TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: Megan Hamilton, Assistant Deputy Director
Enforcement Division

From: Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: April 8, 2026

Subject: **Backup Revision**
April 15, 2026 Commission Agenda
Item No. 18 – GREENWOOD WATER CORPORATION
Docket No. 2025-1016-MLM-E

Enclosed please find the following:

Executive Summary:
- Page 1, Penalty Information – Correct Total Penalty Assessed and Amount Deferred for Expedited Settlement

Agreed Order:
- Page 1, Title – Add Docket Number

Supplemental Environmental Project:
- Page 1, Title – Correct Docket Number
- Page 2, Header - Correct Docket Number

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: David Timberger, Acting Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Steven Hall, Manager, Drinking Water Section Enforcement Division
Ryan Byer, Technical Specialist, Drinking Water Section, Enforcement Division

Executive Summary – Enforcement Matter – Case No. 68118
GREENWOOD WATER CORPORATION
RN101439040
Docket No. 2025-1016-MLM-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MLM – PWS, WR
Small Business:
Yes
Location(s) Where Violation(s) Occurred:
Greenwood Water System, 2121 County Road 1083 near Midland, Midland County
Type of Operation:
Public water supply
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket No. 2025-0834-PWS-E
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: February 6, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $31,859
Amount Deferred for Expedited Settlement: $6,371
Total Paid to General Revenue: $12,744
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $12,744
Name of SEP: Texas Water Development Board (Third-Party Pre-Approved)
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: No
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): May 14, 2025
Complaint Information: Alleged a pipe near the PWS facility was leaking.
Date(s) of Investigation: April 29, 2025 through May 14, 2025
Date(s) of NOE(s): July 1, 2025

Executive Summary – Enforcement Matter – Case No. 68118
GREENWOOD WATER CORPORATION
RN101439040
Docket No. 2025-1016-MLM-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MLM – PWS, WR
Small Business:
Yes
Location(s) Where Violation(s) Occurred:
Greenwood Water System, 2121 County Road 1083 near Midland, Midland County
Type of Operation:
Public water supply
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket No. 2025-0834-PWS-E
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.
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Complaint Date(s): May 14, 2025
Complaint Information: Alleged a pipe near the PWS facility was leaking.
Date(s) of Investigation: April 29, 2025 through May 14, 2025
Date(s) of NOE(s): July 1, 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
GREENWOOD WATER CORPORATION	**§**	
RN101439040	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-1016-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GREENWOOD WATER CORPORATION (the "Respondent") under the authority of TEX. WATER CODE ch. 11 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 2121 County Road 1083 near Midland, Midland County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 305 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. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE §§ 5.013 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. WATER CODE ch. 11, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $31,859 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $12,744 of the penalty and $6,371 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

   Pursuant to TEX. WATER CODE § 7.067, $12,744 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Attachment A

Docket Number: 2025-1016-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**GREENWOOD WATER CORPORATION**
Penalty Amount:	**$25,488**
SEP Offset Amount:	**$12,744**
Type of SEP:	**Contribution to a Third-Party Pre-Approved SEP**
Third-Party Administrator:	**Texas Water Development Board**
Project Name:	***Water-Level Recorder Data in Texas***
Total Project Budget:	**$648,829.50**
Location of SEP:	**Statewide; Preference for Midland County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon compliance with the terms of this Attachment A.

1. **Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the **Texas Water Development Board**, as a Third-Party Administrator, for its *Water Level Recorder Data in Texas* project (the "Project"). The Project is to purchase, install, and maintain automatic water-level recorders in unused wells to satisfy updated network objectives of up to two recorders per recognized aquifer per county in Texas. The Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and TCEQ.

All dollars contributed will be used solely for the cost of implementing the Project, including for supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

The groundwater stored within Texas' major and minor aquifers is an important natural resource that is relied upon to meet the water supply demands of Texans across the state. Many factors affect the availability of this resource, including drought and increased demand. This Project will further provide real-time statewide comprehensive groundwater level data to Texas counties, cities, groundwater conservation districts, water supply companies, and individual well owners. The availability of this comprehensive data will promote awareness of the effects of drought on Texas' aquifers and assist in groundwater management planning and use statewide.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the contribution payable to the **Texas Water Development Board**, and mail it with a copy of the Agreed Order to:

Texas Water Development Board
Attention: Finance
P.O. Box 13231
Austin, Texas 78711

3. Records and Reporting

Together with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the proof of payment and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that the Respondent failed to fully implement and complete the contribution to the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the contribution to the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP coordinator at the address provided above.

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent, must include a clear statement that the contribution to the project was performed as part of the settlement of an enforcement action brought by TCEQ. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
GREENWOOD WATER CORPORATION	**§**	
RN101439040	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-1016-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GREENWOOD WATER CORPORATION (the "Respondent") under the authority of TEX. WATER CODE ch. 11 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 2121 County Road 1083 near Midland, Midland County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 305 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. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE §§ 5.013 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. WATER CODE ch. 11, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $31,859 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $12,744 of the penalty and $6,371 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

   Pursuant to TEX. WATER CODE § 7.067, $12,744 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Attachment A

Docket Number: 2025-1016-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**GREENWOOD WATER CORPORATION**
Penalty Amount:	**$25,488**
SEP Offset Amount:	**$12,744**
Type of SEP:	**Contribution to a Third-Party Pre-Approved SEP**
Third-Party Administrator:	**Texas Water Development Board**
Project Name:	***Water-Level Recorder Data in Texas***
Total Project Budget:	**$648,829.50**
Location of SEP:	**Statewide; Preference for Midland County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon compliance with the terms of this Attachment A.

1. **Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the **Texas Water Development Board**, as a Third-Party Administrator, for its *Water Level Recorder Data in Texas* project (the "Project"). The Project is to purchase, install, and maintain automatic water-level recorders in unused wells to satisfy updated network objectives of up to two recorders per recognized aquifer per county in Texas. The Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and TCEQ.

All dollars contributed will be used solely for the cost of implementing the Project, including for supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

The groundwater stored within Texas' major and minor aquifers is an important natural resource that is relied upon to meet the water supply demands of Texans across the state. Many factors affect the availability of this resource, including drought and increased demand. This Project will further provide real-time statewide comprehensive groundwater level data to Texas counties, cities, groundwater conservation districts, water supply companies, and individual well owners. The availability of this comprehensive data will promote awareness of the effects of drought on Texas' aquifers and assist in groundwater management planning and use statewide.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the contribution payable to the **Texas Water Development Board**, and mail it with a copy of the Agreed Order to:

Texas Water Development Board
Attention: Finance
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3. Records and Reporting

Together with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the proof of payment and transmittal letter to:

Texas Commission on Environmental Quality
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Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that the Respondent failed to fully implement and complete the contribution to the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the contribution to the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP coordinator at the address provided above.

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent, must include a clear statement that the contribution to the project was performed as part of the settlement of an enforcement action brought by TCEQ. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.

Executive Summary – Enforcement Matter – Case No. 68118
GREENWOOD WATER CORPORATION
RN101439040
Docket No. 2025-1016-MLM-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MLM – PWS, WR
Small Business:
Yes
Location(s) Where Violation(s) Occurred:
Greenwood Water System, 2121 County Road 1083 near Midland, Midland County
Type of Operation:
Public water supply
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket No. 2025-0834-PWS-E
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: February 6, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $31,359
Amount Deferred for Expedited Settlement: $6,271
Total Paid to General Revenue: $12,744
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $12,744
Name of SEP: Texas Water Development Board (Third-Party Pre-Approved)
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: No
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): May 14, 2025
Complaint Information: Alleged a pipe near the PWS facility was leaking.
Date(s) of Investigation: April 29, 2025 through May 14, 2025
Date(s) of NOE(s): July 1, 2025

Violation Information

1. Failed to provide two or more service pumps that have a total capacity of 2.0 gallons per minute ("gpm") or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service. Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 1,684 gpm of service pump capacity. However, only 750 gpm of service pump capacity was provided, indicating a 55% deficiency [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

2. Failed to flush all dead-end mains at monthly intervals [30 TEX. ADMIN. CODE § 290.46(l)].

3. Failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director ("ED") upon request. Specifically, the records of the amount of water distributed each day and the records of backflow prevention device programs were not maintained on-site for review [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(ii)(II), and (f)(3)(B)(v)].

4. Failed to provide two or more wells having a total capacity of 0.6 gpm per connection. Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 505 gpm of well capacity. However, only 292 gpm of well capacity was provided, indicating a 42% deficiency [30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

5. Failed to keep on file copies of well completion data for as long as the well remains in service. Specifically, well completion data for the Facility's nine wells was not available for review [30 TEX. ADMIN. CODE § 290.46(n)(3)].

6. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exists, or addition to the private water distribution facilities. Specifically, new buildings were constructed within the distribution system's service area, but the most recent CSI certificate was completed in 2022 [30 TEX. ADMIN. CODE § 290.46(j)].

7. Failed to calibrate the Facility's well meters at least once every three years. Specifically, the well meters for Wells B, 5, and 1A had not been calibrated in the last three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].

8. Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data. Specifically, Wells A, 4, 3, and 6 were not equipped with a flow measuring device [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].

9. Failed to protect all well units with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house to exclude possible contamination or damage to the facilities by trespassers. Specifically, Well 3 was not provided with an intruder-resistant fence or lockable well house [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].

10. Failed to ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates). Specifically, excessive vegetation growing around and through the fence and barbed wire at the Greenwood Pump Station rendered it ineffective to prevent intruder access. Additionally, there were two trees with branches above the top of the fence line that could potentially provide intruder access [30 TEX. ADMIN. CODE § 290.43(e)].

11. Failed to implement the emergency preparedness plan approved by the ED. Specifically, a 150-kilowatt three phase diesel generator to be supplied by Warren CAT Power Systems Division and permanently connected to automatic switchgear was not installed at the Facility as had been approved under Option 1, permanently installed automatic starting auxiliary generators, and was due to be implemented by August 30, 2024 [30 TEX. ADMIN. CODE § 290.45(h)(1)(A) and (h)(7)].

12. Failed to notify the ED and receive approval prior to making a significant change or addition where the change in the existing systems results in an increase or decrease in production, treatment, storage or pressure maintenance. Specifically, a 6,000-gallon pressure tank was installed and put into service at the Regional Water Campus without obtaining approval [30 TEX. ADMIN. CODE § 290.39(j)(1)(A) and TEX. HEALTH & SAFETY CODE § 341.0351].

13. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring at Well 3 was not securely installed and was partially lying in a puddle of water [30 TEX. ADMIN. CODE § 290.46(v)].

14. Failed to plug an abandoned public water supply well with cement or submit test results proving that the well is in a non-deteriorated condition. Specifically, there was no plugging report available to demonstrate that Well 1 had been plugged with cement [30 TEX. ADMIN. CODE § 290.46(u)].

15. Failed to inspect the Facility's pressure tanks annually. Specifically, the seven pressure tanks located in the well field had not been inspected on an annual basis [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].

16. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, at the Greenwood Pump Station, there was a thick layer of grass

clippings covering the yard that could harbor rodents, insects, and other disease vectors [30 TEX. ADMIN. CODE § 290.46(m)].

17. 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, six ownership signs for the wells in the well field and the ownership sign on the building for reverse osmosis system A did not have the correct emergency address or phone number [30 TEX. ADMIN. CODE § 290.46(t)].

18. Failed to provide a well casing vent 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, Wells A, 5, 4, 3, and 1A were not provided with a well casing vent [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)].

19. Failed to provide an all-weather access road to each well site. Specifically, the road to access the wells furthest in the well field had fine windblown sediment covering it that could hinder access to the wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(P)].

20. Failed to review and update, as appropriate, the drought contingency plan at least every five years. Specifically, the drought contingency plan was last updated on June 20, 2000 [30 TEX. ADMIN. CODE § 288.20(c)].

21. Failed to conduct monthly testing and maintenance to ensure emergency generators are under at least 30% load based on the manufacturer's name plate kilowatt (kW) rating for at least 30 minutes, or as recommended by the manufacturer, to ensure functionality during emergency situations [30 TEX. ADMIN. CODE § 290.46(m)(8)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By July 31, 2025:

i. Began flushing all dead-end mains at monthly intervals; and

ii. Ensured that the electrical wiring at Well 3 was securely installed in compliance with a local or national electrical code.

b. By August 25, 2025, provided test results that Well 1 is in a non-deteriorated condition.

c. By November 3, 2025:

i. Provided two or more wells having a total capacity of 0.6 gpm per connection;

ii. Protected Well 3 with an intruder-resistant fence with a lockable gate;

iii. Conducted the annual inspection of the seven pressure tanks in the well field; and

iv. Provided an all-weather access road to each well site.

d. By November 17, 2025, provided a copy of an up-to-date drought contingency plan.

e. By November 20, 2025, provided photographs showing that the thick layer of grass clippings covering the yard at the Greenwood Pump Station had been removed.

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Implement a CSI program to ensure that all service connections are properly inspected, including but not limited to any new buildings constructed in the distribution system since 2022;

ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to the records of backflow prevention device programs;

iii. Calibrate the Facility's well meters for Well B, Well 5, and Well 1A;

iv. Provide a flow measuring device for the Facility's Well A, Well 4, Well 3, and Well 6 to measure production yield and provide for the accumulation of water production data;

v. Ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates, including but not limited to removing the excessive vegetation growing around and through the fence and barbed wire, and the tree branches overhanging the fence at the Greenwood Pump Station; and

vi. Conduct monthly testing and maintenance to ensure emergency generators are under at least 30% load based on the manufacturer's name plate kilowatt (kW) rating for at least 30 minutes, or as recommended by the manufacturer, to ensure functionality during emergency situations.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 60 days, provide a legible sign at each production, treatment, and storage facility with an emergency phone number where a responsible official can be contacted, including but not limited to the six ownership signs for the wells in the well field and the ownership sign on the building for reverse osmosis system A.

d. Within 75 days, submit written certification to demonstrate compliance with c.

e. Within 90 days:

i. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of water distributed each day;

ii. Keep on file copies of well completion data for the Facility's nine wells;

iii. Implement the emergency preparedness plan as approved by the ED, or in lieu of implementing the approved emergency preparedness plan, update the Facility's emergency preparedness plan to reflect that Option 4 was implemented; and

iv. Provide a well casing vent for Wells A, 5, 4, 3, and 1A 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.

f. Within 105 days, submit written certification to demonstrate compliance with e.

g. Within 180 days:

i. Provide two or more service pumps that have a total capacity of at least 2.0 gpm or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service; and

ii. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the 6,000-gallon pressure tank at the Regional Water Campus.

h. Within 195 days, submit written certification to demonstrate compliance with g.

i. Within 270 days, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the ED.

j. Within 285 days, submit written certification to demonstrate compliance with i.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Ryan Byer, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-2571; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
TCEQ SEP Coordinator: Stuart Beckley, Enforcement Division, MC 219, (512) 239-3565
SEP Third-Party Administrator: Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711
Respondent: Jason Bethke, Chief Executive Officer, GREENWOOD WATER CORPORATION, 2409 South County Road 1110, Midland, Texas 79706
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
	Assigned	7-Jul-2025				
	PCW	7-Jul-2025	**Screening**	7-Jul-2025	**EPA Due**	

RESPONDENT/FACILITY INFORMATION

Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)		
Reg. Ent. Ref. No.	RN101439040		
Facility/Site Region	7-Midland	**Major/Minor Source**	Minor

CASE INFORMATION

Enf./Case ID No.	68118	**No. of Violations**	20
Docket No.	2025-1016-MLM-E	**Order Type**	1660
Media Program(s)	Public Water Supply	**Government/Non-Profit**	No
Multi-Media	Water Rights	**Enf. Coordinator**	Ryan Byer
		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*** **$31,225**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **0.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$0**

Notes: No adjustment for compliance history.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **-$250**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $3,073
Estimated Cost of Compliance $43,810
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$30,975**

OTHER FACTORS AS JUSTICE MAY REQUIRE **1.2%** — ***Adjustment*** **$384**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided cost of compliance associated to Violation Nos. 7 and 15.

Final Penalty Amount **$31,359**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$31,359**

DEFERRAL **20.0%** Reduction — ***Adjustment*** **-$6,271**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$25,088**

Screening Date 7-Jul-2025 **Docket No.** 2025-1016-MLM-E **PCW**

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 68118

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101439040

Media Public Water Supply

Enf. Coordinator Ryan Byer

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 (*number of NOVs meeting criteria*)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 0%

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68118		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(D)(iii) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide two or more service pumps that have a total capacity of 2.0 gallons per minute ("gpm") or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service. Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 1,684 gpm of service pump capacity. However, only 750 gpm of service pump capacity was provided, indicating a 55% deficiency.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to provide adequate service pump capacity could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 3 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $2,250

Three monthly events are recommended, calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $425

Statutory Limit Test

Violation Final Penalty Total $2,278

This violation Final Assessed Penalty (adjusted for limits) $2,278

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)	$5,000	29-Apr-2025	17-Jul-2026	1.22	$20	$405	$425
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 two or more service pumps with a capacity of at least 2.0 gpm per connection, 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	$5,000				TOTAL	$425	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.46(l)

Violation Description Failed to flush all dead-end mains at monthly intervals.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual			
	Potential		x	

Percent 5.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to flush dead-end mains at monthly intervals 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 — 69 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, April 29, 2025, to the date of screening, July 7, 2025.

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 by July 31, 2025.

Violation Subtotal $225

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $228

This violation Final Assessed Penalty (adjusted for limits) $228

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$100	29-Apr-2025	31-Jul-2025	0.25	$1	n/a	$1
Notes for DELAYED costs	The delayed cost includes the estimated amount to initiate a monthly flushing program, calculated from the date of the investigation to the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $100

TOTAL $1

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(ii)(II), and (f)(3)(B)(v)

Violation Description Failed to maintain water works operations and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the records of the amount of water distributed each day and the records of backflow prevention device programs were not maintained on-site for review.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: Less than 30% of the rule requirements were not met.

Adjustment $4,950

$50

Violation Events

Number of Violation Events: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $50

One single event is recommended.

Good Faith Efforts to Comply

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 $50

Economic Benefit (EB) for this violation

Estimated EB Amount $2

Statutory Limit Test

Violation Final Penalty Total $51

This violation Final Assessed Penalty (adjusted for limits) $51

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System	$45	29-Apr-2025	17-Feb-2026	0.81	$2	n/a	$2
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	The delayed cost includes the estimated amount to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, calculated from the date of the investigation to the estimated date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $45

TOTAL $2

Screening Date 7-Jul-2025 **Docket No.** 2025-1016-MLM-E **PCW**

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 68118

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101439040

Media Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(D)(i) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide two or more wells having a total capacity of 0.6 gpm per connection. Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 505 gpm of well capacity. However, only 292 gpm of well capacity was provided, indicating a 42% deficiency.

Base Penalty $5,000

>> 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 provide adequate well capacity 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 — 69 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, April 29, 2025, to the date of screening, July 7, 2025.

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 $250

Economic Benefit (EB) for this violation

Estimated EB Amount $181

Statutory Limit Test

Violation Final Penalty Total $253

This violation Final Assessed Penalty (adjusted for limits) $253

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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)	$5,000	29-Apr-2025	3-Nov-2025	0.52	$9	$172	$181
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 two or more wells with a total capacity of at least 0.6 gpm per connection, calculated from the date of the investigation to the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$5,000	TOTAL	$181

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.46(n)(3)

Violation Description Failed to keep on file copies of well completion data as defined in 30 Tex. Admin. Code § 290.41(c)(3)(A) for as long as the well remains in service. Specifically, well completion data for the Facility's nine wells was not available for review.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

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: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $9

Statutory Limit Test

Violation Final Penalty Total $506

This violation Final Assessed Penalty (adjusted for limits) $506

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System	$180	29-Apr-2025	18-Apr-2026	0.97	$9	n/a	$9
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 keep on file well completion data at the Facility, 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 $180

TOTAL $9

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68118		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.46(j)

Violation Description Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exists, or addition to the private water distribution facilities. Specifically, new buildings were constructed within the distribution system's service area, but the most recent CSI certificate was completed in 2022.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to conduct CSIs may result in persons served by the Facility being exposed to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 3 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $2,250

Three monthly events are recommended, calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $7

Statutory Limit Test

Violation Final Penalty Total $2,278

This violation Final Assessed Penalty (adjusted for limits) $2,278

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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)	$180	29-Apr-2025	17-Feb-2026	0.81	$7	n/a	$7
Notes for DELAYED costs	The delayed cost includes the estimated amount to implement a CSI program to ensure that all service connections are properly inspected, 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 $180

TOTAL $7

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68118		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 7

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

Violation Description Failed to calibrate the Facility's well meters at least once every three years. Specifically, the well meters for Wells B, 5, and 1A had not been calibrated in the last three years.

Base Penalty $5,000

>> 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 calibrate the well meters could result in inaccurate water usage or unavailable water usage and production data which could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment $4,250

$250

Violation Events

Number of Violation Events: 3 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $750

Three single events are recommended (one event per well meter).

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 $750

Economic Benefit (EB) for this violation

Estimated EB Amount $98

Statutory Limit Test

Violation Final Penalty Total $759

This violation Final Assessed Penalty (adjusted for limits) $759

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling	$93	29-Apr-2025	17-Feb-2026	0.81	$4	n/a	$4
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 calibrate the Facility's well meters ($31 per meter x three meters), 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	$93	29-Apr-2025	7-Jul-2025	0.19	$1	$93	$94
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to calibrate the Facility's well meters ($31 per meter x three meters), calculated from the date of the investigation to the date of screening.						

Approx. Cost of Compliance	$186	TOTAL	$98

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68118		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(N)

Violation Description Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data. Specifically, Wells A, 4, 3, and 6 were not equipped with a flow measuring device.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Harm			
Release	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to provide a flow measuring device for the wells could result in inaccurate usage or production data which could affect treatment practices, thereby exposing persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 12 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $9,000

Twelve monthly events are recommended (three events per well x four wells), calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $9,000

Economic Benefit (EB) for this violation

Estimated EB Amount $67

Statutory Limit Test

Violation Final Penalty Total $9,112

This violation Final Assessed Penalty (adjusted for limits) $9,112

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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	$1,200	29-Apr-2025	17-Feb-2026	0.81	$3	$64	$67
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 flow measuring device for each well ($300 per device x four wells), 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	$1,200				TOTAL	$67	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(O)

Violation Description Failed to protect all well units with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house to exclude possible contamination or damage to the facilities by trespassers. Specifically, Well 3 was not provided with an intruder-resistant fence or lockable well house.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential	x		

OR

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to protect the well to exclude possible contamination or damage by trespassers could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 3 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $2,250

Three monthly events are recommended, calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $36

Statutory Limit Test

Violation Final Penalty Total $2,278

This violation Final Assessed Penalty (adjusted for limits) $2,278

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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)	$1,000	29-Apr-2025	3-Nov-2025	0.52	$2	$34	$36
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 an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house, 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	$1,000				TOTAL	$36	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 10

Rule Cite(s) 30 Tex. Admin. Code § 290.43(e)

Violation Description Failed to ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates. Specifically, excessive vegetation growing around and through the fence and barbed wire at the Greenwood Pump Station rendered it ineffective to prevent intruder access. Additionally, there were two trees with branches above the top of the fence line that could potentially provide intruder access.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential		x	

OR

Percent 5.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to maintain the intruder-resistant fence to ensure its effectiveness to prevent intruder access 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 — 69 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, April 29, 2025, to the date of screening, July 7, 2025.

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 $250

Economic Benefit (EB) for this violation

Estimated EB Amount $28

Statutory Limit Test

Violation Final Penalty Total $253

This violation Final Assessed Penalty (adjusted for limits) $253

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)	$500	29-Apr-2025	17-Feb-2026	0.81	$1	$27	$28
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 clear the excessive vegetation and tree branches from the fence line of the Greenwood Pump Station, 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	$28	

Screening Date 7-Jul-2025 **Docket No.** 2025-1016-MLM-E **PCW**

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 68118

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101439040

Media Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 11

Rule Cite(s) 30 Tex. Admin. Code § 290.45(h)(1)(A) and (h)(7)

Violation Description Failed to implement the emergency preparedness plan approved by the Executive Director. Specifically, a 150-kilowatt three phase diesel generator to be supplied by Warren CAT Power Systems Division and permanently connected to automatic switchgear was not installed at the Facility as had been approved under Option 1, permanently installed automatic starting auxiliary generators, and was due to be implemented by August 30, 2024.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to implement the approved option could cause low pressure or water outages during an emergency exposing persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events 3 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $2,250

Three monthly events are recommended, calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $1,697

Statutory Limit Test

Violation Final Penalty Total $2,278

This violation Final Assessed Penalty (adjusted for limits) $2,278

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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	$25,000	29-Apr-2025	18-Apr-2026	0.97	$81	$1,616	$1,697
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 permanently installed automatic starting auxiliary generator as approved by the Executive Director in the Facility's emergency preparedness plan, 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	$25,000				**TOTAL**	$1,697	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 12

Rule Cite(s) 30 Tex. Admin. Code § 290.39(j)(1)(A) and Tex. Health & Safety Code § 341.0351

Violation Description Failed to notify the Executive Director and receive approval prior to making a significant change or addition where the change in the existing systems results in an increase or decrease in production, treatment, storage or pressure maintenance. Specifically, a 6,000-gallon pressure tank was installed and put into service at the Regional Water Campus without obtaining approval.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: 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: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $73

Statutory Limit Test

Violation Final Penalty Total $506

This violation Final Assessed Penalty (adjusted for limits) $506

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,000	29-Apr-2025	15-Oct-2026	1.46	$73	n/a	$73
Notes for DELAYED costs	The delayed cost includes the estimated amount to notify and receive approval from the Executive Director prior to making any significant changes to the Facility's production, treatment, storage or pressure maintenace, including but not limited to the 6,000-gallon pressure tank installed at the Regional Water Campus, 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 $1,000

TOTAL $73

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code § 290.46(v)

Violation Description Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring at Well 3 was not securely installed and was partially lying in a puddle of water.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential	x		

OR

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to ensure all electrical wiring is installed in compliance with a local or national code could cause equipment malfunctions resulting in low pressure or outages which could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 3 — 69 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $2,250

Three monthly events are recommended, calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

Good Faith Efforts to Comply

10.0% Reduction $225

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

Notes: The Respondent achieved compliance by July 31, 2025.

Violation Subtotal $2,025

Economic Benefit (EB) for this violation

Estimated EB Amount $3

Statutory Limit Test

Violation Final Penalty Total $2,050

This violation Final Assessed Penalty (adjusted for limits) $2,050

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)	$200	29-Apr-2025	31-Jul-2025	0.25	$0	$3	$3
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 secure all electrical wiring in compliance with a local or national code at Well 3, calculated from the date of the investigation to the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$200	TOTAL	$3

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 14

Rule Cite(s) 30 Tex. Admin. Code § 290.46(u)

Violation Description Failed to plug an abandoned public water supply well with cement in accordance with 16 Tex. Admin. Code ch. 76 or submit test results proving that the well is in a non-deteriorated condition. Specifically, there was no plugging report available to demonstrate that Well 1 had been plugged with cement in accordance with 16 Tex. Admin. Code ch. 76.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: 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: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $506

This violation Final Assessed Penalty (adjusted for limits) $506

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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
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	29-Apr-2025	25-Aug-2025	0.32	$1	n/a	$1
Notes for DELAYED costs	The delayed cost includes the estimate amount to maintain a copy of the plugging report for Well 1, calculated from the date of the investigation to the date of compliance.						
Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $45

TOTAL $1

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 15

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

Violation Description Failed to inspect the Facility's pressure tanks annually. Specifically, the seven pressure tanks located in the well field had not been inspected on an annual basis.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential	x		

OR

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $4,250

$750

Violation Events

Number of Violation Events: 7 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,250

Seven single events are recommended (one event per tank).

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $5,250

Economic Benefit (EB) for this violation

Estimated EB Amount $297

Statutory Limit Test

Violation Final Penalty Total $5,315

This violation Final Assessed Penalty (adjusted for limits) $5,315

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 15

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)	$287	29-Apr-2025	3-Nov-2025	0.52	$7	n/a	$7
Notes for DELAYED costs	The delayed cost includes the estimated amount to conduct annual pressure tank inspections ($41 per tank x seven tanks), 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	$287	29-Apr-2025	7-Jul-2025	0.19	$3	$287	$290
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	The avoided cost includes the estimated amount to conduct annual pressure tank inspections ($41 per tank x seven tanks), calculated from the date of the investigation to the date of screening.						

Approx. Cost of Compliance	$574	TOTAL	$297

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 16

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, at the Greenwood Pump Station, there was a thick layer of grass clippings covering the yard that could harbor rodents, insects, and other disease vectors.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 3.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to maintain the good working condition and general appearance of the Facility could expose persons served by the Facility to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment $4,850

$150

Violation Events

Number of Violation Events: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $150

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $150

Economic Benefit (EB) for this violation

Estimated EB Amount $9

Statutory Limit Test

Violation Final Penalty Total $152

This violation Final Assessed Penalty (adjusted for limits) $152

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 16

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)	$250	29-Apr-2025	20-Nov-2025	0.56	$0	$9	$9
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 remove the thick layer of vegetation covering the yard at the Greenwood Pump Station, 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	$250	TOTAL	$9

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 17

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, six ownership signs for the wells in the well field and the ownership sign on the building for reverse osmosis system A did not have the correct emergency address or phone number.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual			
	Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
		x	

Percent 2.5%

Matrix Notes: Between 30% to 70% of the rule requirement was not met.

Adjustment $4,875

$125

Violation Events

Number of Violation Events: 7 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $875

Seven single events are recommended (one event per sign).

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 $875

Economic Benefit (EB) for this violation

Estimated EB Amount $11

Statutory Limit Test

Violation Final Penalty Total $886

This violation Final Assessed Penalty (adjusted for limits) $886

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 17

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)	$175	29-Apr-2025	19-Mar-2026	0.89	$1	$10	$11
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 sign with the correct emergency address and phone number ($25 per sign x seven signs), 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	$175	TOTAL	$11

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 18

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(K)

Violation Description Failed to provide a well casing vent 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, Wells A, 5, 4, 3, and 1A were not provided with a well casing vent.

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 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: 5 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $1,250

Five quarterly events are recommended (one event per week), calculated from the date of the investigation, April 29, 2025, to the date of screening, July 7, 2025.

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 $1,250

Economic Benefit (EB) for this violation

Estimated EB Amount $25

Statutory Limit Test

Violation Final Penalty Total $1,265

This violation Final Assessed Penalty (adjusted for limits) $1,265

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 18

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)	$375	29-Apr-2025	18-Apr-2026	0.97	$1	$24	$25
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 well casing vent for Wells A, 5, 4, 3, and 1A ($75 per well x five wells), 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	$375				**TOTAL**	$25	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
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Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 19

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(P)

Violation Description Failed to provide an all-weather access road to each well site. Specifically, the road to access the wells furthest in the well field had fine windblown sediment covering it that could hinder access to the wells.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 3.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to provide an all-weather access road may make it difficult for the operator to access the wells or operate the Facility during heavy or sustained rainfall events or in emergency situations, thereby causing persons served by the Facility to be exposed to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment $4,850

$150

Violation Events

Number of Violation Events: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $150

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $150

Economic Benefit (EB) for this violation

Estimated EB Amount $90

Statutory Limit Test

Violation Final Penalty Total $152

This violation Final Assessed Penalty (adjusted for limits) $152

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 19

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)	$2,500	29-Apr-2025	3-Nov-2025	0.52	$4	$86	$90
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 an all-weather access road to each of the wells in the well field, 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	$2,500				TOTAL	$90	

Screening Date	7-Jul-2025	**Docket No.** 2025-1016-MLM-E	**PCW**
Respondent	GREENWOOD WATER CORPORATION (PCW No. 1 of 2)	*Policy Revision 5 (January 28, 2021)*	
Case ID No.	68118	*PCW Revision February 11, 2021*	
Reg. Ent. Reference No.	RN101439040		
Media	Public Water Supply		
Enf. Coordinator	Ryan Byer		

Violation Number 20

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(8)

Violation Description Failed to conduct monthly testing and maintenance to ensure emergency generators are under at least 30% load based on the manufacturer's name plate kilowatt (kW) rating for at least 30 minutes, or as recommended by the manufacturer, to ensure functionality during emergency situations.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential		x	

OR

Percent 5.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Failure to conduct monthly testing and maintenance to ensure functionality of emergency generators during emergency situations 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 — 69 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, April 29, 2025, to the date of screening, July 7, 2025.

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 $250

Economic Benefit (EB) for this violation

Estimated EB Amount $12

Statutory Limit Test

Violation Final Penalty Total $253

This violation Final Assessed Penalty (adjusted for limits) $253

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 1 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
Media Public Water Supply
Violation No. 20

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)	$300	29-Apr-2025	17-Feb-2026	0.81	$12	n/a	$12
Notes for DELAYED costs	The delayed cost includes the estimated amount to test and maintain emergency generators, 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	$300	TOTAL	$12

Penalty Calculation Worksheet (PCW)

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

DATES						
	Assigned	7-Jul-2025				
	PCW	7-Jul-2025	**Screening**	7-Jul-2025	**EPA Due**	

RESPONDENT/FACILITY INFORMATION

Respondent	GREENWOOD WATER CORPORATION (PCW No. 2 of 2)		
Reg. Ent. Ref. No.	RN101439040		
Facility/Site Region	7-Midland	**Major/Minor Source**	Minor

CASE INFORMATION

Enf./Case ID No.	68118	**No. of Violations**	1
Docket No.	2025-1016-MLM-E	**Order Type**	1660
Media Program(s)	Water Rights	**Government/Non-Profit**	No
Multi-Media	Public Water Supply	**Enf. Coordinator**	Ryan Byer
		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*** **$500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **0.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$0**

Notes: No adjustment for compliance history.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **$0**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $1
Estimated Cost of Compliance $50

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$500**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$500**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$500**

DEFERRAL **20.0%** Reduction — ***Adjustment*** **-$100**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$400**

Screening Date 7-Jul-2025 **Docket No.** 2025-1016-MLM-E **PCW**

Respondent GREENWOOD WATER CORPORATION (PCW No. 2 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 68118

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101439040

Media Water Rights

Enf. Coordinator Ryan Byer

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 (*number of NOVs meeting criteria*)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 0%

Screening Date 7-Jul-2025 **Docket No.** 2025-1016-MLM-E **PCW**

Respondent GREENWOOD WATER CORPORATION (PCW No. 2 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 68118

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101439040

Media Water Rights

Enf. Coordinator Ryan Byer

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 288.20(c)

Violation Description Failed to review and update, as appropriate, the drought contingency plan at least every five years. Specifically, the drought contingency plan was last updated on June 20, 2000.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: 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: 1 — 69 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $500

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $500

This violation Final Assessed Penalty (adjusted for limits) $500

Economic Benefit Worksheet

Respondent GREENWOOD WATER CORPORATION (PCW No. 2 of 2)
Case ID No. 68118
Reg. Ent. Reference No. RN101439040
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
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)	$50	29-Apr-2025	17-Nov-2025	0.55	$1	n/a	$1
Notes for DELAYED costs	The delayed cost includes the estimated amount to review the drought contingency plan and update as needed, 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 $50

TOTAL $1

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

Compliance History Report

Compliance History Report for CN600664528, RN101439040, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600664528, GREENWOOD WATER CORPORATION **Classification:** SATISFACTORY **Rating:** 8.00

Regulated Entity: RN101439040, GREENWOOD WATER SYSTEM **Classification:** SATISFACTORY **Rating:** 8.00

Complexity Points: 0 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 2121 COUNTY ROAD 1083 NEAR MIDLAND, MIDLAND COUNTY, TEXAS

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1650078

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

Date Compliance History Report Prepared: July 03, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 03, 2020 to July 03, 2025

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

Name: Ryan Byer **Phone:** (512) 239-2571

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

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

Item 1	October 09, 2020	(1671682)
Item 2	November 30, 2022	(1861372)
Item 3	May 18, 2023	(1898222)

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

Component Appendices

Appendix A
All NOVs Issued During Component Period 7/3/2020 and 7/3/2025

1* Date: 05/03/2024 (1966154)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 210, SubChapter A 210.4(a)

Description: Failure to notify the executive director and obtain written approval prior to providing reclaimed water to another for use off-site, an alleged violation of Title 30 of the Texas Administrative Code (TAC) 210.4(a).

Self Report? NO Classification: Moderate

Citation:

TWC Chapter 26 26.121

Description: Failure to obtain a permit or have authorization prior to discharging wastewater, an alleged violation of the Texas Water Code (TWC) 26.121.

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

Appendix B
All Investigations Conducted During Component Period July 03, 2020 and July 03, 2025

Item 1*	October 09, 2020**	(1671682)
Item 2*	November 30, 2022**	(1861372)
Item 3*	May 18, 2023**	(1898222)
Item 4	November 22, 2024	(1994932)

* No violations documented during this investigation

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

For Informational Purposes Only

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
GREENWOOD WATER CORPORATION	**§**	
RN101439040	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GREENWOOD WATER CORPORATION (the "Respondent") under the authority of TEX. WATER CODE ch. 11 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 2121 County Road 1083 near Midland, Midland County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 305 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. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE §§ 5.013 and 11.0842 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. WATER CODE ch. 11, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $31,859 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $12,744 of the penalty and $6,371 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

   Pursuant to TEX. WATER CODE § 7.067, $12,744 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent 's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:

   a. By July 31, 2025:

      i. Began flushing all dead-end mains at monthly intervals; and

      ii. Ensured that the electrical wiring at Well 3 was securely installed in compliance with a local or national electrical code.

   b. By August 25, 2025, provided test results that Well 1 is in a non-deteriorated condition.

   c. By November 3, 2025:

      i. Provided two or more wells having a total capacity of 0.6 gallons per minute ("gpm") per connection;

      ii. Protected Well 3 with an intruder-resistant fence with a lockable gate;

      iii. Conducted the annual inspection of the seven pressure tanks in the well field; and

      iv. Provided an all-weather access road to each well site.

   d. By November 17, 2025, provided a copy of an up-to-date drought contingency plan.

e. By November 20, 2025, provided photographs showing that the thick layer of grass clippings covering the yard at the Greenwood Pump Station had been removed.

II. ALLEGATIONS

During an investigation at the Facility conducted on April 29, 2025 through May 14, 2025, an investigator documented that the Respondent:

1. Failed to provide two or more service pumps that have a total capacity of 2.0 gpm or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 1,684 gpm of service pump capacity. However, only 750 gpm of service pump capacity was provided, indicating a 55% deficiency.

2. Failed to flush all dead-end mains at monthly intervals, in violation of 30 TEX. ADMIN. CODE § 290.46(l).

3. Failed to maintain water works operations 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), (f)(3)(A)(ii)(II), and (f)(3)(B)(v). Specifically, the records of the amount of water distributed each day and the records of backflow prevention device programs were not maintained on-site for review.

4. Failed to provide two or more wells having a total capacity of 0.6 gpm per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the Facility had 305 connections and 537 direct pressure purchase water connections requiring 505 gpm of well capacity. However, only 292 gpm of well capacity was provided, indicating a 42% deficiency.

5. Failed to keep on file copies of well completion data as defined in 30 TEX. ADMIN. CODE § 290.41(c)(3)(A) for as long as the well remains in service, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3). Specifically, well completion data for the Facility's nine wells was not available for review.

6. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exists, or addition to the private water distribution facilities, in violation of 30 TEX. ADMIN. CODE § 290.46(j). Specifically, new buildings were constructed within the distribution system's service area, but the most recent CSI certificate was completed in 2022.

7. Failed to calibrate the Facility's well meters at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1). Specifically, the well meters for Wells B, 5, and 1A had not been calibrated in the last three years.

8. Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data, in violation of 30 TEX.

ADMIN. CODE § 290.41(c)(3)(N). Specifically, Wells A, 4, 3, and 6 were not equipped with a flow measuring device.

9. Failed to protect all well units with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house to exclude possible contamination or damage to the facilities by trespassers, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O). Specifically, Well 3 was not provided with an intruder-resistant fence or lockable well house.

10. Failed to ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates, in violation of 30 TEX. ADMIN. CODE § 290.43(e). Specifically, excessive vegetation growing around and through the fence and barbed wire at the Greenwood Pump Station rendered it ineffective to prevent intruder access. Additionally, there were two trees with branches above the top of the fence line that could potentially provide intruder access.

11. Failed to implement the emergency preparedness plan approved by the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.45(h)(1)(A) and (h)(7). Specifically, a 150-kilowatt three phase diesel generator to be supplied by Warren CAT Power Systems Division and permanently connected to automatic switchgear was not installed at the Facility as had been approved under Option 1, permanently installed automatic starting auxiliary generators, and was due to be implemented by August 30, 2024.

12. Failed to notify the Executive Director and receive approval prior to making a significant change or addition where the change in the existing systems results in an increase or decrease in production, treatment, storage or pressure maintenance, in violation of 30 TEX. ADMIN. CODE § 290.39(j)(1)(A) and TEX. HEALTH & SAFETY CODE § 341.0351. Specifically, a 6,000-gallon pressure tank was installed and put into service at the Regional Water Campus without obtaining approval.

13. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v). Specifically, the electrical wiring at Well 3 was not securely installed and was partially lying in a puddle of water.

14. Failed to plug an abandoned public water supply well with cement in accordance with 16 TEX. ADMIN. CODE ch. 76 or submit test results proving that the well is in a non-deteriorated condition, in violation of 30 TEX. ADMIN. CODE § 290.46(u). Specifically, there was no plugging report available to demonstrate that Well 1 had been plugged with cement in accordance with 16 TEX. ADMIN. CODE ch. 76.

15. Failed to inspect the Facility's pressure tanks annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B). Specifically, the seven pressure tanks located in the well field had not been inspected on an annual basis.

16. 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). Specifically, at the Greenwood Pump Station, there was a thick layer of grass clippings covering the yard that could harbor rodents, insects, and other disease vectors.

17. 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). Specifically, six ownership signs for the wells in the well field and the ownership sign on the building for reverse osmosis system A did not have the correct emergency address or phone number.

18. Failed to provide a well casing vent 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, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K). Specifically, Wells A, 5, 4, 3, and 1A were not provided with a well casing vent.

19. Failed to provide an all-weather access road to each well site, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(P). Specifically, the road to access the wells furthest in the well field had fine windblown sediment covering it that could hinder access to the wells.

20. Failed to review and update, as appropriate, the drought contingency plan at least every five years, in violation of 30 TEX. ADMIN. CODE § 288.20(c). Specifically, the drought contingency plan was last updated on June 20, 2000.

21. Failed to conduct monthly testing and maintenance to ensure emergency generators are under at least 30% load based on the manufacturer's name plate kilowatt (kW) rating for at least 30 minutes, or as recommended by the manufacturer, to ensure functionality during emergency situations, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(8).

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: GREENWOOD WATER CORPORATION, Docket No. 2025-1016-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 implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of $12,744 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any

portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

3. The Respondent shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Order:

i. Implement a CSI program to ensure that all service connections are properly inspected, including but not limited to any new buildings constructed in the distribution system since 2022, in accordance with 30 TEX. ADMIN. CODE § 290.45;

ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to the records of backflow prevention device programs, in accordance with 30 TEX. ADMIN. CODE § 290.46;

iii. Calibrate the Facility's well meters for Well B, Well 5, and Well 1A, in accordance with 30 TEX. ADMIN. CODE § 290.46;

iv. Provide a flow measuring device for the Facility's Well A, Well 4, Well 3, and Well 6 to measure production yield and provide for the accumulation of water production data, in accordance with 30 TEX. ADMIN. CODE § 290.41;

v. Ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates, including but not limited to removing the excessive vegetation growing around and through the fence and barbed wire, and the tree branches overhanging the fence at the Greenwood Pump Station, in accordance with 30 TEX. ADMIN. CODE § 290.43; and

vi. Conduct monthly testing and maintenance to ensure emergency generators are under at least 30% load based on the manufacturer's name plate kilowatt (kW) rating for at least 30 minutes, or as recommended by the manufacturer, to ensure functionality during emergency situations, in accordance with 30 TEX. ADMIN. CODE § 290.46.

b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i through 3.a.vi.

c. Within 60 days after the effective date of this Order, provide a legible sign at each production, treatment, and storage facility with an emergency phone number where a responsible official can be contacted, including but not limited to the six ownership signs for the wells in the well field and the ownership sign on the building for reverse osmosis system A, in accordance with 30 TEX. ADMIN. CODE § 290.46.

d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.

e. Within 90 days after the effective date of this Order:

i. Compile and maintain properly completed water works operation and maintenance records, including but not limited to records of the amount of water distributed each day, in accordance with 30 TEX. ADMIN. CODE § 290.46;

ii. Keep on file copies of well completion data for the Facility's nine wells as defined in 30 TEX. ADMIN. CODE § 290.41(c)(3)(A), in accordance with 30 TEX. ADMIN. CODE § 290.46;

iii. Implement the emergency preparedness plan as approved by the Executive Director, or in lieu of implementing the approved emergency preparedness plan, update the Facility's emergency preparedness plan to reflect that Option 4 was implemented, in accordance with 30 TEX. ADMIN. CODE § 290.45; and

iv. Provide a well casing vent for Wells A, 5, 4, 3, and 1A 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, in accordance with 30 TEX. ADMIN. CODE § 290.41.

f. Within 105 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.e.i through 3.e.iv.

g. Within 180 days after the effective date of this Order:

i. Provide two or more service pumps that have a total capacity of at least 2.0 gpm or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, in accordance with 30 TEX. ADMIN. CODE § 290.45; and

ii. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the 6,000-gallon pressure tank at the Regional Water Campus, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team
Water Supply Division, MC 159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

h. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.j below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.g.i and 3.g.ii.

i. Within 270 days after the effective date of this Order, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.

j. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.i. 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
Midland Regional Office
Texas Commission on Environmental Quality
10 Desta Drive, Suite 350E
Midland, Texas 79705

4. All relief not expressly granted in this Order is denied.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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
Kristin Mello-Jurack	02/22/2026
For the Executive Director	Date

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

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

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

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

Jason Bethke	1/19/26
Signature	Date
Jason Bethke	CEO
Name (Printed or typed) Authorized Representative of GREENWOOD WATER CORPORATION	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.

Attachment A

Docket Number: 2025-1018-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**GREENWOOD WATER CORPORATION**
Penalty Amount:	**$25,488**
SEP Offset Amount:	**$12,744**
Type of SEP:	**Contribution to a Third-Party Pre-Approved SEP**
Third-Party Administrator:	**Texas Water Development Board**
Project Name:	***Water-Level Recorder Data in Texas***
Total Project Budget:	**$648,829.50**
Location of SEP:	**Statewide; Preference for Midland County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon compliance with the terms of this Attachment A.

1. **Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the **Texas Water Development Board**, as a Third-Party Administrator, for its *Water Level Recorder Data in Texas* project (the "Project"). The Project is to purchase, install, and maintain automatic water-level recorders in unused wells to satisfy updated network objectives of up to two recorders per recognized aquifer per county in Texas. The Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and TCEQ.

All dollars contributed will be used solely for the cost of implementing the Project, including for supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

The groundwater stored within Texas' major and minor aquifers is an important natural resource that is relied upon to meet the water supply demands of Texans across the state. Many factors affect the availability of this resource, including drought and increased demand. This Project will further provide real-time statewide comprehensive groundwater level data to Texas counties, cities, groundwater conservation districts, water supply companies, and individual well owners. The availability of this comprehensive data will promote awareness of the effects of drought on Texas' aquifers and assist in groundwater management planning and use statewide.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the contribution payable to the **Texas Water Development Board**, and mail it with a copy of the Agreed Order to:

Texas Water Development Board
Attention: Finance
P.O. Box 13231
Austin, Texas 78711

3. Records and Reporting

Together with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the proof of payment and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that the Respondent failed to fully implement and complete the contribution to the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the contribution to the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP coordinator at the address provided above.

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent, must include a clear statement that the contribution to the project was performed as part of the settlement of an enforcement action brought by TCEQ. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.