

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 51306
LASS WATER COMPANY INC
RN104487335
Docket No. 2015-1450-MLM-E

Order Type:

Default Order

Media:

MLM: PWS and WR

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

approximately .25 miles west southwest of 238 Preston Club Drive, Grayson County

Type of Operation:

public water system

Other Significant Matters:

Additional Pending Enforcement Actions: None
Past-Due Penalties: None
Past-Due Fees: \$238.85 (Acct. No. 90910143; referred for collection)
\$355.50 (2015-0327-PWS-E; referred for collection)
Other: None
Interested Third-Parties: None

Texas Register Publication Date: May 20, 2016

Comments Received: None

Penalty Information

Total Penalty Assessed: \$8,884

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$8,884

Compliance History Classifications:

Person/CN –Satisfactory
Site/RN – N/A

Major Source: No

Statutory Limit Adjustment: \$43 upward adjustment (PCW 2)

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): July 8, 2015
Complaint Information: Alleged frequent low pressure and water outages.
Date(s) of Investigation: July 1, 2015 through July 29, 2015
Date(s) of NOV(s): November 13, 2014; December 26, 2014
Date(s) of NOE(s): September 8, 2015

Violation Information

1. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier [TEX. WATER CODE § 11.1272(c) and 30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B)].
2. Failed to operate the Facility under the direct supervision of a licensed water works operator who holds a Class "D" or higher license [TEX. HEALTH & SAFETY CODE § 341.033(a) and 30 TEX. ADMIN. CODE § 290.46(e)(4)(A)].
3. Failed to issue a boil water notification to the customers of the Facility within 24 hours of a low pressure event or water outage using the prescribed format [30 TEX. ADMIN. CODE § 290.47(e), in violation of 30 TEX. ADMIN. CODE § 290.46(q)(1) and (2)].
4. Failed to provide a well capacity of 0.6 gpm per connection [TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i)].
5. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
6. Failed to provide a copy of a boil water notification to the Executive Director within ten days of its distribution [30 TEX. ADMIN. CODE §§ 290.46(q)(1) and 290.122(f)].
7. Failed to obtain a sanitary control easement that covers the land within 150 feet of the Facility's active well [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].
8. Failed to ensure the wellhouse is locked during periods of darkness and when the Facility is unattended [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].
9. Failed to provide an all-weather access road to the Facility's active well site [30 TEX. ADMIN. CODE § 290.41(c)(3)(P)].
10. Failed to ensure that the Facility's water treatment plant is located at a site that is accessible by an all-weather access road [30 TEX. ADMIN. CODE § 290.42(a)(3)].
11. Failed to provide a full-face self contained breathing apparatus ("SCBA") or supplied air respirator that meets Occupational Safety and Health Administration ("OSHA") standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency [30 TEX. ADMIN. CODE § 290.42(e)(4)(A)].
12. Failed to maintain housing for gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine [30 TEX. ADMIN. CODE § 290.42(e)(4)(B)].
13. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed [30 TEX. ADMIN. CODE § 290.42(e)(4)(C)].

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14. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].
15. Failed to provide a pressure tank of 1,000 gallons or larger that meets American Society for Mechanical Engineers (“ASME”) Section VIII, Division 1 Codes and Construction Regulations, and which is provided with the required ASME name plate [30 TEX. ADMIN. CODE § 290.43(d)(1)].
16. Failed to provide a device to readily determine air-water-volume for the pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(3)].
17. Failed to ensure the water treatment plant and all appurtenances thereof are enclosed by an intruder-resistant fence and failed to ensure that the pressure tank is installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates [30 TEX. ADMIN. CODE §§ 290.42(m) and 290.43(e)].
18. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(vi), (f)(3)(B)(iii), (f)(3)(B)(iv), (f)(3)(D)(i), (f)(3)(D)(ii), (f)(3)(D)(vii), (f)(3)(E)(ii), (f)(3)(E)(iv), and (f)(3)(F)].
19. Failed to maintain a supply of calcium hypochlorite on hand for use when making repairs [30 TEX. ADMIN. CODE § 290.46(h)].
20. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted [30 TEX. ADMIN. CODE § 290.46(i)].
21. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].
22. Failed to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition [30 TEX. ADMIN. CODE § 290.46(m)(4)].
23. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition [30 TEX. ADMIN. CODE § 290.46(m)(6)].
24. Failed to provide accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps [30 TEX. ADMIN. CODE § 290.46(n)(1)].
25. Failed to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well for as long as the well remains in service [30 TEX. ADMIN. CODE § 290.46(n)(3)].
26. Failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting [30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r)].
27. Failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting [30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r)].
28. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].

29. Failed to plug an abandoned public water supply well owned by the system with cement according to 16 TEX. ADMIN. CODE ch. 76 [30 TEX. ADMIN. CODE § 290.46(u)].
30. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].
31. Failed to flush all dead-end mains at monthly intervals [30 TEX. ADMIN. CODE § 290.46(l)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

None

Technical Requirements:

1. Within 30 days:
 - a. Begin to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license (Violation No. 2);
 - b. Develop and begin maintaining a written protocol that is to be followed to ensure that proper notification and boil water notices are provided to the customers of the Facility in the event of low distribution system pressure below 20 psi, water outages, positive microbiological samples, low chlorine residuals, or other conditions which indicate that the water supply may be compromised (Violation No. 3);
 - c. Incorporate the flowchart identified in 30 Tex. Admin. Code § 290.47(e) into the Facility's plant operations manual, conduct employee training, and implement the procedures outlined in the flowchart to ensure that all required boil water notices are provided to the customers of the Facility within 24 hours of a low distribution pressure event, water outage, positive *Escherichia coli* or fecal coliform sample, low chlorine residual, elevated finished water turbidity level, or other condition which indicates that the potability of the drinking water has been compromised (Violation No. 3);
 - d. Develop and begin maintaining a chemical and microbiological monitoring plan (Violation No. 5);
 - e. Implement procedures to ensure that copies of all boil water notifications are submitted to the Executive Director (Violation No. 6);
 - f. Ensure that the wellhouse is locked during periods of darkness and when the plant is unattended (Violation No. 8);
 - g. Provide a full-face SCBA or supplied air respirator that meets OSHA standards for construction and operation, and a small bottle of fresh ammonia solution for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency (Violation No. 11);
 - h. Compile and begin maintaining properly completed monthly water works operation and maintenance records, including but not limited to: the amount of each chemical used each week; the amount of water treated each week; the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation; the maintenance records for water system equipment and facilities; the disinfectant residual monitoring results from the distribution system; the calibration records for flow meters; the results of microbiological analyses; the results of inspections for all water storage and pressure maintenance facilities; Consumer Confidence Report compliance documentation; the results of chemical analyses; copies of the Customer Service Inspection reports; and lead and copper tap water monitoring results (Violation No. 18);
 - i. Begin maintaining a supply of calcium hypochlorite on hand for use when making repairs (Violation No. 19);

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- j. Begin maintaining a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and a minimum pressure of 20 psi during emergencies such as firefighting (Violation Nos. 26 and 27). This provision will be satisfied upon three months of weekly compliant pressure readings;
 - k. Provide a legible sign with the water supply name and an emergency telephone number where a responsible official can be contacted at each production, treatment, and storage facility, including but not limited to the well site and the water treatment plant (Violation No. 28);
 - l. Ensure that the electrical wiring is securely installed in compliance with a local or national electrical code in the wellhouse and the pump room (Violation No. 30; and
 - m. Begin flushing all dead-end mains at monthly intervals (Violation No. 31).
2. Within 45 days, submit written certification to demonstrate compliance with Technical Requirement Nos. 1.a. through 1.i. and 1. k. through 1.m.
3. Within 60 days:
- a. Provide impervious walls or partitions separating all mechanical and electrical equipment from the chlorine at the plant (Violation No. 12);
 - b. Provide high level and floor level screened vents for all rooms where chlorine gas is being stored or fed (Violation No. 13);
 - c. Compile and begin maintaining a plant operations manual for operator review and reference (Violation No. 14);
 - d. Provide a device to readily determine air-water-volume for the pressure tank (Violation No. 16);
 - e. Initiate maintenance and good housekeeping practices including, but not limited to: repairing the interior and exterior walls and remove all signs of feces and debris at the wellhouse and the water treatment plant housing and ensuring the operational stability of the ground storage tank (Violation No. 21);
 - f. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units, and related appurtenances in a watertight condition, including but not limited to repairing the leak in the water treatment plant housing (Violation No. 22); and
 - g. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition, including repairing the service pumps (Violation No. 24).
4. Within 75 days, submit written certification to demonstrate compliance with Technical Requirement Nos. 3.a. through 3.g.
5. Within 90 days:
- a. Prepare and adopt a complete drought contingency plan, in accordance with 30 TEX. ADMIN. CODE §§ 288.20 and 288.30 (Violation No.1);
 - b. Obtain a sanitary control easement that covers the land within 150 feet of the Facility's active well (Violation No. 7);
 - c. Provide an all-weather access road the Facility's active well (Violation No. 9);
 - d. Provide an all-weather access road for the Facility's water treatment plant (Violation No. 10);
 - e. Repair the fence at the water-treatment plant such that it is intruder-resistant and provide the pressure tank with an intruder-resistant fence or lockable building (Violation No. 17);
 - f. Adopt and maintain an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted (Violation No. 20); and
 - g. Ensure that well no. G0910143B is properly plugged with cement (Violation No. 29).

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6. Within 105 days, submit written certification to demonstrate compliance with Technical Requirement Nos. 5.a. through 5.g.
7. Within 135 days, submit written certification to demonstrate compliance with Technical Requirement No. 1.j.
8. Within 180 days:
 - a. Provide a minimum well capacity of 0.6 gpm per connection (Violation No. 4);
 - b. Provide an approved pressure tank which includes the required ASME name plate (Violation No. 15);
 - c. Begin maintaining accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps (Violation No. 24); and
 - d. Begin maintaining well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well (Violation No. 25).
9. Within 195 days, submit written certification to demonstrate compliance with Technical Requirement Nos. 8.a. through 8.d.

Litigation Information

Date Petition(s) Filed: March 31, 2016
Date Green Card(s) Signed: Unclaimed
Date Answer(s) Filed: N/A

Contact Information

TCEQ Attorneys: Ryan Rutledge, Litigation Division, (512) 239-3400
Rudy Calderon, Public Interest Counsel, (512) 239-6363
TCEQ Enforcement Coordinator: Michaelle Garza, Enforcement Division, (210) 403-4076
TCEQ Regional Contact: Jeff Tate, Dallas/Fort Worth Regional Office, (817) 588-5800
Respondent Contact: Sandra Barbey, LASS WATER COMPANY INC, P.O. Box 314, Magnolia, Texas 77353-0314
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	8-Sep-2015	Screening	22-Sep-2015	EPA Due	
	PCW	23-Sep-2015				

RESPONDENT/FACILITY INFORMATION	
Respondent	LASS WATER COMPANY INC
Reg. Ent. Ref. No.	RN104487335
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION		No. of Violations	1
Enf./Case ID No.	51306	Order Type	Findings
Docket No.	2015-1450-MLM-E	Government/Non-Profit	No
Media Program(s)	Water Rights	Enf. Coordinator	Michaelle Garza
Multi-Media	Public Water Supply	EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	10.0% Enhancement	Subtotals 2, 3, & 7	\$25
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Notes: Enhancement for two NOVs with the same/similar violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$17
Estimated Cost of Compliance	\$360

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$275
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$275
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$275
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$275
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Screening Date 22-Sep-2015

Docket No. 2015-1450-MLM-E

PCW

Respondent LASS WATER COMPANY INC

Policy Revision 4 (April 2014)

Case ID No. 51306

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN104487335

Media [Statute] Water Rights

Enf. Coordinator Michaelle Garza

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
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) 10%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with the same/similar violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 10%

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Water Rights			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 288.20(a) and 288.30(5)(B) and Tex. Water Code § 11.1272(c)

Violation Description Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0.0%"/>

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
					Percent <input type="text" value="5.0%"/>

Matrix Notes 100% of the rule requirements were not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$360	1-Jul-2015	1-Jun-2016	0.92	\$17	n/a	\$17

Notes for DELAYED costs

The delayed cost includes the estimated amount necessary to draft and adopt a drought contingency plan, calculated from the investigation date to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$360

TOTAL \$17



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	8-Sep-2015		
	PCW	3-Nov-2015	Screening	22-Sep-2015
			EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	LASS WATER COMPANY INC		
Reg. Ent. Ref. No.	RN104487335		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	51306	No. of Violations	30
Docket No.	2015-1450-MLM-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media	Water Rights	Enf. Coordinator	Michaelle Garza
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$7,240**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Enhancement **Subtotals 2, 3, & 7** **\$724**

Notes Enhancement for two NOVs with the same/similar violations.

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 **\$7,581**
 Estimated Cost of Compliance **\$86,571**
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$7,964**

OTHER FACTORS AS JUSTICE MAY REQUIRE **7.6%** **Adjustment** **\$602**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Enhancement to capture the avoided costs of compliance associated with violation nos. 1, 2, 5, and 25.

Final Penalty Amount **\$8,566**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$8,609**

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

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$8,609**

Screening Date 22-Sep-2015

Docket No. 2015-1450-MLM-E

PCW

Respondent LASS WATER COMPANY INC

Policy Revision 4 (April 2014)

Case ID No. 51306

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN104487335

Media [Statute] Public Water Supply

Enf. Coordinator Michaelle Garza

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
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) 10%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with the same/similar violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 10%

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	x	<input type="text"/>
			Percent	<input type="text" value="5.0%"/>

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent
					<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	x
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$186	1-Jul-2015	22-Sep-2015	1.15	\$11	\$186	\$197
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs The avoided cost includes the estimated amount for the operator to obtain a Class "D" water operator license (\$111 test fee plus \$75 training cost), calculated from the date of the investigation to the date of screening.							

Approx. Cost of Compliance \$186

TOTAL \$197

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Failed to issue a boil water notification to the customers of the Facility within 24 hours of a low pressure event or water outage using the prescribed format in 30 Tex. Admin. Code § 290.47(c). Specifically, low pressure was documented in the distribution system on July 1, 2015 and on July 9, 2015 the pressure tank was taken offline for repairs resulting in low pressure. In both instances, special precautions were not taken, and no boil water notices were issued within 24 hours.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Failure to issue boil water notifications may not allow affected customers to take appropriate measures in response to low pressure events and outages and could expose customers of the Facility to contaminants which would exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text" value="x"/>

Violation Base Penalty

Two single events are recommended (one for each missed boil water notice).

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

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	\$100	1-Jul-2015	1-Apr-2016	0.75	\$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 training delayed cost includes the estimated amount to develop and implement a written protocol that is to be followed to ensure boil water notifications are issued to customers in a timely manner, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$200	2-Jul-2015	10-Jul-2015	0.00	\$0	\$200	\$200
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to provide a boil water notification (\$100 per notification), calculated for the dates the notifications were due.

Approx. Cost of Compliance \$300

TOTAL \$204

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(C)(i) and Tex. Health & Safety Code § 341.0315(c)			
Violation Description	Failed to provide a well capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, with 82 connections, the Facility is required to provide 49.2 gpm in well capacity; however, only 16 gpm is provided which is a 67% deficiency.			
		Base Penalty	\$1,000	

>> 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 adequate well capacity could result in low water pressure or outages that may allow contaminants to enter the water supply which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events: 3 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$450

Three monthly events are recommended calculated from the July 1, 2015 investigation date to the September 22, 2015 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$450

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$5,270	Violation Final Penalty Total \$532
This violation Final Assessed Penalty (adjusted for limits) \$532	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$60,000	1-Jul-2015	1-Oct-2016	1.25	\$251	\$5,019	\$5,270
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 the minimum well capacity, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$60,000

TOTAL \$5,270

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

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

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

Matrix Notes

100% of the rule requirement was not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

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	1-Jul-2015	1-Apr-2016	0.75	\$7	n/a	\$7

Notes for DELAYED costs

The delayed cost includes the estimated amount to develop and maintain the monitoring plan, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				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	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

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	\$100	1-Jul-2015	1-Apr-2016	0.75	\$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 training delayed cost includes the estimated amount to implement procedures to ensure that a copy of all boil water notifications is provided to the Executive Director in a timely manner, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$5	31-Jul-2015	22-Sep-2015	1.06	\$0	\$5	\$5
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs The avoided cost includes the estimated amount to provide a copy of a boil water notification to the Executive Director, calculated from the date the notice was due to the screening date.

Approx. Cost of Compliance \$105

TOTAL \$9

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="3.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

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)	\$20	1-Jul-2015	1-Jun-2016	0.92	\$1	n/a	\$1

Notes for DELAYED costs

The delayed cost includes the estimated amount to obtain and record a sanitary control easement for the well, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$20

TOTAL \$1

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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	1-Jul-2015	1-Apr-2016	0.75	\$2	n/a	\$2

Notes for DELAYED costs

The delayed cost includes the estimated amount to repair or replace the wellhouse lock, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$50

TOTAL \$2

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

30 Tex. Admin. Code § 290.41(c)(3)(P)

Violation Description

Failed to provide an all-weather access road to the Facility's active well site. Specifically, there was no road leading to the well site which is situated northeast of the water plant in a stand of grass and trees that sits in the middle of a golf course.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Failure to have an all-weather access road to the well site could make it difficult to access the well in adverse weather conditions causing customers of the Facility to be exposed to insignificant amounts of contaminants that would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	1-Jul-2015	1-Jun-2016	0.92	\$3	\$61	\$64
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 the well site, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,000

TOTAL \$64

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Failed to ensure that the water treatment plant is located at a site that is accessible by an all-weather road. Specifically, the water treatment plant is currently accessed by driving through an undeveloped grassy lot and across a golf course fairway.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

		Harm			
Release		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="3.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

Matrix Notes

Failure to have an all-weather access road could make it difficult to access the plant in adverse weather conditions causing customers of the Facility to be exposed to insignificant amounts of contaminants that would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	1-Jul-2015	1-Jun-2016	0.92	\$3	\$61	\$64
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 the plant, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,000

TOTAL \$64

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Failed to provide a full-face self-contained breathing apparatus ("SCBA") or supplied air respirator that meets Occupational Safety and Health Administration ("OSHA") standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="15.0%"/>

>> Programmatic Matrix

Matrix Notes	Falsification			
	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0.0%"/>
<p>Failure to have a full-face SCBA or supplied air respirator that meets OSHA standards in the event of an emergency and failure to provide a bottle of fresh ammonia solution for testing for chlorine leakage could expose employees to contaminants which would exceed levels protective of human health.</p>				

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text" value="x"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
single event	<input type="text"/>	

Violation Base Penalty

Six monthly events are recommended (three for the missing SCBA and three for the missing ammonia solution), calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,025	1-Jul-2015	1-Apr-2016	0.75	\$3	\$51	\$54
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 full-face SCBA (\$1,000) and provide a bottle of fresh ammonia solution (\$25), calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$1,025	TOTAL	\$54
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Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text" value="x"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	1-Jul-2015	1-May-2016	0.84	\$1	\$28	\$29
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 maintain impervious walls or partitions separating all mechanical and electrical equipment from the chlorine, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$29

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

V12

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm			Percent	
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
					<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)
Notes	<input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>	

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$1,000	1-Jul-2015	1-May-2016	0.84	\$3	\$56	\$58
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 install high level and floor level screened vents for the chlorine room, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,000

TOTAL \$58

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

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	1-Jul-2015	1-May-2016	0.84	\$8	n/a	\$8

Notes for DELAYED costs

The delayed cost includes the estimated amount necessary to compile and maintain a plant operations manual, calculated from the date of the investigation to the date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$180

TOTAL \$8

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Failed to provide a pressure tank of 1,000 gallons or larger that meets American Society of Mechanical Engineers ("ASME") Section VIII, Division 1 Codes and Construction Regulations, and which is provided with the required ASME name plate. Specifically, no ASME name plate was attached to the pressure tank.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>
	Potential	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Failure to have an approved pressure tank could expose customers of the Facility to significant amounts of contaminants which would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input checked="" type="text" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

One quarterly event is recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

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

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$10,000	1-Jul-2015	1-Sep-2016	1.17	\$39	\$782	\$821
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 approved pressure tank with an ASME name plate, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$821

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>
	Potential	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="text" value="x"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$50	1-Jul-2015	1-May-2016	0.84	\$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 equip the pressure tank with a functional device to determine the air-water-volume, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$50	TOTAL	\$3
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Screening Date 22-Sep-2015	Docket No. 2015-1450-MLM-E	PCW
Respondent LASS WATER COMPANY INC		<i>Policy Revision 4 (April 2014)</i>
Case ID No. 51306		<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No. RN104487335		
Media [Statute] Public Water Supply		
Enf. Coordinator Michaelle Garza		

Violation Number

Rule Cite(s)

30 Tex. Admin. Code §§ 290.42(m) and 290.43(e)

Violation Description

Failed to ensure the water treatment plant and all appurtenances thereof are enclosed by an intruder-resistant fence and failed to ensure that the pressure tank is installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates. Specifically, there was an 18-inch high, three-foot wide gap in the northwest corner of the fence surrounding the water treatment plant and the pressure tank did not have a intruder-resistant fence or lockable building.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	x	<input type="text"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Failure to protect the water treatment plant and pressure tank could expose persons served by the Facility to significant amounts of contaminants which would not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	x
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two quarterly events are recommended (one for each deficiency), calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	(mark with x)

Notes

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	1-Jul-2015	1-Jun-2016	0.92	\$5	\$92	\$97
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 The delayed cost includes the estimated amount to repair the water treatment plant fence (\$500) and enclose the pressure tank with an intruder-resistant fence or lockable building (\$1000), calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$97

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(vi), (f)(3)(B)(iii), (f)(3)(B)(iv), (f)(3)(D)(i), (f)(3)(D)(ii), (f)(3)(D)(vii), (f)(3)(E)(ii), (f)(3)(E)(iv), and (f)(3)(F)

Violation Description
 Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the following records were not provided for review: the amount of each chemical used each week; the amount of water treated each week; the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation; the maintenance records for water system equipment and facilities; the disinfectant residual monitoring results from the distribution system; the calibration records for flow meters; the results of microbiological analyses; the results of inspections for all water storage and pressure maintenance facilities; Consumer Confidence Report compliance documentation; the results of chemical analyses; copies of the Customer Service Inspection reports; and lead and copper tap water monitoring results.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm			Percent <input type="text" value="0.0%"/>	
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input type="text" value="5.0%"/>
	<input type="text"/>	x	<input type="text"/>	<input type="text"/>	
Matrix Notes	<input type="text" value="Greater than 70% of the rule requirement was not met."/>				

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 17

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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	\$540	1-Jul-2015	1-Apr-2016	0.75	\$20	n/a	\$20
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 compile and begin maintaining the missing records (\$45 per record x 12 records), calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$540

TOTAL \$20

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	18			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(h)			
Violation Description	Failed to maintain a supply of calcium hypochlorite on hand for use when making repairs.			
		Base Penalty	\$1,000	

>> 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 maintain calcium hypochlorite on hand could prevent proper disinfection after repairs and expose customers of the Facility to significant amounts of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 1 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$50

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$5	Violation Final Penalty Total \$59
This violation Final Assessed Penalty (adjusted for limits) \$59	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 18

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$100	1-Jul-2015	1-Apr-2016	0.75	\$0	\$5	\$5
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to purchase a supply of calcium hypochlorite, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$5

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm			Percent	
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	
					<input type="text" value="5.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 19

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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	1-Jul-2015	1-Jun-2016	0.92	\$8	n/a	\$8

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and adopt an adequate plumbing ordinance or service agreement, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$180

TOTAL \$8

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="15.0%"/>

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)	

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
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	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$2,000	1-Jul-2015	1-May-2016	0.84	\$6	\$111	\$117
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 initiate maintenance and housekeeping for the wellhouse (\$500), water treatment plant (\$500), and ground storage tank (\$1,000), calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$2,000

TOTAL \$117

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC	<i>Policy Revision 4 (April 2014)</i>		
Case ID No.	51306	<i>PCW Revision March 26, 2014</i>		
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	21			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(4)			
Violation Description	Failed to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition. Specifically, water was observed leaking from equipment/pipes in the pump house.			
Base Penalty				\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes: Failure to maintain a watertight condition could allow a significant amount of contaminants to enter the distribution system that would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 1 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
Violation Subtotal \$50		

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$21	Violation Final Penalty Total \$59
This violation Final Assessed Penalty (adjusted for limits) \$59	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 21

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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)	\$500	1-Jul-2015	1-May-2016	0.84	\$21	n/a	\$21

Notes for DELAYED costs

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

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$21

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	22			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(6)			
Violation Description	Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition. Specifically, both service pumps were heavily rusted and one of the pumps was running backwards.			
		Base Penalty	\$1,000	

>> 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 maintain the Facility in good working condition could cause customers of the Facility to be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 2 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$100

Two quarterly events are recommended (one for each service pump), calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$100

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$4	Violation Final Penalty Total \$118
This violation Final Assessed Penalty (adjusted for limits) \$118	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 22

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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)	\$105	1-Jul-2015	1-May-2016	0.84	\$4	n/a	\$4

Notes for DELAYED costs

The delayed cost includes the estimated amount to repair the service pumps (\$35/hour x 3 hours), calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$105

TOTAL

\$4

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 23

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

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	\$1,500	1-Jul-2015	1-Oct-2016	1.25	\$94	n/a	\$94
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 as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$94

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	24			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(n)(3)			
Violation Description	Failed to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well for as long as the well remains in service for the Facility's active well.			
		Base Penalty	\$1,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 1 83 Number of violation days

<i>mark only one with an x</i>	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	(mark with x)

Notes

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$94	Violation Final Penalty Total \$59
This violation Final Assessed Penalty (adjusted for limits) \$59	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 24

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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	\$1,500	1-Jul-2015	1-Oct-2016	1.25	\$94	n/a	\$94
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 well completion data, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$94

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	25			
Rule Cite(s)	30 Tex. Admin. Code §§ 290.44(d) and 290.46(r)			
Violation Description	Failed to provide a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting. Specifically, data collected during investigations and from a pressure recorder deployed on the distribution main line between July 1, 2015 and July 21, 2015, documented nine days where the pressure was below 35 psi, but above 20 psi.			
		Base Penalty	\$1,000	

>> 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 maintain adequate pressure throughout the distribution system at all times may result in backflow or siphonage and expose persons served by the Facility to significant amounts of contaminants that would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 1 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$50

One quarterly event is recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$200	Violation Final Penalty Total \$59
This violation Final Assessed Penalty (adjusted for limits) \$59	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 25

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$200	1-Jul-2015	21-Jul-2015	0.00	\$0	\$200	\$200
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs The avoided cost includes the estimated amount for additional oversight that could have prevented inadequate pressure throughout the distribution system, calculated from the first documented date with pressure below 35 psi to the final documented date.							

Approx. Cost of Compliance \$200

TOTAL \$200

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	26			
Rule Cite(s)	30 Tex. Admin. Code §§ 290.44(d) and 290.46(r)			
Violation Description	Failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting. Specifically, data collected during investigations and from a pressure recorder deployed on the distribution main line between July 1, 2015 and July 21, 2015, documented 12 days where the pressure was below 20 psi.			
		Base Penalty	\$1,000	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes

Failure to maintain adequate pressure throughout the distribution system at all times may result in backflow or siphonage and expose persons served by the Facility to contaminants that would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events: 3 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	

single event

Violation Base Penalty \$450

Three monthly events are recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$450

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$0	Violation Final Penalty Total \$532
This violation Final Assessed Penalty (adjusted for limits) \$532	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 26

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost of compliance for this violation is captured in the economic benefit associated with violation no. 25.

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	27			
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 emergency telephone numbers where a responsible official can be contacted. Specifically, the well site and water treatment plant did not have current ownership signs.			
		Base Penalty	\$1,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			Percent 5.0%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 2 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

Two single events are recommended (one for each sign).

Good Faith Efforts to Comply 0.0% Reduction \$0

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

Violation Subtotal \$100

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$11 Violation Final Penalty Total \$118

This violation Final Assessed Penalty (adjusted for limits) \$118

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Violation No. Public Water Supply
 27

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	1-Jul-2015	1-Apr-2016	0.75	\$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 an ownership sign at the well site and the water treatment plant, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$200

TOTAL \$11

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			
Violation Number	28			
Rule Cite(s)	30 Tex. Admin. Code § 290.46(u)			
Violation Description	Failed to plug an abandoned public water supply well owned by the system with cement according to 16 Tex. Admin. Code ch. 76. Specifically, well no. G0910143B, located at the entrance to the subdivision, was abandoned and had not been plugged.			
		Base Penalty	\$1,000	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes: Failure to plug an abandoned well could expose customers of the Facility to contaminants which would exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events: 3 83 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$450

Three monthly events are recommended, calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$450

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$69	Violation Final Penalty Total \$532
This violation Final Assessed Penalty (adjusted for limits) \$532	

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 28

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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)	\$1,500	1-Jul-2015	1-Jun-2016	0.92	\$69	n/a	\$69

Notes for DELAYED costs

The delayed cost includes the estimated amount to plug well no. G0910143B, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$69

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical boxes in the wellhouse and in the pump house had no protective panels, leaving the wiring exposed to moisture and other environmental conditions.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

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 customers of the Facility to contaminants which would exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Six monthly events are recommended (three for each location), calculated from the date of the investigation, July 1, 2015, to the date of screening, September 22, 2015.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 29

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$400	1-Jul-2015	1-Apr-2016	0.75	\$1	\$20	\$21
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, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$400

TOTAL \$21

Screening Date	22-Sep-2015	Docket No.	2015-1450-MLM-E	PCW
Respondent	LASS WATER COMPANY INC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	51306			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN104487335			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Michaelle Garza			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	x	<input type="text"/>
			Percent	<input type="text" value="5.0%"/>

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent
					<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	x
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	<small>Before NOE/NOV</small>	<small>NOE/NOV to EDPRP/Settlement Offer</small>
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent LASS WATER COMPANY INC
Case ID No. 51306
Reg. Ent. Reference No. RN104487335
Media Public Water Supply
Violation No. 30

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$750	1-Jul-2015	1-Apr-2016	0.75	\$28	n/a	\$28

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 estimated date of compliance.

Avoided Costs

ANNUALIZE [1] 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 [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$750

TOTAL \$28

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

PENDING Compliance History Report for CN604203133, RN104487335, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator: CN604203133, LASS WATER COMPANY INC **Classification:** SATISFACTORY **Rating:** 0.57

Regulated Entity: RN104487335, PRESTON CLUB UTILITY **Classification:** NOT APPLICABLE **Rating:** N/A
Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: APPROXIMATELY .25MI W SW OF 238 PRESTON CLUB DR GRAYSON, TX, GRAYSON COUNTY

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0910143

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: November 03, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 03, 2010 to November 03, 2015

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

Name: Michaelle Garza

Phone: (210) 403-4076

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
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 19, 2014	(1178747)
Item 2	September 23, 2014	(1193626)
Item 3	September 26, 2014	(1193255)
Item 4	October 20, 2014	(1202420)
Item 5	December 12, 2014	(1211640)

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: 11/13/2014 (1198330) CN604203133

Self Report? NO Classification: Moderate

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

Description: Failure to obtain and keep on file, a copy of the well completion data.

EIC: B3, MOD(2)(B)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)

Description: Failure to provide a sanitary control easement or executive director approval for an acceptable substitute.

EIC: C5, MOD(2)(B)

Self Report? NO Classification: Moderate

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

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

EIC: B3, MOD(2)(B)

Self Report? NO Classification: Minor

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

Description: Failure to have operating records available for review during an inspection.

EIC: C3, MIN(3)(C)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(1)

Description: Failure to have an ASME name plate on the pressure tank.

EIC: C4, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(4)
Description: Failure to coat the interior of the pressure tank.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(3)
Description: Failure to have a device for readily measuring the air-water-volume.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(9)
30 TAC Chapter 290, SubChapter D 290.43(d)(5)
Description: Failure to provide a letter from the previous owner verifying previous use of a 9500 gal. hydro-pneumatic pressure tank.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)
Description: Failure to display proper ownership signage at the water plant and each of the well houses.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the functional and operational integrity of the ground storage tank.
EIC: B18, MOD(2)(G)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(A)
Description: Failure to provide an SCBA, readily accessible outside the chlorine room.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(C)
Description: Failure to provide adequate ventilation, which includes high level and floor level screened vents.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)
Description: Failure to provide adequate security for the facilities.
EIC: B15, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the grounds in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors.
EIC: B18, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(P)
Description: Failure to provide an all-weather access road to the well site.
EIC: B18, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)
Description: Failure to provide adequate security for the well house.
EIC: B15, MIN(3)(D)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
Description: Failure to provide a well casing vent, which faces downward.
EIC: C4, MIN(3)(D)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(u)
Description: Failure to plug the abandoned well located at the subdivision entrance.
EIC: B18, MOD(2)(G)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)
Description: Failure to record the volume of water treated and maintain on file for review by an inspector.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
Description: Failure to provide a monitoring plan.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(a)(3)
Description: Failure to provide an all-weather access road to the water treatment plant.
EIC: B18, MIN(3)(D)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)
Description: Failure to provide a customer service agreement.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)
Description: Failure to provide and maintain copies of customer service inspections.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)
Description: Failure to provide customer complaint records.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 288, SubChapter B 288.20(a)(2)
Description: Failure to provide a drought contingency plan.
EIC: B3, MOD(2)(B)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)
30 TAC Chapter 290, SubChapter D 290.46(m)(1)
Description: Failure to provide tank inspection forms from 2010, 2011, and 2012.
EIC: C3, MIN(3)(A)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(1)
Description: Failure to provide as-built plans and specifications for the 9500 gallon pressure tank.
EIC: B3, MOD(2)(B)

2 Date: 12/16/2014 (1211632) CN604203133

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)
Description: Failure to maintain a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions.
EIC: C4, MIN(3)(D)

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
LASS WATER COMPANY INC;
RN104487335**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

DEFAULT ORDER

DOCKET NO. 2015-1450-MLM-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. WATER CODE ch. 11, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is LASS WATER COMPANY INC ("Respondent").

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

FINDINGS OF FACT

1. Respondent owns and operates a public water system located approximately .25 miles west southwest of 238 Preston Club Drive, Grayson County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 82 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(69). 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(50).
2. During an investigation conducted from July 1, 2015 through July 29, 2015, TCEQ staff documented that Respondent:
 - a. Failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier;
 - b. Failed to operate the Facility under the direct supervision of a licensed water works operator who holds a Class "D" or higher license. Specifically, the Facility was being operated by an individual with an expired license;
 - c. Failed to issue a boil water notification to the customers of the Facility within 24 hours of a low pressure event or water outage using the prescribed format in 30 TEX. ADMIN. CODE § 290.47(e). Specifically, low pressure was documented in the distribution system on July 1, 2015, and, on July 9, 2015, the pressure tank was taken offline for repairs, resulting in low pressure. In both instances, special precautions were not taken, and no boil water notices were issued within 24 hours;
 - d. Failed to provide a well capacity of 0.6 gallons per minute("gpm") per connection. Specifically, with 82 connections, the Facility is required to provide 49.2 gpm in well capacity; however, only 16 gpm is provided which is a 67% deficiency;
 - e. Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling

- frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements;
- f. Failed to provide a copy of a boil water notification to the Executive Director within ten days of its distribution. Specifically, a copy of a boil water notification that was observed posted on July 21, 2015, was not provided to the Executive Director;
 - g. Failed to obtain a sanitary control easement that covers the land within 150 feet of the Facility's active well;
 - h. Failed to ensure the wellhouse is locked during periods of darkness and when the Facility is unattended. Specifically, the wellhouse lock was not functioning;
 - i. Failed to provide an all-weather access road to the Facility's active well site. Specifically, there was no road leading to the well site, which is situated northeast of the water plant in a stand of grass and trees that sits in the middle of a golf course;
 - j. Failed to ensure that the Facility's water treatment plant is located at a site that is accessible by an all-weather access road. Specifically, the water treatment plant is currently accessed by driving through an undeveloped grassy lot and across a golf course fairway;
 - k. Failed to provide a full-face self-contained breathing apparatus ("SCBA") or supplied air respirator that meets Occupational Safety and Health Administration ("OSHA") standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency;
 - l. Failed to maintain housing for gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine. Specifically, the top of the chlorine room was open to the inner atmosphere of the pump house where the chlorination equipment is located;
 - m. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed. Specifically, there were no vents in the chlorine room;
 - n. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference;
 - o. Failed to provide a pressure tank of 1,000 gallons or larger that meets American Society of Mechanical Engineers ("ASME") Section VIII, Division 1 Codes and Construction Regulations, and which is provided with the required ASME name plate. Specifically, no ASME name plate was attached to the pressure tank;
 - p. Failed to provide a device to readily determine air-water-volume for the pressure tank. Specifically, the pressure tank sight glass was ruptured and disconnected;
 - q. Failed to ensure the water treatment plant and all appurtenances thereof are enclosed by an intruder-resistant fence and failed to ensure that the pressure tank is installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates.

Specifically, there was an 18-inch high, three-foot wide gap in the northwest corner of the fence surrounding the water treatment plant and the pressure tank did not have an intruder-resistant fence or lockable building;

- r. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, the following records were not provided for review: the amount of each chemical used each week; the amount of water treated each week; the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation; the maintenance records for water system equipment and facilities; the disinfectant residual monitoring results from the distribution system; the calibration records for flow meters; the results of microbiological analyses; the results of inspections for all water storage and pressure maintenance facilities; Consumer Confidence Report compliance documentation; the results of chemical analyses; copies of the Customer Service Inspection reports; and lead and copper tap water monitoring results;
- s. Failed to maintain a supply of calcium hypochlorite on hand for use when making repairs;
- t. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted;
- u. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the wellhouse had several holes in the east wall and showed signs of inhabitation by rodents and/or insects, including: rodent feces, rat poison, wasp nests, and remnants of a large beehive; the water treatment plant housing had holes in the interior and exterior walls, the base of the walls was warped, and debris was on the floor; and the ground storage tank had significant erosion under the northwest corner of the concrete foundation causing the tank to lean heavily which restricts roof access;
- v. Failed to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition. Specifically, water was observed leaking from equipment/pipes in the pump house;
- w. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working conditions. Specifically, both service pumps were heavily rusted and one of the pumps was running backwards;
- x. Failed to provide accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps;
- y. Failed to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well for as long as the well remains in service;
- z. Failed to provide a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting. Specifically, data collected

during investigations and from a pressure recorder deployed on the distribution main line between July 1, 2015 and July 21, 2015, documented nine days where the pressure was below 35 psi, but above 20 psi;

- aa. Failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting. Specifically, data collected during investigations and from a pressure recorder deployed on the distribution main line between July 1, 2015 and July 21, 2015, documented 12 days where the pressure was below 20 psi;
 - bb. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted. Specifically, the well site and water treatment plant did not have current ownership signs;
 - cc. Failed to plug an abandoned public water supply well with cement according to 16 TEX. ADMIN. CODE ch. 76. Specifically, well no. G0910143B, located at the entrance to the subdivision, was abandoned and had not been plugged;
 - dd. Failed to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical boxes in the wellhouse and in the pump house had no protective panels, leaving the wiring exposed to moisture and other environmental conditions; and
 - ee. Failed to flush all dead-end mains at monthly intervals.
3. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of LASS WATER COMPANY INC" (the "EDPRP") in the TCEQ Chief Clerk's office on March 31, 2016.
4. By letter dated March 31, 2016, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to USPS.com "Track & Confirm" delivery confirmation records, Respondent received notice of the EDPRP on April 2, 2016.
5. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 11, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a., Respondent failed to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier, in violation of TEX. WATER CODE § 11.1272(c) and 30 TEX. ADMIN. CODE §§ 288.20(a) and 288.30(5)(B).
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to operate the Facility under the direct supervision of a licensed water works operator who holds a Class "D" or higher license, in violation of TEX. HEALTH & SAFETY CODE § 341.033(a) and 30 TEX. ADMIN. CODE § 290.46(e)(4)(A).

4. As evidenced by Finding of Fact No. 2.c., Respondent failed to issue a boil water notification to the customers of the Facility within 24 hours of a low pressure event or water outage using the prescribed format in 30 TEX. ADMIN. CODE § 290.47(e), in violation of 30 TEX. ADMIN. CODE § 290.46(q)(1) and (2).
5. As evidenced by Finding of Fact No. 2.d., Respondent failed to provide a well capacity of 0.6 gpm per connection, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c) and 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i).
6. As evidenced by Finding of Fact No. 2.e., Respondent failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).
7. As evidenced by Finding of Fact No. 2.f., Respondent failed to provide a copy of a boil water notification to the Executive Director within ten days of its distribution, in violation of 30 TEX. ADMIN. CODE §§ 290.46(q)(1) and 290.122(f).
8. As evidenced by Finding of Fact No. 2.g., Respondent failed to obtain a sanitary control easement that covers the land within 150 feet of the Facility's active well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F).
9. As evidenced by Finding of Fact No. 2.h., Respondent failed to ensure the wellhouse is locked during periods of darkness and when the Facility is unattended, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).
10. As evidenced by Finding of Fact No. 2.i., Respondent failed to provide an all-weather access road to the Facility's active well site, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(P).
11. As evidenced by Finding of Fact No. 2.j., Respondent failed to ensure that the Facility's water treatment plant is located at a site that is accessible by an all-weather access road, in violation of 30 TEX. ADMIN. CODE § 290.42(a)(3).
12. As evidenced by Finding of Fact No. 2.k., Respondent failed to provide a full-face SCBA or supplied air respirator that meets OSHA standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(A).
13. As evidenced by Finding of Fact No. 2.l., Respondent failed to maintain housing for gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(B).
14. As evidenced by Finding of Fact No. 2.m., Respondent failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(C).
15. As evidenced by Finding of Fact No. 2.n., Respondent failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(I).
16. As evidenced by Finding of Fact No. 2.o., Respondent failed to provide a pressure tank of 1,000 gallons or larger that meets ASME Section VIII, Division 1 Codes and

- Construction Regulations, and which is provided with the required ASME name plate, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(1).
17. As evidenced by Finding of Fact No. 2.p., Respondent failed to provide a device to readily determine air-water-volume for the pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3).
 18. As evidenced by Finding of Fact No. 2.q., Respondent failed to ensure the water treatment plant and all appurtenances thereof are enclosed by an intruder-resistant fence and failed to ensure that the pressure tank is 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 §§ 290.42(m) and 290.43(e).
 19. As evidenced by Finding of Fact No. 2.r., Respondent failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(A)(iii), (f)(3)(A)(vi), (f)(3)(B)(iii), (f)(3)(B)(iv), (f)(3)(D)(i), (f)(3)(D)(ii), (f)(3)(D)(vii), (f)(3)(E)(ii), (f)(3)(E)(iv), and (f)(3)(F).
 20. As evidenced by Finding of Fact No. 2.s., Respondent failed to maintain a supply of calcium hypochlorite on hand for use when making repairs, in violation of 30 TEX. ADMIN. CODE § 290.46(h).
 21. As evidenced by Finding of Fact No. 2.t., Respondent failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i).
 22. As evidenced by Finding of Fact No. 2.u., Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
 23. As evidenced by Finding of Fact No. 2.v., Respondent failed to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(4).
 24. As evidenced by Finding of Fact No. 2.w., Respondent failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(6).
 25. As evidenced by Finding of Fact No. 2.x., Respondent failed to provide accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(1).
 26. As evidenced by Finding of Fact No. 2.y., Respondent failed to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well for as long as the well remains in service, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3).
 27. As evidenced by Finding of Fact No. 2.z., Respondent failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating

- conditions and 20 psi during emergencies such as firefighting, in violation of 30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r).
28. As evidenced by Finding of Fact No. 2.aa., Respondent failed to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting, in violation of 30 TEX. ADMIN. CODE §§ 290.44(d) and 290.46(r).
 29. As evidenced by Finding of Fact No. 2.bb., Respondent failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t).
 30. As evidenced by Finding of Fact No. 2.cc., Respondent failed to plug an abandoned public water supply well owned by the system with cement according to 16 TEX. ADMIN. CODE ch. 76, in violation of 30 TEX. ADMIN. CODE § 290.46(u).
 31. As evidenced by Finding of Fact No. 2.dd., Respondent 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).
 32. As evidenced by Finding of Fact No. 2.ee., Respondent failed to flush all dead-end mains at monthly intervals, in violation of 30 TEX. ADMIN. CODE § 290.46(l).
 33. As evidenced by Findings of Fact Nos. 3 and 4, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. WATER CODE § 11.0842, TEX. HEALTH & SAFETY CODE § 341.049, and 30 TEX. ADMIN. CODE § 70.104(b)(1).
 34. As evidenced by Finding of Fact No. 5, Respondent failed to file a timely answer as required by TEX. WATER CODE § 11.0842, TEX. HEALTH & SAFETY CODE § 341.049, and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 11.0842, TEX. HEALTH & SAFETY CODE § 341.049, and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
 35. Pursuant to TEX. WATER CODE § 11.0842(a) and TEX. HEALTH & SAFETY CODE § 341.049(a), the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
 36. An administrative penalty in the amount of eight thousand eight hundred eighty-four dollars (\$8,884.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 11.0842(c) and TEX. HEALTH & SAFETY CODE § 341.049(b).
 37. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of eight thousand eight hundred eighty-four dollars (\$8,884.00) for violations of state statutes and rules of the TCEQ. The payment of this penalty and 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 which are not raised here.

2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: LASS WATER COMPANY INC; Docket No. 2015-1450-MLM-E" to:

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

3. Respondent shall undertake the following technical requirements:

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

- i. Begin to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 3);
- ii. Develop and begin maintaining a written protocol that is to be followed to ensure that proper notification and boil water notices are provided to the customers of the Facility in the event of low distribution system pressure below 20 psi, water outages, positive microbiological samples, low chlorine residuals, or other conditions which indicate that the water supply may be compromised, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 4);
- iii. Incorporate the flowchart identified in 30 TEX. ADMIN. CODE § 290.47(e) into the Facility's plant operations manual, conduct employee training, and implement the procedures outlined in the flowchart to ensure that all required boil water notices are provided to the customers of the Facility within 24 hours of a low distribution pressure event, water outage, positive *Escherichia coli* or fecal coliform sample, low chlorine residual, elevated finished water turbidity level, or other condition which indicates that the potability of the drinking water has been compromised, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusions of Law Nos. 4);
- iv. Develop and begin maintaining a chemical and microbiological monitoring plan, in accordance with 30 TEX. ADMIN. CODE § 290.121 (Conclusion of Law No. 6);
- v. Implement procedures to ensure that copies of all boil water notifications are submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE §§ 290.46 and 290.122 (Conclusion of Law No. 7);
- vi. Ensure that the wellhouse is locked during periods of darkness and when the plant is unattended, in accordance with 30 TEX. ADMIN. CODE § 290.41 (Conclusion of Law No. 9);
- vii. Provide a full-face SCBA or supplied air respirator that meets OSHA standards for construction and operation, and a small bottle of fresh ammonia solution for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator

- in the event of an emergency, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Conclusion of Law No. 12);
- viii. Compile and begin maintaining properly completed monthly water works operation and maintenance records, including but not limited to: the amount of each chemical used each week; the amount of water treated each week; the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation; the maintenance records for water system equipment and facilities; the disinfectant residual monitoring results from the distribution system; the calibration records for flow meters; the results of microbiological analyses; the results of inspections for all water storage and pressure maintenance facilities; Consumer Confidence Report compliance documentation; the results of chemical analyses; copies of the Customer Service Inspection reports; and lead and copper tap water monitoring results, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 19);
 - ix. Begin maintaining a supply of calcium hypochlorite on hand for use when making repairs, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 20);
 - x. Begin maintaining a minimum pressure of 35 psi throughout the distribution system under normal operating conditions and a minimum pressure of 20 psi during emergencies such as firefighting, in accordance with 30 TEX. ADMIN. CODE §§ 290.44 and 290.46 (Conclusions of Law Nos. 27 and 28). This provision will be satisfied upon three months of weekly compliant pressure readings;
 - xi. Provide a legible sign with the water supply name and an emergency telephone number where a responsible official can be contacted at each production, treatment, and storage facility, including but not limited to the well site and the water treatment plant, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 29);
 - xii. Ensure that the electrical wiring is securely installed in compliance with a local or national electrical code in the wellhouse and the pump room, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 31; and
 - xiii. Begin flushing all dead-end mains at monthly intervals, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 32).
- b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j. below, to demonstrate compliance with Ordering Provisions Nos. 3.a.i. through 3.a.ix. and 3.a.xi. through 3.a.xiii.
 - c. Within 60 days after the effective date of this Order:
 - i. Provide impervious walls or partitions separating all mechanical and electrical equipment from the chlorine at the plant, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Conclusion of Law No. 13);
 - ii. Provide high level and floor level screened vents for all rooms where chlorine gas is being stored or fed, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Conclusion of Law No. 14);

- iii. Compile and begin maintaining a plant operations manual for operator review and reference, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Conclusion of Law No. 15);
 - iv. Provide a device to readily determine air-water-volume for the pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.43 (Conclusion of Law No. 17);
 - v. Initiate maintenance and good housekeeping practices including, but not limited to: repairing the interior and exterior walls and remove all signs of feces and debris at the wellhouse and the water treatment plant housing and ensuring the operational stability of the ground storage tank, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 22);
 - vi. Begin maintaining all distribution system lines, storage and pressure maintenance facilities, water treatment units, and related appurtenances in a watertight condition, including but not limited to repairing the leak in the water treatment plant housing, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 23); and
 - vii. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition, including repairing the service pumps, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 24).
- d. Within 75 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j. below, to demonstrate compliance with Ordering Provisions Nos. 3.c.i. through 3.c.vii.
- e. Within 90 days after the effective date of this Order:
- i. Prepare and adopt a complete drought contingency plan, in accordance with 30 TEX. ADMIN. CODE §§ 288.20 and 288.30 (Conclusion of Law No. 2);
 - ii. Obtain a sanitary control easement that covers the land within 150 feet of the Facility's active well, in accordance with 30 TEX. ADMIN. CODE § 290.41 (Conclusion of Law No. 8);
 - iii. Provide an all-weather access road to the Facility's active well, in accordance with 30 TEX. ADMIN. CODE § 290.41 (Conclusion of Law No. 10);
 - iv. Provide an all-weather access road for the Facility's water treatment plant, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Conclusion of Law No. 11);
 - v. Repair the fence at the water-treatment plant such that it is intruder-resistant and provide the pressure tank with an intruder-resistant fence or lockable building, in accordance with 30 TEX. ADMIN. CODE §§ 290.42 and 290.43 (Conclusion of Law No. 18);
 - vi. Adopt and maintain an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 21); and

- vii. Ensure that well no. G0910143B is properly plugged with cement in accordance with 16 TEX. ADMIN. CODE ch. 76, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 30).
- f. Within 105 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j. below, to demonstrate compliance with Ordering Provisions Nos. 3.e.i. through 3.e.vii.
- g. Within 135 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.j. below, to demonstrate compliance with Ordering Provisions No. 3.a.x.
- h. Within 180 days after the effective date of this Order:
 - i. Provide a minimum well capacity of 0.6 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45 (Conclusion of Law No. 5);
 - ii. Provide an approved pressure tank which includes the required ASME name plate, in accordance with 30 TEX. ADMIN. CODE § 290.43 (Conclusion of Law No. 16);
 - iii. Begin maintaining accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 25); and
 - iv. Begin maintaining well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Conclusion of Law No. 26).
- i. Within 195 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.j. below, to demonstrate compliance with Ordering Provisions Nos. 3.h.i. through 3.h.iv.
- j. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by 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 fine and imprisonment for knowing violations."

The written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

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

4. All relief not expressly granted in this Order is denied.
5. The provisions of this Order shall apply to and be binding upon Respondent. 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until 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 Order Compliance Team at the address listed above.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
8. 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.
9. 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.
10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

S I G N A T U R E P A G E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

AFFIDAVIT OF RYAN RUTLEDGE

STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

"My name is Ryan Rutledge. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of LASS WATER COMPANY INC" (the "EDPRP") was filed in the TCEQ Chief Clerk's office on March 31, 2016.

The EDPRP was mailed to Respondent's last known address on March 31, 2016, via certified mail, return receipt requested, postage prepaid. According to USPS.com "Track & Confirm" delivery confirmation records, Respondent received notice of the EDPRP on April 2, 2016.

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

Ryan Rutledge

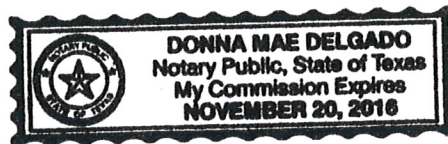
Ryan Rutledge, Staff Attorney
Office of Legal Services, Litigation Division
Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day personally appeared Ryan Rutledge, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

Subscribed and sworn to before me on this 3rd day of May, A.D. 2016.

Donna Mae Delgado

Notary Public, State of Texas



Notary without Bond