Executive Summary – Enforcement Matter – Case No. 68241
RestorationCity
RN101261592
Docket No. 2025-1288-PWS-E

Order Type:
Findings Agreed Order
Findings Order Justification:
Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).
Media:
PWS
Small Business:
No
Location(s) Where Violation(s) Occurred:
Straightway Training Center, 158 Straightway Drive, Hungerford, Wharton County
Type of Operation:
Public water supply
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: March 13, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $2,580
Total Paid to General Revenue: $119
Total Due to General Revenue: $2,461
Payment Plan: 23 payments of $107 each
Compliance History Classifications:
Person/CN - Unclassified
Site/RN - N/A
Major Source: No
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: July 7, 2025 through July 25, 2025
Date(s) of NOE(s): July 25, 2025

Violation Information

1. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].

2. Failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director ("ED") regarding the failure to collect lead and copper tap samples [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers; and

ii. Provide public notification and submit a copy of each publication, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to collect lead and copper tap samples for the January 1, 2023 through December 31, 2023 monitoring period.

b. Within 45 days:

i. Submit written certification to demonstrate compliance with a.; and

ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.

c. Within 60 days, submit written certification to demonstrate compliance with b.ii.

Executive Summary – Enforcement Matter – Case No. 68241
RestorationCity
RN101261592
Docket No. 2025-1288-PWS-E

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Ronica Rodriguez Scott, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2510; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: David E. Kirschke, Executive Director, RestorationCity, P.O. Box 356, Hungerford, Texas 77448
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	28-Jul-2025					
PCW	25-Aug-2025	**Screening**	30-Jul-2025	**EPA Due**	31-Dec-2025	

RESPONDENT/FACILITY INFORMATION			
Respondent	RestorationCity		
Reg. Ent. Ref. No.	RN101261592		
Facility/Site Region	12-Houston	**Major/Minor Source**	Minor

CASE INFORMATION			
Enf./Case ID No.	68241	**No. of Violations**	2
Docket No.	2025-1288-PWS-E	**Order Type**	Findings
Media Program(s)	Public Water Supply	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Ronica Rodriguez Scott
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$50	**Maximum**	$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$2,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **29.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$580**

Notes: Enhancement for one NOV with the same/similar violations, two NOVs with dissimilar violations, and one agreed order containing a denial of liability.

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 $184
Estimated Cost of Compliance $249

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$2,580**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$2,580**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$2,580**

DEFERRAL **0.0%** Reduction — ***Adjustment*** **$0**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$2,580**

Screening Date	30-Jul-2025	**Docket No.** 2025-1288-PWS-E	**PCW**
Respondent	RestorationCity		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68241		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101261592		
Media	Public Water Supply		
Enf. Coordinator	Ronica Rodriguez Scott		

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*)	1	5%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*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) 29%

>> Repeat Violator (Subtotal 3)

N/A ***Adjustment Percentage (Subtotal 3)*** 0%

>> Compliance History Person Classification (Subtotal 7)

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

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with the same/similar violations, two NOVs with dissimilar violations, and one agreed order containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 29%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 29%

Screening Date	30-Jul-2025	**Docket No.** 2025-1288-PWS-E	**PCW**
Respondent	RestorationCity		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68241		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101261592		
Media	Public Water Supply		
Enf. Coordinator	Ronica Rodriguez Scott		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar years 2021, 2022, and 2023.

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: 3 — 1125 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,500

Three single events are recommended (one per CCR missed).

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 $1,500

Economic Benefit (EB) for this violation

Estimated EB Amount $182

Statutory Limit Test

Violation Final Penalty Total $1,935

This violation Final Assessed Penalty (adjusted for limits) $1,935

Economic Benefit Worksheet

Respondent RestorationCity
Case ID No. 68241
Reg. Ent. Reference No. RN101261592
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)				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)	$54	1-Jul-2025	8-Sep-2026	1.19	$3	n/a	$3
Notes for DELAYED costs	The delayed cost includes the estimated amount to prepare and mail or directly the most recent CCR to the customers of the Facility and to the TCEQ [(($0.50 x 8 connections) + $50 x one year], calculated from the due date of the most recent CCR 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	$170	1-Jul-2024	30-Jul-2025	1.08	$9	$170	$179
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	Each of the avoided costs include the estimated amount to prepare and mail or directly deliver the 2021, 2022, and 2023 CCRs to the customers of the Facility and to the TCEQ [(($0.50 x 8 connections) + $50) x three years) + accrued interest], calculated from the due date of the 2023 CCR to the date of screening.						
Approx. Cost of Compliance	$224				**TOTAL**	$182	

Screening Date	30-Jul-2025	**Docket No.** 2025-1288-PWS-E	**PCW**
Respondent	RestorationCity		*Policy Revision 5 (January 28, 2021)*
Case ID No.	68241		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101261592		
Media	Public Water Supply		
Enf. Coordinator	Ronica Rodriguez Scott		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description Failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to collect lead and copper tap samples for the January 1, 2023 through December 31, 2023 monitoring period.

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 — 201 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 $2

Statutory Limit Test

Violation Final Penalty Total $645

This violation Final Assessed Penalty (adjusted for limits) $645

Economic Benefit Worksheet

Respondent RestorationCity
Case ID No. 68241
Reg. Ent. Reference No. RN101261592
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)	$25	10-Jan-2025	8-Sep-2026	1.66	$2	n/a	$2
Notes for DELAYED costs	The delayed cost includes the estimated amount to ensure that the delinquent public notification ($25 x one notification) is provided to persons served by the Facility and a copy of each public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the public notification 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	TOTAL	$2

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 CN600800197, RN101261592, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator: CN600800197, RestorationCity **Classification:** UNCLASSIFIED **Rating:** 0.00

Regulated Entity: RN101261592, STRAIGHTWAY TRAINING CENTER **Classification:** NOT APPLICABLE **Rating:** N/A

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

CH Group: 14 - Other

Location: 158 STRAIGHTWAY DRIVE IN HUNGERFORD, WHARTON COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2410054

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

Date Compliance History Report Prepared: December 10, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 10, 2020 to December 10, 2025

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

Name: Ronica Rodriguez Scott **Phone:** (512) 239-2510

Site and Owner/Operator History:

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

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

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

1 Effective Date: 03/04/2025 ADMINORDER 2024-0655-PWS-E (1660 Order-Agreed Order With Denial)

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

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Specifically, the monitoring plan did not include a laboratory approval form or the revised total coliform rule sample siting plan

Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failed to make available an accurate and up-to-date map of the distribution system so that the valves and mains can be easily located during emergencies. Specifically, the map did not include the location of the valves

Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)

Description: Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the records of the dates that dead-end mains were flushed were not maintained on-site for review.

Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)
30 TAC Chapter 290, SubChapter F 290.110(f)(1)(A)

Description: Failed to include all samples collected at sites designated in the monitoring plan as microbiological and residual monitoring sites in the compliance determination calculations. Specifically, the water system was incorrectly

reporting the number of residuals collected and the average residual for each month.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

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

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

1 Date: 01/14/2025 (2083743)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: LCR RD MR PNYR2023 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a distribution lead and copper reduced monitoring and reporting violation for the annual reduced monitoring period from 01/01/2023 to 12/31/2023. ETT Point Value = 1; SAMPLES NOT COLLECTED

2 Date: 03/31/2025 (2083743)

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.80(f)(3)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.84(a)

Description: LSLI Inventory TT - System failed to complete the initial lead service line inventory by October 16, 2024. ETT Point Value = 5

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.90(e)(1)

Description: LSLI Inventory Reporting - System failed to submit an initial inventory of service lines to the State no later than October 16, 2024. ETT Point Value = 1

3 Date: 05/28/2025 (2083743)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: LSLI Inventory TT PN – Failure to submit a public notification, accompanied with a signed Certificate of Delivery, to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time-period that public notice was required for a lead service line inventory. ETT Point Value = 1

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 12/10/2020 and 12/10/2025

1 Date: 05/19/2023 (2083743)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2021 - The system failed to provide the Consumer Confidence Report (CCR) for 2021 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1

2 Date: 07/25/2023 (1916548)

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
Description: Failed to maintain a record of the amount of chemicals used each week.

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)
Description: Failed to maintain a record of the amount of water distributed each week for at least two years.

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.121(a)
30 TAC Chapter 290, SubChapter F 290.121(b)
Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements. Specifically, the monitoring plan did not include a laboratory approval form or the revised total coliform rule sample siting plan

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(n)(2)
Description: Failed to make available an accurate and up-to-date map of the distribution system so that the valves and mains can be easily located during emergencies. Specifically, the map did not include the location of the valves

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)
30 TAC Chapter 290, SubChapter F 290.110(e)(4)
Description: Failed to retain records of the disinfectant residual monitoring results from the distribution system.

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
Description: Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the records of the dates that dead-end mains were flushed were not maintained on-site for review.

3 Date: 10/18/2023 (2083743)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2022 - The system failed to provide the Consumer Confidence Report (CCR) for 2022 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1

4* Date: 09/05/2024 (2083743)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2023 - The system failed to provide the Consumer Confidence Report (CCR) for 2023 to its bill-paying customers and/or the TCEQ by July 1st of the following year. ETT Point Value = 1

5* Date: 01/14/2025 (2083743)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: LCR RD MR PNYR2023 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a distribution lead and copper reduced monitoring and reporting violation for the annual reduced monitoring period from 01/01/2023 to 12/31/2023. ETT Point Value = 1; SAMPLES NOT COLLECTED

6* Date: 03/31/2025 (2083743)

Self Report? NO Classification: Moderate

Citation:

40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.80(f)(3)
40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.84(a)

Description: LSLI Inventory TT - System failed to complete the initial lead service line inventory by October 16, 2024. ETT Point Value = 5

Self Report? NO Classification: Moderate

Citation:

40 CFR Chapter 141, SubChapter D, PT 141, SubPT I 141.90(e)(1)

Description: LSLI Inventory Reporting - System failed to submit an initial inventory of service lines to the State no later than October 16, 2024. ETT Point Value = 1

7* Date: 05/28/2025 (2083743)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(b)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: LSLI Inventory TT PN – Failure to submit a public notification, accompanied with a signed Certificate of Delivery, to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time-period that public notice was required for a lead service line inventory. ETT Point Value = 1

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

Appendix B
All Investigations Conducted During Component Period December 10, 2020 and December 10, 2025

Item 1	January 27, 2023**	(1873397)
Item 2	July 25, 2023**	(1916548)
Item 3	January 09, 2024**	(1950728)
Item 4	April 10, 2024**	(1972579)
Item 5	July 23, 2025**	(2083743)

Item 6 July 25, 2025** (2083951)

* No violations documented during this investigation
**Investigation applicable for the Compliance History Rating period between 09/01/2020 and 08/31/2025.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
RESTORATIONCITY	**§**	
RN101261592	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-1288-PWS-E

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

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 158 Straightway Drive in Hungerford, Wharton County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately eight service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(73).

2. During a record review for the Facility conducted on July 7, 2025 through July 25, 2025, an investigator documented that:

   a. The Respondent did not mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar years 2021, 2022, and 2023.

   b. The Respondent did not provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to collect

lead and copper tap samples for the January 1, 2023 through December 31, 2023 monitoring period.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 for each year, and failed to submit to the TCEQ by July 1 for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).

3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide public notification, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to collect lead and copper tap samples, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).

4. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

5. An administrative penalty in the amount of $2,580 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid $119 of the penalty. The remaining amount of $2,461 shall be paid in 23 monthly payments of $107 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations

that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: RestorationCity, Docket No. 2025-1288-PWS-E" to:

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

2. The Respondent shall undertake the following technical requirements:

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

i. Mail or directly deliver one copy of the CCR prepared using the compliance data for the most recent calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE §§ 290.271 and 290.274; and

ii. Provide public notification and submit a copy of each publication, accompanied with a signed Certificate of Delivery, to the Executive Director regarding the failure to collect lead and copper tap samples for the January 1, 2023 through December 31, 2023 monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.122.

b. Within 45 days after the effective date of this Order:

i. Submit written certification, as described in Ordering Provision No. 2.c below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i and 2.a.ii; and

ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been provided to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:

CCR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

c. Within 60 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No.

2.b.ii. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

> Water Section Manager
> Houston Regional Office
> Texas Commission on Environmental Quality
> 5425 Polk Street, Suite H
> Houston, Texas 77023-1452

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

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

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

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

8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission — Date

Kristin Mello-Jurach
For the Executive Director — Date 04/14/2026

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.

David Kirschke — 2/18/2026
Signature — Date

David Kirschke — Executive Dir.
Name (Printed or typed) — Title
Authorized Representative of
RestorationCity

☐ *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.