Order Type:

Findings Agreed Order

Findings Order Justification:

A violation of a commission issued enforcement order or court order.

Media:

MLM - PWS, WR

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of New Home PWS, 106 East Broadway, New Home, Lynn 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: The complainant has expressed an interest in this

matter but does not wish to speak at Agenda.

Texas Register Publication Date: August 1, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$16,498

Total Paid to General Revenue: \$16,498 Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - High Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): August 5, 2024

Complaint Information: Alleged a city fire hydrant had been leaking for about a year.

Date(s) of Investigation: August 15, 2024 through August 26, 2024

Date(s) of NOE(s): November 1, 2024

Violation Information

- 1. Failed to provide a well casing vent for Well No. 2 that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, and located so as to minimize the drawing of contaminants into the well [30 Tex. ADMIN. CODE § 290.41(c)(3)(k)].
- 2. Failed to provide a suitable sampling cock on the discharge pipe of Well No. 3 prior to any treatment [30 Tex. Admin. Code § 290.41(c)(3)(M)].
- 3. Failed to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications [30 Tex. Admin. Code § 290.44(h)(4)].
- 4. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request [30 Tex. ADMIN. CODE § 290.46(f)(3)(E)(iv)].
- 5. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 Tex. ADMIN. CODE § 290.46(m)].
- 6. Failed to calibrate the well meter at Well No. 4 at least once every three years [30 Tex. ADMIN. CODE § 290.46(s)(1)].
- 7. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted [30 Tex. Admin. Code § 290.46(t)].
- 8. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference [30 Tex. Admin. Code § 290.42(l) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.c.i].
- 9. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request [30 Tex. ADMIN. CODE § 290.46(f)(2) and (f)(3)(A)(i)(III) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.a.i].
- 10. Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 Tex. Admin. Code § 290.121(a) and (b), and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.c.iii].
- 11. Failed to inspect the Facility's ground storage tanks ("GSTs") annually [30 Tex. Admin. Code § 290.46(m)(1)(A)].

- 12. Failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids [30 Tex. Admin. Code § 290.46(m)(4)].
- 13. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier [30 Tex. Admin. Code §§ 288.20(a) and 288.30(5)(B), and Tex. Water Code § 11.1272(c) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.e.iii].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On August 20, 2024, tested the BPA at the Spot Market Café;
- b. By August 26, 2024, repaired the leaking fire hydrant located at the end of North Fifth Street.
- c. On August 29, 2024, conducted the GST and standpipe inspections; and
- d. On February 27, 2025:
- i. Provided a downward facing well casing vent with 16-mesh or finer corrosion-resistant screen at Well No. 2; and
- ii. Provided a legible sign at Well No. 4 that contains the name of the Facility and an emergency telephone contact number.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 15 days, compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each week.
- b. Within 30 days:
- i. Submit written certification to demonstrate compliance with a:
- ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the customer service inspection reports required by 290.46(j) for 121 South Main Street and 201 Stadium Drive;

- iii. Provide a suitable sampling cock on the discharge pipe of the Facility's well pump at Well No. 3 prior to any treatment;
- iv. Calibrate the Facility's well meters, including but not limited to Well No. 4, at least once every three years;
- v. Begin maintaining a thorough and up-to-date plant operations manual for operator review and reference, including but not limited to contact numbers, maintenance repair procedures, and protocols for catastrophes;
- vi. Develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements; and
- vii. Complete maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including but not limited to removing the excess vegetation between the well house and the GST, cleaning out the sedimentation and rust inside the GST, and repairing or replacing the faulty locks on both the roof hatch and anti-climb system on the GST.
- c. Within 45 days:
- i. Submit written certification to demonstrate compliance with b.ii. through b.vii.; and
- ii. Prepare and adopt a complete drought contingency plan.
- d. Within 60 days, submit written certification to demonstrate compliance with c.ii.
- e. Within 365 days:
- i. Complete maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including but not limited to repairing or replacing the rusted well head at Well No. 1, and repairing or replacing the GST support beams; and
- ii. Maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids, including but not limited to repairing the leak in the service pump at the pump house.
- f. Within 380 days, submit written certification to demonstrate compliance with e.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Katherine Argueta, Enforcement Division,

Enforcement Team 4, MC R-12, (512) 239-4131; Michael Parrish, Enforcement Division,

MC R-12, (512) 239-2548

Respondent: The Honorable Lisa Webb, Mayor, City of New Home, P.O. Box 278, New

Home, Texas 79383

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

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

DATES Assigned 4-Nov-2024

PCW 14-Feb-2025 Screening 6-Nov-2024 EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent City of New Home (PCW No. 1 of 2)

Reg. Ent. Ref. No. RN101389146

Facility/Site Region 2-Lubbock Major/Minor Source Minor

CASE INFORMATION

Enf./Case ID No. 62479
Docket No. 2025-0336-MLM-E
Media Program(s) Public Water Supply
Multi-Media Water Rights

Multi-Media Program(s) Water Rights

Admin. Penalty \$ Limit Minimum \$50 Maximum \$5,000

					1 - 7			
			Popalty (Calculat	tion Section	n		
TOT 4	L DAGE BENA		•			ווע		+= ===
TOTA	IL BASE PENA	ALTY (Sum o	f violation bas	se penal	ties)		Subtotal 1	\$7,725
ADJU	ISTMENTS (+	/-) TO SUBT	OTAL 1					
			g the Total Base Penal	ty (Subtotal 1	.) by the indicated p Adjustment			4770
	Compliance Hi		otals 2, 3, & 7	\$772				
	Notes		it for one agreed of eduction for High		•	f liability.		
		, R						
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
			spondent does no					
	Notes							
	Good Faith Eff	ort to Comply 1	otal Adjustment	ts			Subtotal 5	-\$1,349
	Economic Ben				Enhancement*		Subtotal 6	\$0
	Estimated	Total EB Amounts d Cost of Compliance		*Capped	d at the Total EB \$ A	Amount		
		, , , , , , , , , , , , , , , , , , ,	ψ0,237					
SUM	OF SUBTOTA	LS 1-7				ı	Final Subtotal	\$7,148
OTILI	D FACTORS	AC JUSTICE I	AAV DEGUIDE		0.00/			\$0
	or enhances the Fina		MAY REQUIRE cated percentage.		0.0%		Adjustment	\$ 0
		,						
	Notes							
						Final Po	nalty Amount	\$7,148
						i iliai i C	naity Amount	Ψ7,140
STAT	UTORY LIMI	T ADJUSTME	NT			Final Asse	essed Penalty	\$7,148
	RRAL the Final Assessed Pe	analty by the indicate	d norcontago		0.0%	Reduction	Adjustment	\$0
Reduces	tile Fillal Assessed Pe	enaity by the mulcate	ed percentage.				1	
	Notes	No d	deferral is recomm	nended for	Findings Orders	S.		
DAVA	BLE PENALT	v						£7 1 4 0
PATA	ADLE PENALI	T						\$7,148

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

Respondent City of New Home (PCW No. 1 of 2)

Case ID No. 62479

Reg. Ent. Reference No. RN101389146

Media Public Water Supply

Enf. Coordinator Daphne Greene

Component	tory Site Enhancement (Subtotal 2) Number of	Number	Adjust.				
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%				
	Other written NOVs	0	0%				
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%				
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%				
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%				
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%				
Convictions	Convictions Any criminal convictions of this state or the federal government (number of counts)						
Emissions	missions Chronic excessive emissions events (number of events)						
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%				
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%				
	Environmental management systems in place for one year or more	No	0%				
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%				
Other	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 Pero	centage (Su	btotal 2)				
epeat Violator	(Subtotal 3)						
N/A	Adjustment Perd	centage (Su	btotal 3)				
ompliance His	tory Person Classification (Subtotal 7)						
High Performer Adjustment Percentage (Subtotal 7) -1							
ompliance His	tory Summary						
Compliance History	Enhancement for one agreed order containing a denial of liability. Reduction for H	ligh Performer					

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

10%

	Screening Date		Docket No. 2025-0336-MLM-E	PCW
		City of New Home (PCW No	o. 1 of 2)	Policy Revision 5 (January 28, 2021)
_	Case ID No.			PCW Revision February 11, 2021
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator Violation Number			
	Rule Cite(s)	30 Te	x. Admin. Code § 290.41(c)(3)(k)	
		•	asing vent for Well No. 2 that is covered with 16	
	Violation Description		tant screen, facing downward, and located so a ontaminants into the well. Specifically, Well No	
			well casing vent that faced downward.	
			.	\$5.000
			Base F	Penalty \$5,000
>> Env	vironmental, Prope	rty and Human Healt	h Matrix	
		Harm		
OD	Release		Minor	
OR	Actual Potential		Porcent F 00/	
	Potential	X	Percent 5.0%	
>>Pro	grammatic Matrix			
, ,	Falsification	Major Moderate	Minor	
			Percent 0.0%	
			t faces downward could expose persons served	
	Notes Facility to a		aminants which would not exceed levels protect	i <mark>ve of the live o</mark>
			human health.	
			Adjustment	\$4,750
			Aujustinent	41,730
				\$250
Violeti	on Events			
Violati	OII EVEIRS			
	Number of \	/iolation Events 1	83 Number of violation da	ıys
		daily		
		weekly		
		monthly	Violation Base F	Penalty \$250
		quarterly <u>x</u> semiannual	Violation base P	reliaity \$250
		annual		
		single event		
			_	
	One quarterl	y event is recommended, ca	Iculated from the date of the investigation, Aug	ust 15,
			of screening, November 6, 2024.	
Good F	aith Efforts to Con	10.0%	o Re	duction \$25
		Before NOE/NO\	/ NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary	x	
		N/A		
		The Respon	ndent achieved compliance on February 27,	
		Notes	2025.	
			Violation Su	ubtotal \$225
_				
Econor	mic Benefit (EB) fo	r this violation	Statutory Limit T	est
	Estimat	ed EB Amount	\$5 Violation Final Penalt	y Total \$250
			<u> </u>	
		This viol	ation Final Assessed Penalty (adjusted for	limits) \$250

	E	conomic	Benefit '	Wor	ksheet						
Respondent City of New Home (PCW No. 1 of 2)											
Case ID No.	62479	`	•								
Reg. Ent. Reference No.	RN101389146										
	Public Water S						Years of				
Violation No.						Percent Interest	Depreciation				
2.0.00.0						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description		•									
zeem zesempaon											
Delayed Costs											
Equipment	\$150	15-Aug-2024	27-Feb-2025	0.54	\$0	\$5	\$5				
Buildings	4100	15 7 14 9 202 1	<u> </u>	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)				0.00	\$0	n/a	\$0				
Notes for DELAYED costs	,	calculated fro	m the date of th	e inves	tigation to the dat	·	ŕ				
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided					
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0 \$0	\$0				
Notes for AVOIDED costs		 		0.00	1 \$0	\$ U	\$0				
Approx. Cost of Compliance		\$150			TOTAL		\$5				

	Screening	Date 6-Nov-20)24	Docket	No. 2025-0336-MLM-E		PCW
	Respon	ndent City of N	ew Home (PCW No.	1 of 2)		Policy Re	vision 5 (January 28, 2021)
	Case II	D No. 62479				PCW	Revision February 11, 2021
Reg.	Ent. Reference	e No. RN10138	9146				
		1edia Public Wa					
	Enf. Coording	nator Daphne (Greene				
	Violation Nu	umber 2					
	Rule C	Cite(s)	20 T	. Admir Code C 20	20. 417-7/27/147		
			30 Tex	k. Admin. Code § 29	90.41(c)(3)(M)		
		Failed to	provide a suitable	sampling cock on th	ne discharge pipe of Well No	o, 3 prior	
	Violation Descr	ription		to any treatme			
				•			
					Base	Penalty	\$5,000
>> En	vironmental, F	Property and	Human Health	n Matrix			
	D.	elease Majo	Harm or Moderate	Minor			
OR	K	elease Majo Actual	n Moderate	MINO			
OK	Do	otential		X	Percent 3.0%		
	10	rteritiar			7 er cent 3.0 %		
>>Pro	grammatic Ma	atriv					
110	Falsific		or Moderate	Minor			
		- I luje	11000100	111101	Percent 0.0%		
					3.3.3		
	Fail	lure to provide a	sampling cock on th	ne well discharge lin	e may allow entry of undet	ected	
	Contar				the Facility to insignificant		
	Notes				ective of human health.		
					Adjustment	\$4,850	
					-		
							\$150
\/:-I-L:	-						
violati	on Events						
	Num	ber of Violation E	vents 1	83	Number of violation of	lave	
	Num	ber or violation b	vents	0.	ivaniber of violation c	iays	
		dail	/				
		week					
		mont					
		quarte			Violation Base	Penalty	\$150
		semian	nual			_	
		annu	al				
		single e	vent x				
		-		-			
			One single	event is recommen	ded.		
Cood F	aith Effarts to	Comply	0.0%		r) - dk:	\$0
good F	aith Efforts to	Comply	Before NOE/NOV	NOE/NOV to EDPRP/Se		Reduction	\$ U
		Extraore					
			dinary				
		On	, <u> </u>				
			N/A x	<u> </u>			
			The Respond	lent does not meet	the good faith criteria for		
			Notes	this violati	on.		
					Violation	Subtotal	\$150
						_	4130
Econor	mic Benefit (E	B) for this vi	olation		Statutory Limit	Test	
	.	stimated EB An	ount	\$4	Violation Final Pena	ity Total	\$165
	E\$	Sumateu ED AN	iouiit	\$4	VIDIALION FINAL PENA	ity rotai	\$100
			This vio	lation Final Asses	sed Penalty (adjusted fo	r limits)	\$165

Economic Benefit Worksheet										
Respondent	City of New Ho	ome (PCW No. 1 c	of 2)							
Case ID No.	62479									
Reg. Ent. Reference No.	RN101389146	j								
Media	Public Water 9	Supply				D	Years of			
Violation No.	2					Percent Interest	Depreciation			
						5.0	15			
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount			
Item Description		•								
Delayed Costs										
Equipment				0.00	\$0	\$0	\$0			
Buildings				0.00	\$0	\$0	\$0			
Other (as needed)	\$50	15-Aug-2024	12-Nov-2025	1.24	\$0	\$4	\$4			
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				•		mpling cock on the n date to the estima				
		, , , , , ,		complia	_					
Avoided Costs	ANNU	ALIZE avoided c	osts before er	itering i	item (except for	one-time avoided	l 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										

Screening Date	6-Nov-2024	Docket No. 2025-0336-MLM-	E PCW
Responden	t City of New Home (PCW No.	1 of 2)	Policy Revision 5 (January 28, 2021)
Case ID No	. 62479		PCW Revision February 11, 2021
Reg. Ent. Reference No	RN101389146		
Media	Public Water Supply		
Enf. Coordinato			
Violation Numbe			
Rule Cite(s) 30 т	ex. Admin. Code § 290.44(h)(4)	
		3 (7,7)	
	Failed to have all backflow	prevention assemblies ("BPAs") tested upo	a installation
	and on an annual basis by a	a recognized backflow assembly tester and	
Violation Descriptio		specifications. Specifically, the BPA at the S	
	Café was not t	tested within one year of the previous test.	
		_	- 1
		E	sase Penalty \$5,000
>> Environmental, Prop	erty and Human Healtl	n Matrix	
, , , , , , , , , , , , , , , , , , , ,	Harm		
Releas		Minor	
OR Actua			
Potentia	al x	Percent 15.0	<u>%</u>
>>Programmatic Matrix			
Falsification		Minor	
T distriction	Trajor Troderate	Percent 0.0	%
	<u> </u>	5.5	70
Failure to t	est BPAs on an annual basis w	rould not ensure the device is operating pro	perly which
Matrix could result		ants entering into the water mains which w	• •
Notes	levels prot	ective of human health.	
		Adjustment	\$4,250
			¢750
			\$750
Violation Events			
Troidtion Events			
Number of	Violation Events 6	166 Number of violati	on days
		<u> </u>	
	daily		
	weekly		
	monthly x	No la Maria	44 F00
	quarterly	violation E	sase Penalty \$4,500
	semiannual annual	-	
	single event	-	
	Single event	<u> </u>	
6: "			
Six month	•	calculated from the due date of the BPA tes of compliance, August 20, 2024.	t, March 7,
	2024, to the date	or compliance, August 20, 2024.	
04			
Good Faith Efforts to Co	mply 25.0% Before NOE/NOV		Reduction \$1,125
	Extraordinary Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A		
	19/7	J	-
	Notes The Respo	ondent achieved compliance on August 20,	
	Notes	2024.	
		Violat	ion Subtotal \$3,375
Economic Benefit (EB) fo	or this violation	Statutory Lir	nit Test
LCOHOINIC BEHEIR (EB) TO	n uns violation	Statutory Lir	int rest
Estima	ted EB Amount	\$1 Violation Final P	enalty Total \$3,825
Estima		\$1 Violation Final Polation Final Assessed Penalty (adjuste	-

Economic Benefit Worksheet											
Respondent City of New Home (PCW No. 1 of 2)											
Case ID No.		•	,								
Reg. Ent. Reference No.											
	Public Water S						Years of				
		ouppiy				Percent Interest	Depreciation				
Violation No.	3										
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
Delayed Costs											
Delayed Costs	1	1		0.00	1 40	40	¢Ω				
Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Buildings Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Engineering/Construction				0.00	\$0 \$0	\$0	\$0 \$0				
Land				0.00	\$0	n/a	\$0				
Record Keeping System				0.00	\$0	n/a	\$0				
Training/Sampling				0.00	\$0	n/a	\$0				
Remediation/Disposal				0.00	\$0	n/a	\$0				
Permit Costs				0.00	\$0	n/a	\$0				
Other (as needed)	\$31	7-Mar-2024	20-Aug-2024	0.45	\$1	n/a	\$1				
Notes for DELAYED costs	(\$31	1 x one location),	calculated from	the due	date of the test to	st the BPA at the Spot the date of compli	ance.				
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d 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		\$31			TOTAL	Γ	\$1				

	Scre	ening Date	6-Nov-2024	Docket No	2025-0336-MLM-E	PCW
	R	espondent	City of New Home (PCW No	. 1 of 2)		Policy Revision 5 (January 28, 2021)
		ase ID No.				PCW Revision February 11, 2021
Reg.	Ent. Ref		RN101389146			
			Public Water Supply			
			Daphne Greene			
	Viola	ation Number	4			
		Rule Cite(s)	30 Tex	. Admin. Code § 290.46	(f)(3)(E)(iv)	
			Failed to maintain water wo	orks operation and maint	tenance records and make	them
					tor upon request. Specific	
	Violatio	n Description) reports required by 30 T	
			Admin. Code § 290.46(j)		21 South Main Street and	201
				Stadium Drive.		
		'			Base Pe	enalty \$5,000
F		ntal Duana	uha and Haman Haalk	le Balania		49/000
>> En	vironme	ntai, Prope	rty and Human Healt Harm	п матгіх		
		Release	Major Moderate	Minor		
OR		Actual				
		Potential			Percent 0.0%	
		A. A				
>>Pro	gramma	rtic Matrix Falsification	Major Moderate	Minor		
		1 disincation	Major Moderate	X	Percent 1.0%	
					210 /0	
	Matrix		Less than 30% of th	e rule requirements wer	e not met.	
	Notes					
				A	djustment	\$4,950
						\$50
						+ 55
Violati	ion Even	ts				
						
		Number of \	/iolation Events 1	83	Number of violation day	S
			daily	7		
			weekly			
			monthly			
			quarterly		Violation Base Po	enalty \$50
			semiannual			
			annual			
			single event x			
			One single	event is recommended		
Cood	Enith Eff	arta ta Cam	0.0%		Dad	uction \$0
good I	aiul Eff	orts to Com	P - 7	NOE/NOV to EDPRP/Settler		uction \$0
			Extraordinary			
			Ordinary			
			N/A x			
			The Degree	dant dags not most the	good faith critoria for	
			Notes The Respon	dent does not meet the this violation.	good faith criteria for	
				CITIO VIOIGCIOITI		
					Violation Su	btotal \$50
Fconc	mic Band	ofit (FR) for	this violation		Statutory Limit Te	
LCOIIO	inic bell				Statutory Limit 16	
		Estimate	ed EB Amount	\$3	Violation Final Penalty	Total \$55
			This vie	olation Final Assessed	Penalty (adjusted for I	imits) \$55
			11113 VIC	i mai Assesseu	. c.iaity (aajastea 101 1	,

Economic Benefit Worksheet											
Respondent	City of New Ho	ome (PCW No. 1 c	of 2)								
Case ID No.	62479										
Reg. Ent. Reference No.	RN101389146	,									
	Public Water S						Years of				
Violation No.		,				Percent Interest	Depreciation				
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description											
zeem Besemption											
Delayed Costs											
Equipment		1		0.00	\$0	\$0	\$0				
Buildings				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Engineering/Construction				0.00	\$0	\$0	\$0				
Land				0.00	\$0	n/a	\$0				
Record Keeping System	\$45	15-Aug-2024	12-Nov-2025	1.24	\$3	n/a	\$3				
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					•	on and maintenance including CSI repo					
Notes for DELATED Costs	make them t				estimated date of		ts, calculated				
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l 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											

	Scre	ening Date	6-Nov-2024		D	ocket No. 2025-0336-MLM-E		PCW
	R	espondent	City of New Ho	me (PCW No.	1 of 2)		Policy R	devision 5 (January 28, 2021)
_	_	ase ID No.					PCV	V Revision February 11, 2021
Reg.	Ent. Ref		RN101389146					
	F 6 . 6		Public Water Su					
			Daphne Greene	<u> </u>				
	viola	tion Number Rule Cite(s)	5]
		Rule Cite(s)		30	Tex. Admin.	Code § 290.46(m)		
						usekeeping practices to ensure the		
	Violeties	. Docarintian				nce of the system's facilities and ed o. 1 was severely rusted and signi		
	violatioi	n Description	' '	•		o. I was severely rusted and signi ump house and the ground storag		
			vegetation	was noted be		GST").	c turne	
						-		
						Rase	Penalty	\$5,000
							. Charty	ψ3/000
>> En	vironme	ntal, Prope	rty and Hun		Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual	Major	Moderate	MILIOI	1		
		Potential			Х	Percent 3.0%		
						<u> </u>		
>>Pro	gramma	tic Matrix	Maiau	Madauska	Miman			
		Falsification	Major	Moderate	Minor	Percent 0.0%		
						1 ereent 0.078		
		Failure to r	naintain the god	od working co	nditions and	general appearance of the Facility	/ could	
	Matrix Notes	expose pers				amounts of contaminants which w	ould not	
	11000		e	xceed levels p	protective of	f human health.		
						Adjustment	\$4,850	
						Adjustment	φ-1,050	
								\$150
Violati	on Event	ts						
		Number of \	iolation Events	2		83 Number of violation	days	
			daily					
			weekly					
			monthly					
			quarterly			Violation Base	e Penalty	\$300
			semiannual					
			annual					
			single event	Х				
		Two	single events a	are recommen	ided (one fo	r each facility and/or equipment).		
Good F	Faith Effo	orts to Com		0.0%			Reduction	\$0
				efore NOE/NOV	NOE/NOV to	EDPRP/Settlement Offer		
			Extraordinary					
			Ordinary					
			N/A	X				
			Notes	The Respond		t meet the good faith criteria for		
			110103		thi	s violation.		
			ļ			101 1 c*	Culture :	1000
						Violation	Suptotal	\$300
Econor	mic Bene	efit (EB) for	this violati	on		Statutory Limit	Test	
		Estimate	ed EB Amount		\$260	Violation Final Pena	alty Total	\$330
			·	This vis	lation Final	I Accessed Denalty (adjusted fo	ar limita)	#22N
				i ilis vio	iation Fina	l Assessed Penalty (adjusted fo	(מאוווווווווווווווווווווווווווווווווווו	\$330

	E	conomic	Benefit	Wor	ksheet					
_	•	me (PCW No. 1 o	f 2)							
Case ID No.										
Reg. Ent. Reference No.										
Media Violation No.	Public Water S	upply				Percent Interest	Years of			
Violation No.	5									
	Thom Cost	Data Bassinad	Final Date	V	Interest Saved	5.0 Costs Saved	EB Amount			
Item Description	Item Cost	Date Required	rinai Date	TIS	Interest Saveu	Costs Saveu	EB Amount			
item Description										
Delayed Costs										
Equipment				0.00	\$0	\$0	\$0			
Buildings				0.00	\$0	\$0	\$0			
Other (as needed)	\$500	15-Aug-2024	12-Nov-2025	1.24	\$2	\$41	\$43			
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 \$0	n/a	<u>\$0</u> \$0			
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0			
Other (as needed)	\$2,000	15-Aug-2024	15-Oct-2026	2.17	\$217	n/a	\$217			
Notes for DELAYED costs	between the	The first Other (as needed) delayed cost includes the estimated amount to remove the excess vegetation between the well house and the GST, calculated from the investigation date to the estimated date of compliance. The second Other (as needed) delayed cost includes the estimated amount to repair or replace the rusted well head at Well No. 1, calculated from the investigation date to the estimated date of compliance.								
Avoided Costs	ANNUA	LIZE avoided co	osts before en	terina	item (except for	one-time avoided	d 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		\$2,500			TOTAL		\$260			

	Scre	ening Date	6-Nov-2024		D	ocket No. 2025-0336	5-MLM-E	PCW
			City of New Hor	ne (PCW No.	1 of 2)		Policy	Revision 5 (January 28, 2021)
	C	ase ID No.	62479					CW Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN101389146					
			Public Water Su	ipply				
	Enf. C	coordinator	Daphne Greene	,				
		ation Number	6					
		Rule Cite(s)		20 T	ov Admin (Code § 290.46(s)(1)		
				30 1	ex. Aumin. (code g 290.40(S)(1)		
	Violatio	n Description	Failed to cali	brate the wel	l meter at W	/ell No. 4 at least once e	very three years.	
		'					Base Penalt	y \$5,000
>> En	vironme	ntal, Prope	rty and Hum		Matrix			
		Dalassa	Maiau	Harm	Minan			
OR		Release Actual	Major	Moderate	Minor	1		
OK		Potential		Х		Percent	5.0%	
		rotential		^		_ rerecite_	3.0 70	
>>Pro	aramma	tic Matrix						
, ,		Falsification	Major	Moderate	Minor			
						Percent	0.0%	
								_
	Markeine	Failure to cali	brate the Facilit	y's well meter	rs could resu	ult in inaccurate or unava	ailable water usage	
	Matrix Notes	and produc	tion data, result	ing in person	s served by	the Facility being expose	ed to a significant	
	Notes	amour	it of contaminan	its which wou	ld not excee	ed levels protective of hu	man health.	
						Adjustment	\$4,75	0
								\$250
								\$230
Violati	ion Even	ts						
			_		_			
		Number of \	iolation Events/	1		83 Number of	violation days	
					al .			
			daily					
			weekly					
			monthly			Viola	tion Base Penalt	y \$250
			quarterly semiannual			Viola	tion base Penait	y \$250
			annual					
			single event	X				
			omgro or one		4			
				One single	event is rec	ommended.		
Good	Faith Eff	orts to Com	nly	0.0%			Reduction	\$0
550u l	aren Ell	57 to COIII		efore NOE/NOV		EDPRP/Settlement Offer	Reduction	Ψ
			Extraordinary					
			Ordinary					
			N/A	х				
				The Despens	lant dags no	t most the good faith or	itaria for	
			Notes	rne kespond		t meet the good faith cr s violation.	iteria ioi	
					CIII	5		
							Violation Culture	4350
						,	Violation Subtota	\$250
Econo	mic Bene	efit (EB) for	this violati	on		Statuto	ry Limit Test	
		Fetimate	ed EB Amount		\$33	Violation 5	inal Penalty Tota	sl \$275
		Latiniate	LE AMOUNT		φυυ	_ Violation F	ar i charty rota	Ψ2/3
				This vio	lation Fina	l Assessed Penalty (ad	djusted for limits	\$275

	E	conomic	Benefit	Wor	ksheet		
Respondent	City of New Ho	ome (PCW No. 1 c	of 2)				
Case ID No.	62479						
Reg. Ent. Reference No.	RN101389146						
	Public Water S					Percent Interest	Years of
Violation No.	6					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$31	15-Aug-2024	12-Nov-2025	1.24	\$2	n/a	\$2
Notes for DELAYED costs	well	meter), calculate	d from the inves	tigation	date to the estim	well meter at Well ated date of compli	ance.
Avoided Costs	ANNU	ALIZE avoided c	osts before en		<u> </u>	one-time avoided	
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	421	15 4 2024	C N 2024	0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$31	15-Aug-2024	6-Nov-2024	0.23	\$0	\$31	\$31
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	The one-time avoided cost includes the estimated amount to calibrate the Facility's well meter at Well No.						
Approx. Cost of Compliance		\$62			TOTAL		\$33

Screening Date		Docket No. 2025-0336-MLM-E	PCW
Respondent	City of New Home (PCW No.	1 of 2)	Policy Revision 5 (January 28, 2021)
Case ID No.	62479		PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN101389146		
	Public Water Supply		
Enf. Coordinator			
Violation Number	7		
Rule Cite(s)	30	Tex. Admin. Code § 290.46(t)	
		3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
	Failed to post a legible sig	gn at the Facility's production, treatment, and s	torage
	facilities that contains the na	ame of the Facility and an emergency telephone	
Violation Description		I can be contacted. Specifically, the sign at We	
		was weathered and illegible.	
		_	-
		Base	Penalty \$5,000
>> Environmental, Prope	erty and Human Health	n Matrix	
, , , , , , , , , , , , , , , , , , ,	Harm		
Release		Minor	
OR Actual			
Potential		Percent 0.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
Taismeation	X	Percent 2.5%	
		2.570	
Matrix	Between 30% to 70% of	f the rule requirements were not met.	
Notes			
		Adjustment	\$4,875
			\$125
			\$125
Violation Events			
Number of	Violation Events 1	83 Number of violation d	ays
	daily		
	weekly		
	monthly	Violation Base	Penalty \$125
	quarterlysemiannual	violation base	Penalty \$125
	annual		
	single event x		
	Z Z	4	
	One single	event is recommended.	
Cood Foith Efforts to Com	10.00/	1	#12
Good Faith Efforts to Con	10.0% Before NOE/NOV		eduction \$12
	Extraordinary	NOLINOV to ESTRIPSECTION OF CO	
	Ordinary	X	
	N/A	^	
	Notes The Respon	ndent achieved compliance on February 27,	
	.10100	2025.	
		Violation	Subtotal \$113
Economic Benefit (EB) fo	r this violation	Statutory Limit	Test
Estimat	ed EB Amount	\$4 Violation Final Pena	ity Total \$126
	This vio	lation Final Assessed Penalty (adjusted fo	r limits) \$126
i .	11113 VIO	(uujusteu 10	φ120

	E	conomic	Benefit	Wor	ksheet		
Respondent Case ID No. Reg. Ent. Reference No.	62479	ome (PCW No. 1 o	of 2)				
	Public Water 9					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	1	1		7	1	1.0	
Equipment				0.00	\$0	\$0	\$0
Buildings Other (as needed)	\$100	15-Aug-2024	27-Feb-2025	0.00	\$0 \$0	\$0 \$4	\$0 \$4
Engineering/Construction	\$100	13-Aug-2024	27-160-2023	0.00	\$0	\$0 \$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	,	storage facility, ca	lculated from th	e invest	tigation date to the	each production, to date of compliance	e.
Avoided Costs	ANNU	ALIZE avoided C	osts before en			one-time avoided	
Disposal Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0 \$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$100			TOTAL		\$4

	Scree	ening Date	6-Nov-2024		Do	cket No.	2025-0336-MLM-E		PCW
	R	espondent	City of New Hor	ne (PCW No.	1 of 2)			Policy R	evision 5 (January 28, 2021)
	_	ase ID No.						PCV	Revision February 11, 2021
Reg.	Ent. Refe		RN101389146						
			Public Water Su						
			Daphne Greene						
	Viola	tion Number	8	0 1 6 200	42(1)	250.4	0 0 1 1 20	22.0744	
		Rule Cite(s)	30 Tex. Admin	_	1.42(1) and 1C 1-E, Ordering		Order Docket No. 20	22-0/44-	
				ITILIT	i-L, Ordering	FIOVISION IN	0. 2.0.1		
	\(\text{\text{\$\exitit{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\exitit{\$\text{\$\}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}	.					perations manual fo		
	violation	Description					manual provided was nd protocols for cata		
			contact number	ers, manicena	ince repair pr	ocedures, a	na protocols for cata	stropries.	
							Ras	e Penalty	\$5,000
								,	70,000
>> En	vironme	ntal, Prope	rty and Hum		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual	Major	Hoderate	Timor				
		Potential					Percent 0.0%	•	
			<u> </u>					•	
>>Pro	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor				
					Х		Percent 1.0%	i	
	Matrix		Lace tha	n 30% of the	rule require	mante wara	not met		
	Notes		LC33 tria	11 30 70 01 1110	raic require	ments were	not met.		
	<u> </u>								
						Ad	justment	\$4,950	
									¢ΕΩ
									\$50
Violati	on Event	s							
			-				a		
		Number of \	/iolation Events	1		519	Number of violation	days	
			daily		1				
			weekly						
			monthly						
			quarterly				Violation Bas	e Penalty	\$50
			semiannual					•	
			annual						
			single event	х					
	ī								
				One single	event is reco	mmondod			
				One single	event is reco	mmenueu.			
	Ц		_						
Good F	Faith Effo	orts to Com	ply	0.0%				Reduction	\$0
				efore NOE/NOV	NOE/NOV to E	DPRP/Settleme	ent Offer <mark>I</mark>		
			Extraordinary						
			Ordinary						
			N/A	Х	<u> </u>				
			Notes	The Respond		_	ood faith criteria for		
			Notes		this	violation.			
			<u>L</u>					L	
							Violation	Subtotal	\$50
Econor	mic Bene	fit (EB) for	this violation	on			Statutory Limi	t Test	
			_	-	. = 1		-		. = =
		Estimate	ed EB Amount		\$5	,	Violation Final Pen	aity fotal	\$55
				This vio	lation Final	Assessed F	Penalty (adjusted f	or limits)	\$55
								Í	

	E	conomic	Benefit	Wor	ksheet		
Respondent	City of New Ho	me (PCW No. 1 o	of 2)				
Case ID No.	•	`	,				
Reg. Ent. Reference No.							
	Public Water S						Years of
		ouppiy				Percent Interest	Depreciation
Violation No.	8						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment		1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$45	6-Jun-2023	12-Nov-2025	2.44	\$5	n/a	\$5
	The delayed	cost includes the	estimated amou	nt to m	aintain a thorough	and up-to-date pla	ant operations
	manual which	n includes mainter	nance repair pro	cedures	s, protocols to be f	followed during cata	strophes, and
Notes for DELAYED costs	telephone n	umbers of local, s	state, and federa	l agend	ies to be contacte	d in the event of an	emergency,
	calculated fr	om the effective d	late of TCEQ Agr	eed Or	der Docket No. 20	22-0744-MLM-E to	the estimated
			dat	e of cor	mpliance		
Avoided Costs	ANNU	ALIZE avoided c				one-time avoided	t costs)
Disposal	7			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							
		445			TOTAL		фF
Approx. Cost of Compliance		\$45			TOTAL		\$5

	6-Nov-2024	Docket No. 2025-0336-MLM-E	PCW
	City of New Home (PCW No.	1 of 2) Policy	Revision 5 (January 28, 2021)
Case ID No.	62479	P	CW Revision February 11, 2021
Reg. Ent. Reference No.	RN101389146		
Media	Public Water Supply		
Enf. Coordinator	Daphne Greene		
Violation Number	9		
Rule Cite(s)	30 Tex. Admin. Code § 290	0.46(f)(2) and $(f)(3)(A)(i)(III)$ and TCEQ Agreed Order	
	Docket No. 202	2-0744-MLM-E, Ordering Provision No. 2.a.i	
		rks operation and maintenance records and make then	
Violation Description		ly the Executive Director upon request. Specifically, the ach chemical used each week were not maintained on-	e
	records of the amount of ea	site for review.	
		Base Penalt	y \$5,000
>> Environmental, Prope	rty and Human Health	Matrix	
z z znvironnientar, i rope	Harm	i riddix	
Release	Major Moderate	Minor	
OR Actual			
Potential		Percent 0.0%	
> > B			
>> Programmatic Matrix Falsification	Major Modorato	Minor	
Faisilication	Major Moderate	Minor Percent 1.0%	
	<u> </u>	X Percent 1.0%	
Matrix	Less than 30% of the	e rule requirements were not met.	
Notes			
			_
		Adjustment \$4,95	0
			+50
			\$50
Violation Events			
Violation Events			
Number of '	Violation Events 1	519 Number of violation days	
		,	
	daily		
	weekly		
	monthly		
	quarterly	Violation Base Penalt	y \$50
	semiannual		
	annual single event x		
	Single event	<u>I</u>	
			1
	One single	event is recommended.	
Good Faith Efforts to Con		Reduction	1 \$0
	Before NOE/NOV Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
	LXII dol dillal y		
	Our discount		
	Ordinary		
	Ordinary N/A x		
	N/A X	dent does not meet the good faith criteria for	
	N/A x	dent does not meet the good faith criteria for this violation.	
	N/A X		
	N/A X		ı l \$50
Economic Bonefit (ED) for	N/A x Notes The Respond	this violation. Violation Subtota	ıl \$50
Economic Benefit (EB) fo	N/A x Notes The Respond	this violation.	ıl \$50
	N/A x Notes The Respond	this violation. Violation Subtota	
	N/A x Notes The Respond The Re	this violation. Violation Subtota Statutory Limit Test	ıl \$55

	E	conomic	Benefit	Wor	ksheet		
Respondent	City of New Ho	ome (PCW No. 1 o	of 2)				
Case ID No.	62479						
Reg. Ent. Reference No.	RN101389146	i					
	Public Water S						Years of
Violation No.	9					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
zeem zeeenpelon							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	6-Jun-2023	28-Oct-2025	2.40	\$5	n/a	\$5
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
					•	on and maintenance	
Notes for DELAYED costs						calculated from the	
	or IC	EQ Agreed Order	Docket No. 202	2-0/44-	-MLM-E to the esti	mated date of comp	ollance
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	l 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		\$5

	E	conomic	Benefit	Wor	ksheet		
Respondent	City of New Ho	ome (PCW No. 1 o	of 2)				
Case ID No.	62479						
Reg. Ent. Reference No.	RN101389146	5					
	Public Water S						Years of
Violation No.		,				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
Item Description		Date Required	Timur Dutc	5	Interest Savea	COSIS SUVCU	LD Amount
item Description							
Dalawad Casta							
Delayed Costs	1	11 1		0.00	±0	40	¢Ω
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$45	6-Jun-2023	12-Nov-2025	2.44	\$5	n/a	\$5
	The delay	and cost includes	the estimated a	mount to	a undata and mair	ntain a complete che	omical and
	II .	•			•	•	
Notes for DELAYED costs	Thicrobiologica					Q Agreed Order Do	cket No. 2022-
		07	44-MLM-E to th	e estima	ited date of compl	iance.	
Avoided Costs	ANNU	ALIZE avoided o	osts before er	ntering i	item (except for	one-time avoided	l 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							

	Screer	ning Date	6-Nov-2024		Do	cket No.	2025-0336-MLM-E		PCW
			City of New Home	(PCW No.	1 of 2)			Policy R	evision 5 (January 28, 2021)
	Cas	se ID No.	62479						V Revision February 11, 2021
Reg.	Ent. Refer	rence No.	RN101389146						
			Public Water Suppl	V					
	Enf. Co	ordinator	Daphne Greene	•					
	Violati	on Number	11						
	R	lule Cite(s)	,	20 Tov	Admin Cod	do 5 200 464	(m)(1)(A)		
				30 Tex	. Admin. Cod	ie g 290.40((III)(1)(A)		
	Violation I	Description			y 8, 2022, tl		fically, the GST and s ist 9, 2023, but not ii		
							Bas	e Penalty	\$5,000
>> En	vironment	tal, Prope	rty and Humar		Matrix				
		Release		Harm	Minor				
OR		Actual	Major M	loderate	Minor	1			
		Potential		Х			Percent 5.0%		
		roterreiar		۸		1	3.0 70		
>>Pro	grammati	c Matrix							
		Falsification	Major M	loderate	Minor				
							Percent 0.0%		
			'			4			
		Failure to ins	pect the Facility's G	STs on an	annual basis	s could caus	e non-detection of de	fects and	
	Matrix						t of contaminants wh		
	Notes				protective of				
						Ad	justment	\$4,750	
									\$250
\/: - I - L:									
Violati	on Events								
		Number of \	iolation Events	2	1	14	Number of violation	dave	
		Number of V	iolation Events	2		14	Ivallibel of violation	uays	
			daily						
			weekly						
			monthly						
			quarterly				Violation Bas	e Penalty	\$500
			semiannual					-	
			annual						
			single event	Х					
			•						
			Two single e	vents are i	recommende	ed (one for e	each tank).		
Good I	Faith Effor	ts to Com	nly	25.0%				Reduction	\$125
Good I	aidi Ellül	LO CUIII		e NOE/NOV	NOE/NOV to E	:DPRP/Settleme		Reduction	Ψ123
			Extraordinary			,	1		
			Ordinary	Х					
			N/A				4		
								i	
			Notes	The Respo	ndent achiev		nce on August 29,		
						2024.			
								•	
							Violation	Subtotal	\$375
Econo	mic Benefi	it (EB) for	this violation				Statutory Limit	Test	
		Estimate	ed EB Amount		\$1	,	Violation Final Pen	alty Total	\$425
				This vial	ation Final	Vecessey I	Penalty (adjusted f	or limite)	\$425
				TITIS VIOL	acion Final	maacaacu I	chaity (aujusteu i	o: mmis)	φ + 23

	E	conomic	Benefit	Wor	ksheet				
Respondent	City of New Ho	ome (PCW No. 1 c	of 2)						
Case ID No.	62479								
Reg. Ent. Reference No.	RN101389146								
Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation		
Violation itol						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description									
Delayed Costs				_					
Equipment				0.00	\$0	\$0	\$0		
Buildings				0.00	\$0	\$0	\$0		
Other (as needed)				0.00	\$0	\$0	\$0		
Engineering/Construction				0.00	\$0	\$0	\$0		
Land				0.00	\$0	n/a	\$0		
Record Keeping System				0.00	\$0	n/a	\$0		
Training/Sampling Remediation/Disposal				0.00	\$0 \$0	n/a n/a	\$0 \$0		
Other (as needed)	\$82	9-Aug-2024	29-Aug-2024	0.05	\$0 \$0	n/a	\$0		
Other (as needed)	\$82	8-May-2023	9-Aug-2024	0.03	\$0 \$1	n/a	\$1		
Notes for DELAYED costs	The first Other (as needed) delayed cost includes the estimated amount to conduct annual GST inspections (\$41 per tank x two tanks), calculated from the date the 2024 inspections were due to the date of compliance. The second Other (as needed) delayed cost includes the estimated amount to to conduct annual GST inspections (\$41 per tank x two tanks), calculated from the date the 2023 inspections were due to the date they were completed.								
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering i	item (except for	one-time avoided	l 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		\$164			TOTAL		\$1		

	Screening Date		Docket No. 2025-0336-MLM-E	PCW
	Respondent	City of New Home (PCW No.	. 1 of 2)	Policy Revision 5 (January 28, 2021)
_	Case ID No.			PCW Revision February 11, 2021
Reg.	Ent. Reference No.			
	Media Enf. Coordinator	Public Water Supply		
	Violation Number			
	Rule Cite(s)		Cont. Admir. Code C 200 46(m)(4)	
	. ,	30 1	ex. Admin. Code § 290.46(m)(4)	
	Violation Description	facilities, distribution sys condition and free of exce	er treatment units, storage and pressure mainter stem lines, and related appurtenances in a water ssive solids. Specifically, the service pump was le one of the bearings at the pump house.	tight
			Base I	Penalty \$5,000
>> Env	vironmental. Prone	erty and Human Healt	h Matrix	
		Harm		
OR	Release		Minor	
OK	Actua Potentia		Percent 5.0%	
	i occircia		1 creame 5.0 %	
>>Pro	grammatic Matrix			
	Falsification	Major Moderate	Minor	
			Percent 0.0%	
	Failure to ma	intain the service numn in a	watertight condition could expose persons served	t by the
	Matrix Facility to a s		nants which would not exceed levels protective of	
	Notes		health.	
			Adjustment	\$4,750
				\$250
Violati	on Events			
	Number of	Violation Events 1	83 Number of violation da	ıys
				,
		daily		
		weekly monthly	_	
		quarterly x	Violation Base I	Penalty \$250
		semiannual		
		annual		
		single event		
	_			
	One quarter		lculated from the August 15, 2024 investigation of er 6, 2024 screening date.	date to
Good F	aith Efforts to Con			eduction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary Ordinary		
		N/A x		
		Notes The Respon	dent does not meet the good faith criteria for this violation.	
			this violation	
			Violation S	ubtotal \$250
Econor	mic Benefit (EB) fo	r this violation	Statutory Limit T	est
	Ectimo	ed EB Amount	\$76 Violation Final Penalt	ty Total \$275
	Latillat			
		This wie	olation Final Assessed Penalty (adjusted for	limits) \$275

	E	conomic	Benefit	Wor	ksheet			
Respondent Case ID No.		ome (PCW No. 1 o	f 2)					
Reg. Ent. Reference No. Media Violation No.	Public Water 9					Percent Interest	Years of Depreciation	
violation No.	12					5.0	15	
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount	
Item Description	Item Cost	Date Required	Tillal Date	113	Interest Saveu	Costs Saveu	LD Alliount	
Item Description								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)	\$500	15-Aug-2024	15-Oct-2026	2.17	\$4	\$72	\$76	
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	date of the investigation to the estimated date of compliance.							
Avoided Costs	ANNU	ALIZE avolueu C	osts before en			one-time avoided		
Disposal				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Notes for AVOIDED costs					, , , , , , , , , , , , , , , , , , , 	ŢŪ		
Approx. Cost of Compliance		\$500			TOTAL		\$76	

	Screening Date	0 NOV 2024		DOCKET NO	2025-0336-MLM-E		PCW
	Responden	City of New Ho	me (PCW No. 1 of 2)			Policy R	evision 5 (January 28, 2021)
	Case ID No	62479				PCW	Revision February 11, 2021
Reg.	Ent. Reference No	RN101389146					
	Media	Public Water S	upply				
	Enf. Coordinato	Daphne Green	e				
	Violation Numbe	r 13					
	Rule Cite(s)	30 Tex. Adm	nin. Code § 290.4	16(m)(4)		
			50 10/11/1011	6646 3 2561			
					ge and pressure maint		
	Violation Descriptio				opurtenances in a wate the fire hydrant locate		
		condition and	end of North Fifth			u at the	
			cha or north rith	otrect was reaking	ig digitificantily.		
					Base	Penalty	\$5,000
						Gilaity	45/000
>> En	vironmental, Prop	erty and Hun	nan Health Matr	ix			
		-	Harm				
0.0	Releas		Moderate Min	or			
OR	Actua						
	Potentia	11	Х		Percent 5.0%		
> > D	avammatic Matrix						
>>PT0	grammatic Matrix Falsification	Major	Moderate Min	or			
	Taisincation	Major	Moderate Min	OI	Percent 0.0%		
					0.070		
	Failure to n	aintain the fire h	ydrant in a watertick	at condition could	expose persons serve	d by the	
	Facility to a				ceed levels protective		
	Notes Notes	ngrimeant amoun	heal		ecca levels protective	or marman	
				Ad	ljustment	\$4,750	
						, ,	
							\$250
Violati	on Events						
	Number of	Violation Events	1	11	Number of violeties o	lova	
	Number of	Violation Events	1	11	Number of violation o	lays	
	Number of		1	11	Number of violation o	lays	
	Number of	daily	1	11	Number of violation o	lays	
	Number of	daily weekly	1	11	Number of violation o	lays	
	Number of	daily weekly monthly		11	-1		\$250
	Number of	daily weekly	1 X	11	Number of violation of violation of violation of violation Base		\$250
	Number of	daily weekly monthly quarterly		11	-1		\$250
	Number of	daily weekly monthly quarterly semiannual		11	-1		\$250
	Number of	daily weekly monthly quarterly semiannual annual		11	-1		\$250
		daily weekly monthly quarterly semiannual annual single event	X		Violation Base	Penalty	\$250
		daily weekly monthly quarterly semiannual annual single event	X	d from the invest	Violation Base	Penalty	\$250
		daily weekly monthly quarterly semiannual annual single event	x x y	d from the invest	Violation Base	Penalty	\$250
Good	One quart	daily weekly monthly quarterly semiannual annual single event	x x x x x x x x x x x x x x x x x x x	d from the invest	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F		daily weekly monthly quarterly semiannual annual single event erly event is reco	x x x x x x x x x x x x x x x x x x x	d from the invest liance, August 20	Violation Base igation start date, Aug 5, 2024.	Penalty	\$250 \$250 \$62
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco	x x x x x x x x x x x x x x x x x x x	d from the invest	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco	x x mmended, calculated, to the date of comp 25.0% Before NOE/NOV NOE/NO	d from the invest liance, August 20	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco 2024 mply Extraordinary Ordinary	x x mmended, calculated, to the date of comp 25.0% sefore NOE/NOV NOE/NO x	d from the invest liance, August 20	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco	x x mmended, calculated, to the date of comp 25.0% sefore NOE/NOV NOE/NO x	d from the invest liance, August 20	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco 2024 mply Extraordinary Ordinary N/A	x x mmended, calculated, to the date of comp 25.0% Sefore NOE/NOV NOE/NO x The Respondent i	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024.	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco 2024 mply Extraordinary Ordinary	x x mmended, calculated, to the date of comp 25.0% Sefore NOE/NOV NOE/NO x The Respondent i	d from the invest liance, August 20 DV to EDPRP/Settlem	Violation Base igation start date, Aug 5, 2024. Fient Offer	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco 2024 mply Extraordinary Ordinary N/A	x x mmended, calculated, to the date of comp 25.0% Sefore NOE/NOV NOE/NO x The Respondent i	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024. Fient Offer	Penalty ust 15,	·
Good F	One quart	daily weekly monthly quarterly semiannual annual single event erly event is reco 2024 mply Extraordinary Ordinary N/A	x x mmended, calculated, to the date of comp 25.0% Sefore NOE/NOV NOE/NO x The Respondent i	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024. Ince by August 26,	ust 15,	·
	One quart	daily weekly monthly quarterly semiannual annual single event erly event is recc 2024 erly mply Extraordinary Ordinary N/A Notes	x mmended, calculate, to the date of comp 25.0% sefore NOE/NOV NOE/NO X The Respondent a	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024. ent Offer nce by August 26, Violation	ust 15, Reduction	\$62
	One quart	daily weekly monthly quarterly semiannual annual single event erly event is recc 2024 erly mply Extraordinary Ordinary N/A Notes	x mmended, calculate, to the date of comp 25.0% sefore NOE/NOV NOE/NO X The Respondent a	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024. Ince by August 26,	ust 15, Reduction	\$62
	One quart	daily weekly monthly quarterly semiannual annual single event erly event is recc 2024 mply Extraordinary Ordinary N/A Notes	x x mmended, calculate, to the date of comp 25.0% Sefore NOE/NOV NOE/NO X The Respondent a	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia 2024	Violation Base igation start date, Aug 5, 2024. Fince by August 26, Violation Statutory Limit	ust 15, Reduction Subtotal	\$62
	One quart	daily weekly monthly quarterly semiannual annual single event erly event is recc 2024 erly mply Extraordinary Ordinary N/A Notes	x x mmended, calculate, to the date of comp 25.0% Sefore NOE/NOV NOE/NO X The Respondent a	d from the invest liance, August 26 DV to EDPRP/Settlem achieved complia	Violation Base igation start date, Aug 5, 2024. ent Offer nce by August 26, Violation	ust 15, Reduction Subtotal	\$62

Economic Benefit Worksheet								
Respondent	ent City of New Home (PCW No. 1 of 2)							
Case ID No.	62479							
Reg. Ent. Reference No.	RN101389146							
	Public Water S					D V	Years of	
Violation No.	13	,				Percent Interest	Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
•								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)	\$500	15-Aug-2024	26-Aug-2024	0.03	\$0	\$1	\$1	
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		inv	estigation start	date to	the date of compli			
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d 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		\$500			TOTAL		\$1	

Screening Dat	e 6-Nov-2024	Docket No. 2025-0336-MLM-E	PCW
Responden	t City of New Home (PCW No.	1 of 2)	Policy Revision 5 (January 28, 2021)
Case ID No	62479		PCW Revision February 11, 2021
Reg. Ent. Reference No	RN101389146		
Medi	Public Water Supply		
Enf. Coordinato	r Daphne Greene		
Violation Number	er 14		
Rule Cite(s	30 30 30 30 30 30 30 30 30 30 30 30 30 3	Tex. Admin. Code § 290.46(m)	
		, ,	
Violation Descriptio	working condition and gene Specifically, GST inspection rust, and sedimentation i	nance and housekeeping practices to ensure and appearance of the system's facilities and is in 2022 and 2023 noted deteriorating suppenside the tank as well as faulty locks on both the anti-climb system.	equipment. port beams,
			se Penalty \$5,000
>> Environmental, Prop		h Matrix	
Releas	Harm e Major Moderate	Minor	
OR Actu			
Potenti		Percent 5.0%	6
	"		_
>>Programmatic Matrix			
Falsification	n Major Moderate	Minor	
		Percent 0.09	6
		onditions and general appearance of the Faci	
Notes expose p		significant amounts of contaminants which	would not
.10100	exceed levels	protective of human health.	
		Adjustment	\$4,750
			\$250
			\$250
Violation Events			\$250
	f Violation Events 1	83 Number of violatio	
		83 Number of violation	
	daily	83 Number of violatio	
	daily	83 Number of violatio	
	daily weekly monthly		n days
	daily weekly monthly quarterly x	83 Number of violatio	n days
	daily weekly monthly quarterly x semiannual		n days
	daily weekly monthly quarterly x		n days
	daily weekly monthly quarterly x semiannual annual		n days
Number o	daily weekly monthly quarterly x semiannual annual single event	Violation Ba	n days ase Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event arly event is recommended, cal	Violation Ba	n days ase Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event arly event is recommended, cal	Violation Ba	n days ase Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo	Violation Balloulated from the August 15, 2024 investigater 6, 2024 screening date.	n days see Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the November	Violation Balloulated from the August 15, 2024 investigater 6, 2024 screening date.	n days ase Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo	Violation Balloulated from the August 15, 2024 investigater 6, 2024 screening date.	n days see Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cathe November mply Before NOE/NOV Extraordinary	Violation Balloulated from the August 15, 2024 investigater 6, 2024 screening date.	n days see Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo mply 0.0% Before NOE/NOV Extraordinary Ordinary	Violation Balloulated from the August 15, 2024 investigater 6, 2024 screening date.	n days see Penalty \$250
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the November mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A x	Violation Ballouist 15, 2024 investigater 6, 2024 screening date.	n days ase Penalty \$250 ion date to Reduction \$0
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Violation Ballouist 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer dent does not meet the good faith criteria for	n days ase Penalty \$250 ion date to Reduction \$0
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the November mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A x	Violation Ballouist 15, 2024 investigater 6, 2024 screening date.	n days ase Penalty \$250 ion date to Reduction \$0
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Violation Ballouist 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer dent does not meet the good faith criteria for	n days ase Penalty \$250 ion date to Reduction \$0
Number o	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the Novembo mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A x The Respon	Violation Ballouist 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer dent does not meet the good faith criteria for this violation.	n days ase Penalty \$250 ion date to Reduction \$0
One quarte Good Faith Efforts to Co	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the November mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A X Notes The Response	Violation Balance Violation Balance Violation Balance Coulated from the August 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer County of this violation.	n days see Penalty \$250 ion date to Reduction \$0
One quarte Good Faith Efforts to Co Economic Benefit (EB) forts	daily weekly monthly quarterly semiannual annual single event erly event is recommended, ca the Novemb erry Ordinary Ordinary N/A X Notes The Respon-	Violation Background Coulated from the August 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer dent does not meet the good faith criteria for this violation. Violation Statutory Limitation	n days see Penalty \$250 ion date to Reduction \$0 r on Subtotal \$250 iit Test
One quarte Good Faith Efforts to Co Economic Benefit (EB) forts	daily weekly monthly quarterly semiannual annual single event erly event is recommended, cal the November mply 0.0% Before NOE/NOV Extraordinary Ordinary N/A X Notes The Response	Violation Balance Violation Balance Violation Balance Coulated from the August 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer County of this violation.	n days see Penalty \$250 ion date to Reduction \$0 r on Subtotal \$250 iit Test
One quarte Good Faith Efforts to Co Economic Benefit (EB) forts	daily weekly monthly quarterly semiannual annual single event arrly event is recommended, cal the November Extraordinary Ordinary Ordinary N/A Notes The Response Or this violation Ited EB Amount	Violation Background Coulated from the August 15, 2024 investigater 6, 2024 screening date. NOE/NOV to EDPRP/Settlement Offer dent does not meet the good faith criteria for this violation. Violation Statutory Limitation	n days see Penalty \$250 ion date to \$0 Reduction \$0 r on Subtotal \$250 iit Test analty Total \$275

	E	conomic	Benefit	Wor	ksheet		
• • • • • • • • • • • • • • • • • • •	•	me (PCW No. 1 c	of 2)				
Case ID No.							
Reg. Ent. Reference No.		t.					V
Media Violation No.	Public Water S	ирріу				Percent Interest	Years of Depreciation
Violation No.	14					5.0	15
	Itom Cost	Date Required	Final Date	Vrc	Interest Saved	Costs Saved	EB Amount
Item Description	Item Cost	Date Required	rillai Date	115	Tillerest Saveu	Costs Saveu	EB Allioulit
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	15-Aug-2024		1.24	\$4	\$83	\$87
Other (as needed)	\$1,000	15-Aug-2024	15-Oct-2026	2.17	\$7	\$144	\$151
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 Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	The first Other (as needed) delayed cost includes the estimated amount to clean out the sedimentation and rust inside the GST, and repair or replace the faulty locks on the roof hatch and anti-climb system on the GST, calculated from the investigation date to the estimated date of compliance. The second Other (as needed) delayed cost includes the estimated amount to repair or replace the support beams on the GST, calculated from the investigation date to the estimated date of compliance.						
Avoided Costs	ANNUA	LIZE avoided c	osts before en	terina	item (except for	one-time avoided	l 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		\$2,000			TOTAL		\$238



Penalty Calculation Worksheet (PCW)

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

DATES Assigned 4-Nov-2024

PCW 14-Feb-2025 Screening 6-Nov-2024 EPA Due

RESPONDENT/FACILITY INFORMATION
Respondent
Reg. Ent. Ref. No.
Facility/Site Region

Respondent
Resp

CASE INFORMATION

Enf./Case ID No. 62479
Docket No. 2025-0336-MLM-E
Media Program(s) Water Rights
Multi-Media Public Water Supply

Admin. Penalty \$ Limit Minimum \$0 Maximum \$5,000

			Penalty (`alcula	tion Section	าท		
TOTA	L BASE PENA	LTY (Sum of	violation base			711	Subtotal 1	\$8,500
ADJU:	STMENTS (+							
	Subtotals 2-7 are of Compliance Hi	, , ,	g the Total Base Penalty	y (Subtotal 1 10.0%	 by the indicated po Adjustment 		otals 2, 3, & 7	\$850
	Notes	Enhancemer	nt for one agreed o eduction for High I	rder conta	aining a denial of			7000
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does not	t meet the	culpability crite	ria.		
	Good Faith Eff	ort to Comply 7	otal Adjustment	S			Subtotal 5	\$0
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6	\$0
	Estimated	Total EB Amounts I Cost of Compliance	\$45 \$360	*Cappe	d at the Total EB \$ A	mount		
SUM (OF SUBTOTA	LS 1-7				ı	Final Subtotal	\$9,350
	R FACTORS A		MAY REQUIRE		0.0%		Adjustment	\$0
	Notes	Substitution of the man	eated percentage.					
						Final Pe	nalty Amount	\$9,350
STATI	UTORY LIMIT	F ADJUSTME	NT			Final Asse	essed Penalty	\$9,350
DEFEI			d =========		0.0%	Reduction	Adjustment	\$0
Reduces t	the Final Assessed Pe	, ,	deferral is recommo	ended for	Findings Orders			
PAYA	BLE PENALT	Y						\$9,350

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

Respondent City of New Home (PCW No. 2 of 2)

Case ID No. 62479

Reg. Ent. Reference No. RN101389146

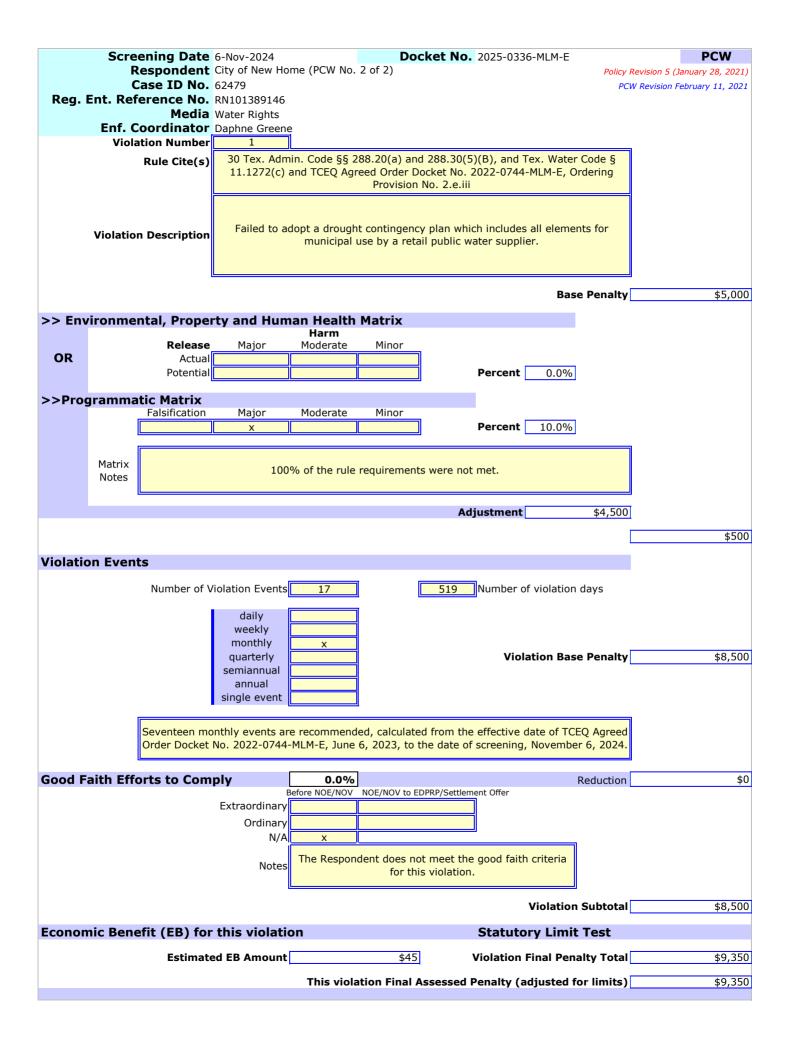
Media Water Rights

Enf. Coordinator Daphne Greene

	Liii. Coo	Compliance History Worksheet				
>>	-	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.		
	Component	Written notices of violation ("NOVs") with same or similar violations as those in	Number	Aujust.		
	NOVs	the current enforcement action (number of NOVs meeting criteria)	0	0%		
		Other written NOVs	0	0%		
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%		
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%		
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%		
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%		
	Convictions Any criminal convictions of this state or the federal government (number of counts)		0	0%		
	Emissions	Chronic excessive emissions events (number of events)	0	0%		
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%		
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%		
		Environmental management systems in place for one year or more	No	0%		
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%		
	5 31 / 51	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) 20%						
>>	Repeat Violator	(Subtotal 3)				
	N/A Adjustment Percentage (Subtotal 3) 0				%	
>>	Compliance History Person Classification (Subtotal 7)					
	High Performer Adjustment Percentage (Subtotal 7) -10				0%	
>>	Compliance Hist	ory Summary				
	Compliance History Notes Enhancement for one agreed order containing a denial of liability. Reduction for High Performer classification.					
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%						
>> Final Compliance History Adjustment						

Final Adjustment Percentage *capped at 100%

10%



Economic Benefit Worksheet							
Respondent Case ID No. Reg. Ent. Reference No.	62479	ome (PCW No. 2 o	of 2)				
	Water Rights					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$360	6-Jun-2023	2-Dec-2025	2.49	\$45	n/a	\$45
Notes for DELAYED costs	The delayed cost includes the estimated amount to prepare and adopt a drought contingency plan, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E to the estimated date of compliance.						
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs				0.00	Ι ΦΟ	ΨŪ	
Approx. Cost of Compliance		\$360			TOTAL		\$45

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN600684245, RN101389146, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or CN600684245, City of New Home Classification: HIGH Rating: 0.00

Owner/Operator:

Regulated Entity: RN101389146, CITY OF NEW HOME Classification: NOT APPLICABLE Rating: N/A

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

CH Group: 14 - Other

Location: 106 EAST BROADWAY IN NEW HOME, LYNN COUNTY, TEXAS

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1530004

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

Date Compliance History Report Prepared: April 05, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 05, 2020 to April 05, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Daphne Greene Phone: (903) 535-5157

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:

Effective Date: 06/06/2023 ADMINORDER 2022-0744-MLM-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(b)(4) 5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to maintain a disinfectant residual of at least 0.2 mg/L of free chlorine throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, on March 14, 2022, free chlorine residual concentrations of 0.05 mg/L and 0.09 mg/L were measured at 401 Smith Street and 358 North Main Street, respectively.

Classification: Moderate

Citation: 2B TWC Chapter 11, SubChapter A 11.1272(c)

30 TAC Chapter 288, SubChapter B 288.20(a) 30 TAC Chapter 288, SubChapter C 288.30(5)(B)

Description: Failure to adopt a drought contingency plan which includes all elements for municipal use by a retail public water

supplier.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failure to seal the wellhead by a gasket or sealing compound and provide a well casing vent with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, Well No. 2 was not provided with a well casing vent.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(I)

Description: Failure to compile and maintain a thorough and up-to-date plant operations manual for operator review and

reference.

Classification: Moderate

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

Description: Failure to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized BPA tester and certified that they are operating within specifications. Specifically, the BPAs for The Spot Market & Cafe at 102 North Main Street, 212 North Main Street, the northwest corner of Smith Avenue and East Broadway, and the irrigation systems at new home construction had not been tested.

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)(ii)(III)

Description: Failure to maintain water works operation and maintenance records and make them immediately available for review by the Executive Director upon request. Specifically, records of the amount of each chemical used each week were not maintained on-site for review and records of the amount of water treated and distributed each week were being recorded on a monthly basis and not weekly.

Classification: Moderate

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

Description: Failure to complete a CSI certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist. Specifically, CSIs had not been conducted at newly constructed homes at 327 Hiracheta Drive, 212 North Main Street, 205 Stadium Drive, and the northwest corner of East Broadway and Smith Avenue, and the remodeled cafe at 102 North Main Street.

Classification: Moderate

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

Description: Failure to inspect the Facility's ground storage tank ("GST") and standpipe annually.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: Failure to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine

solutions of known concentrations.

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: Moderate

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failure to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

Compliance History Report for CN600684245, RN101389146, Rating Year 2024 which includes Compliance History (CH) components from April 05, 2020, through April 05, 2025.

н.	Voluntary on-site compliance assessment dates: $\ensuremath{N/A}$
I.	Participation in a voluntary pollution reduction program: N/A
J.	Early compliance: N/A
	es Outside of Texas: N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF NEW HOME	§	
RN101389146	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2025-0336-MLM-E

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCE	Q") considered this agreement of the parties, resolving an enforcement
action regarding the C	Tity of New Home (the "Respondent") under the authority of Tex. HEALTH $\&$
SAFETY CODE ch. 341 at	nd TEX. WATER CODE ch. 11. The Executive Director of the TCEQ, through
the Enforcement Divis	ion, 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 106 East Broadway in New Home, Lynn County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 171 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 Tex. Admin. Code § 290.38(73). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in Tex. Water Code § 11.021 and 30 Tex. Admin. Code § 297.1(52).
- 2. During an investigation at the Facility conducted on August 15, 2024 through August 26, 2024, an investigator documented that:
 - a. Well No. 2 did not have a well casing vent that faced downward.
 - b. Well No. 3 did not have a suitable sampling cock prior to treatment.
 - c. The backflow prevention assembly ("BPA") at the Spot Market Café was not tested within one year of the previous test.

- d. Copies of the customer service inspection ("CSI") reports required by 30 Tex. ADMIN. CODE § 290.46(j) were not available for 121 South Main Street and 201 Stadium Drive.
- e. The well head at Well No. 1 was severely rusted and significant vegetation was noted between the pump house and the ground storage tank ("GST").
- f. The well meter at Well No. 4 had not been calibrated at least once every three years.
- g. The sign at Well No. 4 was weathered and illegible.
- h. The operations manual provided was missing contact numbers, maintenance repair procedures, and protocols for catastrophes.
- i. The records of the amount of each chemical used each week were not maintained on-site for review.
- j. The monitoring plan did not include information regarding the entry point or other required sampling.
- k. The GST and standpipe were both inspected on May 8, 2022, then on August 9, 2023, but not inspected again.
- l. The service pump was leaking water from one of the bearings at the pump house.
- m. The fire hydrant located at the end of North Fifth Street was leaking significantly.
- n. GST inspections in 2022 and 2023 noted deteriorating support beams, rust, and sedimentation inside the tank as well as faulty locks on both the roof hatch and the anti-climb system.
- o. The Respondent did not adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier.
- 3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - a. On August 20, 2024, tested the BPA at the Spot Market Café;
 - b. By August 26, 2024, repaired the leaking fire hydrant located at the end of North Fifth Street.
 - c. On August 29, 2024, conducted the GST and standpipe inspections; and
 - d. On February 27, 2025:

- i. Provided a downward facing well casing vent with 16-mesh or finer corrosion-resistant screen at Well No. 2; and
- ii. Provided a legible sign at Well No. 4 that contains the name of the Facility and an emergency telephone contact number.

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, Tex. Water Code ch. 11, and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to provide a well casing vent for Well No. 2 that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, and located so as to minimize the drawing of contaminants into the well, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(k).
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide a suitable sampling cock on the discharge pipe of Well No. 3 prior to any treatment, in violation of 30 Tex. Admin. Code § 290.41(c)(3)(M).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to have all BPAs tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications, in accordance with 30 Tex. ADMIN. CODE § 290.44(h)(4).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(3)(E)(iv).
- 6. As evidenced by Finding of Fact Nos. 2.e and 2.n, the Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 Tex. ADMIN. CODE § 290.46(m).
- 7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to calibrate the well meter at Well No. 4 at least once every three years, in violation of 30 Tex. ADMIN. CODE § 290.46(s)(1).
- 8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and an emergency telephone number where a responsible official can be contacted, in violation of 30 Tex. ADMIN. CODE § 290.46(t).
- 9. As evidenced by Finding of Fact No. 2.h, the Respondent failed to maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 Tex. Admin. Code § 290.42(l) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.c.i.

- 10. As evidenced by Finding of Fact No. 2.i, the Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(A)(i)(III) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.a.i.
- 11. As evidenced by Finding of Fact No. 2.j, the Respondent failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 Tex. ADMIN. CODE § 290.121(a) and (b), and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.c.iii.
- 12. As evidenced by Finding of Fact No. 2.k, the Respondent failed to inspect the Facility's GSTs annually, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(A).
- 13. As evidenced by Finding of Fact Nos. 2.1 and 2.m, the Respondent failed to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4).
- 14. As evidenced by Finding of Fact No. 2.o, the Respondent failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier, in violation of 30 Tex. Admin. Code §§ 288.20(a) and 288.30(5)(B), and Tex. Water Code § 11.1272(c) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.e.iii.
- 15. Pursuant to Tex. Health & Safety Code § 341.049(a) and Tex. Water Code § 11.0842(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.
- 16. An administrative penalty in the amount of \$16,498 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) and Tex. Water Code § 11.0842(c). The Respondent paid the \$16,498 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. 16 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: City of New Home, Docket No. 2025-0336-MLM-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Order, compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of each chemical used each week, in accordance with 30 Tex. Admin. Code § 290.46.
 - b. Within 30 days after the effective date of this Order:
 - i. 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;
 - ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the CSI reports required by 290.46(j) for 121 South Main Street and 201 Stadium Drive, in accordance with 30 Tex. ADMIN. CODE § 290.46;
 - iii. Provide a suitable sampling cock on the discharge pipe of the Facility's well pump at Well No. 3 prior to any treatment, in accordance with 30 Tex. Admin. Code § 290.41;
 - iv. Calibrate the Facility's well meters, including but not limited to Well No. 4, at least once every three years, in accordance with 30 Tex. Admin. Code § 290.46;
 - v. Begin maintaining a thorough and up-to-date plant operations manual for operator review and reference, including but not limited to contact numbers, maintenance repair procedures, and protocols for catastrophes, in accordance with 30 Tex. Admin. Code § 290.42;
 - vi. Develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 Tex. ADMIN. CODE § 290.121; and
 - vii. Complete maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including but not limited to removing the excess vegetation between the well house and the GST, cleaning out the sedimentation and rust inside the GST, and repairing or replacing the faulty locks on both the roof

hatch and anti-climb system on the GST, in accordance with 30 Tex. Admin. Code § 290.46.

- c. Within 45 days after the effective date of this Order,
 - i. 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 Nos. 2.b.ii through 2.b.vii; and
 - ii. Prepare and adopt a complete drought contingency plan, in accordance with 30 Tex. Admin. Code §§ 288.20 and 288.30.
- d. Within 60 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.c.ii.
- e. Within 365 days after the effective date of this Order:
 - i. Complete maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities, including but not limited to repairing or replacing the rusted well head at Well No. 1, and repairing or replacing the GST support beams, in accordance with 30 Tex. Admin. Code § 290.46; and
 - ii. Maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids, including but not limited to repairing the leak in the service pump at the pump house, in accordance with 30 Tex. Admin. Code § 290.46.
- 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 Ordering Provision Nos. 2.e.i and 2.e.ii. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 6. 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		
Truot Melo-Jurach For the Executive Director	09/07/2025 Date		
I, the undersigned, have read and understand the attached Order, and I do agree to the terms and acknowledge that the TCEQ, in accepting payment on such representation.	d conditions specified therein. I further		
I also understand that failure to comply with the C and/or failure to timely pay the penalty amount, m			
 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 do	cuments may result in criminal prosecution.		
Signature Wurst	U-11-25 Date		
Name (Printed or typed) Authorized Representative of City of New Home	MhyDR Title		

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