2024	(2021866)

* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
VILLAGE OF SURFSIDE BEACH
RN101175859

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

AGREED ORDER DOCKET NO. 2024-1749-PWS-E

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

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 202 Yucca Avenue in Surfside Beach, Brazoria County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 1,338 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 October 14, 2024 through October 25, 2024, an investigator documented that:
 - a. The running annual average concentrations for arsenic were 0.015 milligrams per liter ("mg/L") for the third and fourth quarters of 2023, 0.018 mg/L for the first quarter of 2024, and 0.014 mg/L for the second quarter of 2024; and
 - b. The locational running annual average concentrations of total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts at Site 1 were 0.114 mg/L for the first quarter of 2023, 0.112 mg/L for the second quarter of 2023, 0.111 mg/L for the third quarter of 2023, 0.139 mg/L for the fourth quarter of 2023, 0.117 mg/L for the first quarter of 2024, 0.173 mg/L for the second quarter of 2024, and 0.183 mg/L for the third quarter of 2024 and at Site 2 were 0.115 mg/L for the

first quarter of 2023, 0.110 mg/L for the second quarter of 2023, 0.110 mg/L for the third quarter of 2023, 0.131 mg/L for the fourth quarter of 2023, 0.115 mg/L for the first quarter of 2024, 0.174 mg/L for the second quarter of 2024, and 0.190 mg/L for the third quarter of 2024.

3. The Executive Director recognizes that by December 2, 2024, the Respondent returned to compliance with the maximum contaminant level ("MCL") for arsenic, based on the locational running annual average at the Facility.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to comply with the MCL of 0.010 mg/L for arsenic based on a running annual average, in violation of 30 TEX. ADMIN. CODE 290.106(f)(3)(C) and TEX. HEALTH & SAFETY CODE 341.0315(c).
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to comply with the MCL of 0.080 mg/L for TTHM, based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE 290.115(f)(1) and TEX. HEALTH & SAFETY CODE 341.0315(c).
4. 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.
5. An administrative penalty in the amount of \$8,900 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 \$6,100 of the penalty. The TCEQ has determined that Conclusion of Law No. 2 of this Order qualifies for 100% deferral. Therefore, the remaining amount of \$2,800 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any requirement contained in this Order, the Executive Director may demand payment of all or part of the conditionally deferred penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 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: Village of Surfside Beach, Docket No. 2024-1749-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 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.
 - b. 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 Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the 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

For the Commission

Date

Krista Melo-Jurack

07/16/2025

For the Executive Director

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]

Signature

4/7/25

Date

FACH PARSCH

Name (Printed or typed)
Authorized Representative of
Village of Surfside Beach

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.