

Executive Summary – Enforcement Matter – Case No. 62479

City of New Home

RN101389146

Docket No. 2025-0336-MLM-E

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

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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)].

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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;

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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.

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

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	No. of Violations	14
Docket No.	2025-0336-MLM-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media	Water Rights	Enf. Coordinator	Daphne Greene
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,725
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	10.0%	Adjustment	Subtotals 2, 3, & 7	\$772
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Notes: Enhancement for one agreed order containing a denial of liability.
Reduction for High Performer classification.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,349
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$641
Estimated Cost of Compliance	\$6,237

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,148
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$7,148
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,148
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$7,148
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Screening Date	6-Nov-2024	Docket No.	2025-0336-MLM-E	PCW
Respondent	City of New Home (PCW No. 1 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	62479			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101389146			
Media	Public Water Supply			
Enf. Coordinator	Daphne Greene			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)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%

>> Compliance History 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%

Screening Date	6-Nov-2024	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			
Media	Public Water Supply			
Enf. Coordinator	Daphne Greene			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(k)			
Violation Description	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. Specifically, Well No. 2 did not have a well casing vent that faced downward.			
		Base Penalty	\$5,000	
>> Environmental, Property and Human Health Matrix				
OR		Release	Harm	
		Major	Moderate	Minor
	Actual			
	Potential		x	
				Percent 5.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent 0.0%
	Matrix Notes	Failure to provide a well casing vent that faces downward could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.		
		Adjustment	\$4,750	
			\$250	
Violation Events				
	Number of Violation Events	1	83	Number of violation days
		daily		
		weekly		
		monthly		
		quarterly	x	
		semiannual		
		annual		
		single event		
				Violation Base Penalty \$250
	One quarterly event is recommended, calculated from the date of the investigation, August 15, 2024, to the date of screening, November 6, 2024.			
Good Faith Efforts to Comply		10.0%	Reduction	\$25
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary		x	
	N/A			
	Notes	The Respondent achieved compliance on February 27, 2025.		
		Violation Subtotal	\$225	
Economic Benefit (EB) for this violation				
Statutory Limit Test				
	Estimated EB Amount	\$5	Violation Final Penalty Total	\$250
		This violation Final Assessed Penalty (adjusted for limits)	\$250	

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment	\$150	15-Aug-2024	27-Feb-2025	0.54	\$0	\$5	\$5
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a downward facing casing vent at Well No. 2, calculated from the date of the investigation to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$150

TOTAL

\$5

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2		
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(M)		
Violation Description	Failed to provide a suitable sampling cock on the discharge pipe of Well No. 3 prior to any treatment.		

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential			x	Percent 3.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to provide a sampling cock on the well discharge line may allow entry of undetected contaminated raw water that could expose persons served by the Facility to insignificant amounts of contaminants that would not exceed levels protective of human health.
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Adjustment	\$4,850
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	\$150
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Violation Events

Number of Violation Events	1	83	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x			Violation Base Penalty \$150

One single event is recommended.	
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Good Faith Efforts to Comply

0.0%	Reduction \$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$150
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$4	Statutory Limit Test
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Violation Final Penalty Total	\$165
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This violation Final Assessed Penalty (adjusted for limits)	\$165
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

The delayed cost includes the estimated amount to provide a suitable sampling cock on the discharge pipe of Well No. 3 prior to any treatment, calculated from the investigation date to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$4

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	3	
Rule Cite(s)		30 Tex. Admin. Code § 290.44(h)(4)
Violation Description	Failed to have all backflow prevention assemblies ("BPAs") tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications. Specifically, the BPA at the Spot Market Café was not tested within one year of the previous test.	

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential	x			Percent 15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to test BPAs on an annual basis would not ensure the device is operating properly which could result in a reverse flow of contaminants entering into the water mains which would exceed levels protective of human health.
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Adjustment	\$4,250
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	\$750
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Violation Events

Number of Violation Events	6	166	Number of violation days
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	daily		weekly		monthly	x	quarterly		semiannual		annual		single event		
															Violation Base Penalty
															\$4,500

Six monthly events are recommended, calculated from the due date of the BPA test, March 7, 2024, to the date of compliance, August 20, 2024.
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Good Faith Efforts to Comply

	25.0%		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent achieved compliance on August 20, 2024.		

Violation Subtotal	\$3,375
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$1	Statutory Limit Test
		Violation Final Penalty Total
		\$3,825

This violation Final Assessed Penalty (adjusted for limits)	\$3,825
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$31	7-Mar-2024	20-Aug-2024	0.45	\$1	n/a	\$1

Notes for DELAYED costs

The Other (as needed) delayed cost includes the estimated amount to test the BPA at the Spot Market Café (\$31 x one location), calculated from the due date of the test to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$31

TOTAL

\$1

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	4	
Rule Cite(s)		30 Tex. Admin. Code § 290.46(f)(3)(E)(iv)
Violation Description	Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, 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.	

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input style="width: 50px;" type="text" value="1.0%"/>

Matrix Notes	Less than 30% of the rule requirements were not met.
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Adjustment	\$4,950
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	\$50
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Violation Events

Number of Violation Events	1	83	Number of violation days
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	daily	<input type="text"/>	Violation Base Penalty	\$50
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text" value="x"/>		

One single event is recommended.

Good Faith Efforts to Comply

	0.0%	Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	<input type="text" value="x"/>	<input type="text"/>	
Notes	The Respondent does not meet the good faith criteria for this violation.		

Violation Subtotal	\$50
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Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$3
Violation Final Penalty Total	\$55
This violation Final Assessed Penalty (adjusted for limits)	\$55

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	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

The delayed cost includes the amount to maintain water works operation and maintenance records and make them available for review by the Executive Director upon request, including CSI reports, calculated from the investigation date to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$3

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	5	Rule Cite(s)		
		30 Tex. Admin. Code § 290.46(m)		
Violation Description	Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, 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").			
			Base Penalty	\$5,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 3.0%
	Potential			x	

>> Programmatic Matrix

Matrix Notes		Falsification			
		Major	Moderate	Minor	
					Percent 0.0%
Failure to maintain the good working conditions and general appearance of the Facility could expose persons served by the facility to insignificant amounts of contaminants which would not exceed levels protective of human health.					
					Adjustment \$4,850

	\$150
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Violation Events

Number of Violation Events	2	83	Number of violation days														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td style="text-align: center;">x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x		
daily																	
weekly																	
monthly																	
quarterly																	
semiannual																	
annual																	
single event	x																
			Violation Base Penalty \$300														
Two single events are recommended (one for each facility and/or equipment).																	

Good Faith Efforts to Comply

	0.0%	
		Reduction \$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	
		Violation Subtotal \$300

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount \$260	Violation Final Penalty Total \$330
This violation Final Assessed Penalty (adjusted for limits) \$330	

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	15-Aug-2024	15-Oct-2026	2.17	\$217	n/a	\$217

Notes for DELAYED costs

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

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$260

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	6	Rule Cite(s)		
		30 Tex. Admin. Code § 290.46(s)(1)		
Violation Description	Failed to calibrate the well meter at Well No. 4 at least once every three years.			

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR	Release	Major	Moderate	Minor		
	Actual					
	Potential		x			
	Percent 5.0%					

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor		
	Percent 0.0%					
	Failure to calibrate the Facility's well meters could result in inaccurate or unavailable water usage and production data, resulting in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels protective of human health.					

Adjustment	\$4,750
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	\$250
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Violation Events

Number of Violation Events	1	83	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		

One single event is recommended.	
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Good Faith Efforts to Comply	0.0%	Reduction	\$0
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	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer		
Extraordinary				
Ordinary				
N/A	x			

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$33	Statutory Limit Test	
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Violation Final Penalty Total	\$275
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This violation Final Assessed Penalty (adjusted for limits)	\$275
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$31	15-Aug-2024	12-Nov-2025	1.24	\$2	n/a	\$2

Notes for DELAYED costs

The delayed cost includes the estimated amount to calibrate the Facility's well meter at Well No. 4 (\$31 per well meter), calculated from the investigation date to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$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. 4 (\$31 per well meter), calculated from the investigation date to the screening date.

Approx. Cost of Compliance

\$62

TOTAL

\$33

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	7		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(t)		
Violation Description	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. Specifically, the sign at Well No. 4 was weathered and illegible.		
Base Penalty		\$5,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
			x		Percent 2.5%
Matrix Notes	Between 30% to 70% of the rule requirements were not met.				
Adjustment					\$4,875

	\$125
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Violation Events

Number of Violation Events	1	83	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
Violation Base Penalty			\$125
One single event is recommended.			

Good Faith Efforts to Comply

10.0%	Reduction
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	
Ordinary	x
N/A	
Notes	The Respondent achieved compliance on February 27, 2025.
Violation Subtotal	

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	Violation Final Penalty Total
\$4	\$126
This violation Final Assessed Penalty (adjusted for limits)	
\$126	

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	15-Aug-2024	27-Feb-2025	0.54	\$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

The delayed cost includes the estimated amount to post a legible sign at each production, treatment, and storage facility, calculated from the investigation date to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$4

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	8	Rule Cite(s)	30 Tex. Admin. Code § 290.42(l) and TCEQ Agreed Order Docket No. 2022-0744-MLM-E, Ordering Provision No. 2.c.i
Violation Description	Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the operations manual provided was missing contact numbers, maintenance repair procedures, and protocols for catastrophes.		

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	Percent <input style="width: 50px;" type="text" value="1.0%"/>

Matrix Notes	Less than 30% of the rule requirements were not met.
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Adjustment	\$4,950
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	\$50
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Violation Events

Number of Violation Events	1	519	Number of violation days
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	daily	<input type="text"/>	Violation Base Penalty <input style="width: 50px;" type="text" value="\$50"/>
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input checked="" type="text" value="x"/>	

One single event is recommended.

Good Faith Efforts to Comply

	0.0%	Reduction	\$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>	

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$50
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$5	Statutory Limit Test
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Violation Final Penalty Total	\$55
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This violation Final Assessed Penalty (adjusted for limits)	\$55
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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

Notes for DELAYED costs

The delayed cost includes the estimated amount to maintain a thorough and up-to-date plant operations manual which includes maintenance repair procedures, protocols to be followed during catastrophes, and telephone numbers of local, state, and federal agencies to be contacted in the event of an emergency, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E to the estimated date of compliance

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$5

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	9		
Rule Cite(s)	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		
Violation Description	Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the records of the amount of each chemical used each week were not maintained on-site for review.		

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
				x	Percent 1.0%

Matrix Notes	Less than 30% of the rule requirements were not met.
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Adjustment	\$4,950
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	\$50
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Violation Events

Number of Violation Events	1	519	Number of violation days
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	daily		weekly		monthly		quarterly		semiannual		annual		single event	
													x	

Violation Base Penalty	\$50
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One single event is recommended.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal	\$50
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$5	
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Statutory Limit Test

Violation Final Penalty Total	\$55
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This violation Final Assessed Penalty (adjusted for limits)	\$55
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	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

Notes for DELAYED costs

The delayed cost includes the amount to maintain water works operation and maintenance records and make them available for review by the Executive Director upon request, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E to the estimated date of compliance

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$5

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	10	Rule Cite(s)	
		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	
Violation Description	Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Specifically, the monitoring plan did not include information regarding the entry point or other required sampling.		
Base Penalty		\$5,000	

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				
	Potential				
					0.0%

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		
		Between 30% to 70% of the rule requirements were not met.			2.5%
Adjustment					\$4,875

\$125

Violation Events

Number of Violation Events	6	519	Number of violation days														
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event			
daily																	
weekly																	
monthly																	
quarterly	x																
semiannual																	
annual																	
single event																	
			Violation Base Penalty														
			\$750														

Six quarterly events are recommended, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E, June 6, 2023, to the date of screening, November 6, 2024.

Good Faith Efforts to Comply

	0.0%													
		Reduction												
		\$0												
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Before NOE/NOV</td> <td style="text-align: center;">NOE/NOV to EDP RP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td style="text-align: center;">x</td> <td></td> </tr> </table>		Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer	Extraordinary			Ordinary			N/A	x		
	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer												
Extraordinary														
Ordinary														
N/A	x													
Notes	The Respondent does not meet the good faith criteria for this violation.													
Violation Subtotal		\$750												

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$5
Violation Final Penalty Total	\$825
This violation Final Assessed Penalty (adjusted for limits)	
\$825	

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$45	6-Jun-2023	12-Nov-2025	2.44	\$5	n/a	\$5

Notes for DELAYED costs

The delayed cost includes the estimated amount to update and maintain a complete chemical and microbiological monitoring plan, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$5

Screening Date	6-Nov-2024	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				
Media	Public Water Supply				
Enf. Coordinator	Daphne Greene				
Violation Number	11				
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)(A)				
Violation Description	Failed to inspect the Facility's GSTs annually. Specifically, the GST and standpipe were both inspected on May 8, 2022, then on August 9, 2023, but not inspected again.				
		Base Penalty	\$5,000		
>> Environmental, Property and Human Health Matrix					
OR		Release	Harm		
		Major	Moderate	Minor	
	Actual				
	Potential		x		
				Percent 5.0%	
>>Programmatic Matrix					
		Falsification	Major	Moderate	Minor
					Percent 0.0%
	Matrix Notes	Failure to inspect the Facility's GSTs on an annual basis could cause non-detection of defects and could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.			
		Adjustment	\$4,750		
			\$250		
Violation Events					
		Number of Violation Events	2	14	Number of violation days
		daily			
		weekly			
		monthly			
		quarterly			
		semiannual			
		annual			
		single event	x		
			Two single events are recommended (one for each tank).		
Good Faith Efforts to Comply					
			25.0%		Reduction \$125
			Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer	
		Extraordinary			
		Ordinary	x		
		N/A			
		Notes	The Respondent achieved compliance on August 29, 2024.		
			Violation Subtotal	\$375	
Economic Benefit (EB) for this violation					
		Statutory Limit Test			
		Estimated EB Amount	\$1	Violation Final Penalty Total	\$425
			This violation Final Assessed Penalty (adjusted for limits)	\$425	

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Other (as needed)	\$82	9-Aug-2024	29-Aug-2024	0.05	\$0	n/a	\$0
Other (as needed)	\$82	8-May-2023	9-Aug-2023	0.25	\$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

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$164

TOTAL \$1

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	12	Rule Cite(s)	
		30 Tex. Admin. Code § 290.46(m)(4)	
Violation Description	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. Specifically, the service pump was leaking water from one of the bearings at the pump house.		

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR	Release	Major	Moderate	Minor		
	Actual					
	Potential		x			
	Percent			5.0%		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor		
Percent					0.0%	

Matrix Notes	Failure to maintain the service pump in a watertight condition could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.
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Adjustment	\$4,750
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	\$250
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Violation Events

Number of Violation Events	1		83	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				

Violation Base Penalty	\$250
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One quarterly event is recommended, calculated from the August 15, 2024 investigation date to the November 6, 2024 screening date.	
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Good Faith Efforts to Comply

	0.0%				
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary					
N/A	x				

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

	\$76				
Estimated EB Amount		Violation Final Penalty Total		This violation Final Assessed Penalty (adjusted for limits)	
			\$275		\$275

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

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

The delayed cost includes the estimated amount to repair the leak at the service pump, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$76

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	13	
Rule Cite(s)		30 Tex. Admin. Code § 290.46(m)(4)
Violation Description	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. Specifically, the fire hydrant located at the end of North Fifth Street was leaking significantly.	

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential		x		Percent 5.0%

>> Programmatic Matrix

Matrix Notes		Falsification	Major	Moderate	Minor	
						Percent 0.0%
	Failure to maintain the fire hydrant in a watertight condition could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.					

Adjustment	\$4,750
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	\$250
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Violation Events

Number of Violation Events	1	11	Number of violation days
----------------------------	---	----	--------------------------

	daily					
	weekly					
	monthly					
	quarterly	x				
	semiannual					
	annual					
	single event					

Violation Base Penalty	\$250
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One quarterly event is recommended, calculated from the investigation start date, August 15, 2024, to the date of compliance, August 26, 2024.

Good Faith Efforts to Comply

	25.0%	
		Reduction

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

	The Respondent achieved compliance by August 26, 2024
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Violation Subtotal	\$188
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Economic Benefit (EB) for this violation

	Statutory Limit Test
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Estimated EB Amount	\$1	Violation Final Penalty Total	\$213
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This violation Final Assessed Penalty (adjusted for limits)	\$213
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Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$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

The delayed cost includes the estimated amount to repair the leak at the fire hydrant, calculated from the investigation start date to the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$1

Screening Date 6-Nov-2024 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	Docket No. 2025-0336-MLM-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	14	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)	
Violation Description	Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, 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.	

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential		x		Percent 5.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to maintain the good working conditions and general appearance of the Facility could expose persons served by the facility to significant amounts of contaminants which would not exceed levels protective of human health.
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Adjustment	\$4,750
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	\$250
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Violation Events

Number of Violation Events	1	83	Number of violation days
----------------------------	---	----	--------------------------

	daily			
	weekly			
	monthly			
	quarterly	x		Violation Base Penalty \$250
	semiannual			
	annual			
	single event			

One quarterly event is recommended, calculated from the August 15, 2024 investigation date to the November 6, 2024 screening date.
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Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$238
Violation Final Penalty Total	\$275
This violation Final Assessed Penalty (adjusted for limits)	\$275

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 1 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Public Water Supply
Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	15-Aug-2024	12-Nov-2025	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				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The 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

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$238



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	4-Nov-2024	Screening	6-Nov-2024	EPA Due	
	PCW	14-Feb-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	City of New Home (PCW No. 2 of 2)				
Reg. Ent. Ref. No.	RN101389146				
Facility/Site Region	2-Lubbock	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	62479	No. of Violations	1
Docket No.	2025-0336-MLM-E	Order Type	Findings
Media Program(s)	Water Rights	Government/Non-Profit	Yes
Multi-Media	Public Water Supply	Enf. Coordinator	Daphne Greene
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$8,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	10.0%	Adjustment	Subtotals 2, 3, & 7	\$850
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Notes	Enhancement for one agreed order containing a denial of liability. Reduction for High Performer classification.			
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.			
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$45	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$360	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$9,350
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes				
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Final Penalty Amount	\$9,350
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$9,350
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.			
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PAYABLE PENALTY	\$9,350
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Screening Date	6-Nov-2024	Docket No.	2025-0336-MLM-E	PCW
Respondent	City of New Home (PCW No. 2 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	62479			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101389146			
Media	Water Rights			
Enf. Coordinator	Daphne Greene			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 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%

>> Compliance History 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%

Screening Date	6-Nov-2024	Docket No.	2025-0336-MLM-E	PCW
Respondent	City of New Home (PCW No. 2 of 2)			Policy Revision 5 (January 28, 2021)
Case ID No.	62479			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN101389146			
Media	Water Rights			
Enf. Coordinator	Daphne Greene			
Violation Number	1			
Rule Cite(s)	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			
Violation Description	Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier.			
		Base Penalty	\$5,000	
>> Environmental, Property and Human Health Matrix				
OR		Harm		
	Release	Major	Moderate	Minor
	Actual			
	Potential			
		Percent	0.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		x		
	Percent	10.0%		
Matrix Notes	100% of the rule requirements were not met.			
	Adjustment	\$4,500		
		\$500		
>> Violation Events				
	Number of Violation Events	17	519	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
	Violation Base Penalty	\$8,500		
	Seventeen monthly events are recommended, calculated from the effective date of TCEQ Agreed Order Docket No. 2022-0744-MLM-E, June 6, 2023, to the date of screening, November 6, 2024.			
Good Faith Efforts to Comply	0.0%	Reduction	\$0	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.			
	Violation Subtotal	\$8,500		
>> Economic Benefit (EB) for this violation				
	Statutory Limit Test			
Estimated EB Amount	\$45	Violation Final Penalty Total	\$9,350	
	This violation Final Assessed Penalty (adjusted for limits)	\$9,350		

Economic Benefit Worksheet

Respondent City of New Home (PCW No. 2 of 2)
Case ID No. 62479
Reg. Ent. Reference No. RN101389146
Media Water Rights
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				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)	\$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

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$360

TOTAL

\$45



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 Owner/Operator: CN600684245, City of New Home

Classification: HIGH

Rating: 0.00

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:

1 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(l)

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

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF NEW HOME
RN101389146

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

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

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of New Home (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 11. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 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.l 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

Krista Mello-Jurack

For the Executive Director

09/07/2025

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Lisa Wumb

Signature

6-19-25

Date

Lisa Wumb

Name (Printed or typed)
Authorized Representative of
City of New Home

Mayor

Title

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

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