

Texas Commission on Environmental Quality

**PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING revised 06/2013
Checklist**

Unit Name : Equipment Monitoring
Investigation # :1120477
Facility Name : GRANDE CASA

County : ELLIS
TCEQ Investigator : IMRAN KHAWAJA

Item No.	Description	Answer	Comments	Due Date
	EQUIPMENT MONITORING SECTION			
1	Was an Anemometer used during this investigation?	NO		
2	Was the Area RAE Multi-Gas Monitor used during this investigation?	NO		
3	Was the Civil Defense V-700 Radiation Survey Instrument used during this investigation?	NO		
4	Was the DataRAM(TM) Real-Time Aerosol Monitor used during this investigation?	NO		
5	Was the Dissolved Oxygen Meter used during this investigation?	NO		
6	Was the Drager Gas Detector Pump/Tube System used during this investigation?	NO		
7	Was the El Paso Method for Measurement of Air-Strippable VOCs in Water used during this investigation?	NO		
8	Was the Garmin GPSMap 60CS GPS Receiver used during this investigation?	NO		
9	Was the Garmin RINO 130 GPS Receiver used during this investigation?	NO		
10	Was the GAS FindIR used during this investigation?	NO		
11	Was the Hach Model 2100P Portable Turbiditymeter used during this investigation?	NO		
12	Was the Hach Pocket Colorimeter used during this investigation?	YES		
13	Was the Hach Pocket Turbiditymeter used during this investigation?	NO		
14	Was the Hach Model 5000 Environmental Particulate Air Monitor (EPAM) used during this investigation?	NO		
15	Was the Hydrolab DataSonde® 4 and Hydrolab MiniSonde® Water Quality Multiprobes used during this investigation?	NO		
16	Was the IDEXX ColBERT® and IDEXX ENTERIC® Methods used during this investigation?	NO		
17	Was the Jerome 631-X Hydrogen Sulfide (H2S) Analyzer used during this investigation?	NO		
18	Was the LANDTEC GEM 2000(TM) Landfill Gas analyzer used during this investigation?	NO		
19	Was the Ludlum Model 14C Geiger Mueller (GM) counter used during this investigation?	NO		
20	Was the Ludlum Model 19 Micro R Meter used during this investigation?	NO		
21	Was the Marsh-McBirney Flo-Mate 2000 Electromagnetic Flow Meter used during this investigation?	NO		
22	Was the MiniRAE 2000 Photoionization Detector used during this investigation?	NO		
23	Was the MIRAN 205B Sapphire Portable Infrared Ambient Analyzer used during this investigation?	NO		
24	Was the MSA Passport® PID II Organic Vapor Monitor used during this investigation?	NO		
25	Was the Multi-parameter Water Quality Monitoring Sonde and Display used during this investigation?	NO		
26	Was the MultiRAE Plus Multi-Gas Monitor used during the investigation?	NO		

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27	Was the Niton® XLI 700 Series X-Ray Fluorescence (XRF) Environmental Analyzer used during this investigation?	NO		
28	Was the ORS Interface Probe(TM) used during this investigation?	NO		
29	Was the pH Meter used during this investigation?	NO		
30	Was the Portable Organic Vapor Monitor (OVM) Photoionization Detector used during this investigation?	NO		
31	Was the Pressure Gauge used during this investigation?	YES		
32	Was the Pressure Recorder used during this investigation?	NO		
33	Was the QRAE Multi-gas Monitor used during this investigation?	NO		
34	Was the Sample Collection of VOCs in Ambient Air Using Passivated, Stainless Steel Canisters used during this investigation?	NO		
35	Was the Sampling of Microscopic Characterization used during this investigation?	NO		
36	Was the Self Contained Breathing Apparatus (SCBA) used during this investigation?	NO		
37	Was the Smith-Root Boat Mounted and Backpack Electrofishers used during this investigation?	NO		
38	Was the Sontek Flowtracker used during this investigation?	NO		
39	Was the TESTO 350 Portable Flue Gas Analyzer used during this investigation?	NO		
40	Was the Toxic Vapor Analyzer (TVA) 1000B Flame Ionization Detector (FID) used during this investigation?	NO		
41	Was the TravelIR Portable FT-IR Infrared Analysis System used during this investigation?	NO		
42	Was the VRAE Multi Gas Monitor used during this investigation?	NO		
43	Was the Water Level Indicator used during this investigation?	NO		
44	Was the Weatherpak 2000 used during this investigation?	NO		
45	Was any other equipment used during this investigation that is not listed above? If YES, list the equipment in the Comment section.	NO		
	SAMPLING SECTION			
1	Was there sampling conducted for Effluent?	NO		
2	Was there sampling conducted for Groundwater?	NO		
3	Was there sampling conducted for Leachate/Contaminated Water?	NO		
4	Was there sampling conducted for PWS Chemical?	NO		
5	Was there sampling conducted for Sediment/Soil?	NO		
6	Was there sampling conducted for Spills/Unauthorized Discharge?	NO		
7	Was there sampling conducted for Surface Water?	NO		
8	Was there any other type of sampling conducted during this investigation? If YES, include it in the Comment section.	NO		

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TCEQ EXT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Grande Case		TCEQ Add. ID No. RN No. (optional)	0700063
Investigation Type	CCI	Contact Made In-House (Y/N)	Purpose of Investigation	Compliance WIP
Regulated Entity Contact	Rich Reeder		Telephone No.	214/808-0074
Title	Operator		Date Contacted	9/25/13
			Fax No.	
			Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and does not represent final TCEQ findings related to violations. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue No.	Type	Rule Citation (if known)	Description of Issue
1	AV	290.46(S)(1)	Failure to Calibrate Well (0700063A) every three years.
2	AV	290.46(S)(2)(C)	Ability to Verify Reading of the manual (Dunbar at least once 90 days)
3	AV	290.46(S)(A)(iii)	Failure to keep record of complaints received by the System.

Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ designate the regulated entity named above operating without proper authorization? Yes No

Did the investigator advise the regulated entity representative that continued operation is not authorized? Yes No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date
Rich Reeder	9/25/13	Rich Reeder	9-25-13

If you have questions about any information on this form, please contact your local TCEQ Regional Office. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

White Copy: Regulated Entity Representative Yellow Copy: TCEQ

TCEQ-2008 (REV. 6/07)

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09/05/2013
4:23:16PM

Texas Commission on Environmental Quality
Water System Data Sheet

WSDSR

PWS ID	PWS Name	Central Registry RN
0700063	GRANDE CASA	RN102688041

Organization/Customer *	Central Registry CN
WALTER J CARROLL WATER COMPANY INC	CN600666507

* Regulatory mail will be addressed to this organization / person

Responsible Official **		Title	
WALTER J CARROLL		PRESIDENT	
License Type	License Number		
Mailing Address:			
Street Address		C/O or Address Line 2	
513 WINDING CREEK TRAIL			
City	State	Zip	
RED OAK	TX	75154	
Business Phone	Other Phone	Other Phone Type	Email
972/617-0817			

** Regulatory mail will be addressed to this person

PWS Contact - If different than above ***		Title	
RICK L REEDER		OPERATOR	
License Type	License Number		
C - GROUND WATER	WG 0008722		
Mailing Address for PWS Primary Contact:			
Street Address		C/O or Address Line 2	
513 WINING CREEK TRL			
City	State	Zip	
RED OAK	TX	75154	
Business Phone	Other Phone	Other Phone Type	Email

*** Copies of most regulatory mail will be addressed to this person

Emergency Contact Name ****	Emergency Phone	Emergency Email
RICK L REEDER	214/808-0274	
License Type	License Number	

**** This contact information will be used only in the event of an emergency

Owner Type	Owner Type Options: AFFECTED COUNTIES, COUNTY, DISTRICT/AUTHORITY, EXEMPT, FEDERAL GOVERNMENT, INVESTOR, MUNICIPALITY, NATIVE AMERICAN, PRIVATE, SUBMETER \ ALLOCATION, STATE GOVERNMENT, NOT RETAIL PUBLIC UTILITIES, WATER SUPPLY CORPORATION, MISC/UNKNOWN
INVESTOR	

System Type	System Type Options: SB 361, COMMUNITY, COMMUNITY (NON-GOVERNMENT OWNED), TRANSIENT/NON-COMMUNITY, NON-PUBLIC, NON-TRANSIENT/NON-COMMUNITY
COMMUNITY	

Customer Class	Customer Category	Population Served	# of Connect	# of Meters	# I/C w/other PWS
RESIDENTIAL	RESIDENTIAL AREA	468	158	158	0

471 157 157

Total Product (MGD)	Average Daily Consump.	Total Storage (MG)	Elev. Storage (MG)	Booster Pump Cap. (MGD)	Aux.Prod.Cap. Max.Pur.Cap.(MGD)	Pressure Tank Cap.(MG)
0.144	0.047	0.050	0.000	0.864	0.000	0.00300

0-187 0-0115 0-0080

Activity Status	Deactivation Date	Reason
ACTIVE		

Operator Grade	Number
WATER GRADE C GROUND	1

Last Survey Date	Surveyor	Survey Type	Code	Region	County	Def.Score
06/18/2012	BRITTANY PETTITT	FOCUS		4	ELLIS	0
06/13/2011	BRITTANY PETTITT	SURVEY		4	ELLIS	4
11/27/2007	IMRAN KHAWAJA	SURVEY		4	ELLIS	2

9/25/2013 IMRAN KHAWAJA

(Entry Point)							
Entry Point	EP Name/Source Summation (Activity Status)	Plant Name (Activity Status)	WUD Plant Num	Chemical Mon Type	Chem Sample Point	Distribution Mon Type	Dist Sample Point
001	SAMPLE TAP / WOODBINE(A)	GRANDE CASA & OLD MAYPEARL(A)	3469		No		No

Train: (Unnamed)

(Treatments)				
Disinfection Zone	Treatment Sequence	Objective	Process	Treatment
	1	D	403	GASEOUS CHLORINATION(PRE)

(Active Sources)						
Source Number	Source Name (Activity Status)	Operational Status	Source Type	Depth	Tested GPM	Rated GPM
G0700063A	1 - PS(A)	O	G	802	140	103
Drill Date		Well Data				
8/11/1968		WOODBINE SAND				
GPS Latitude (decimal)	GPS Longitude (decimal)	GPS Elevation	GPS Date	GPS Cert. No.	Seller	
32.325008	96.944061	0				

(Inactive/Offline Sources)
(No inactive Sources associated with this EP/Plant)

Code Explanations
Monitoring Type Codes: (GW) GROUNDWATER , (GWP) GROUNDWATER - PURCHASED , (GUP) GROUNDWATER UNDER THE INFLUENCE - PURCHASED , (SWP) SURFACE WATER - PURCHASED , (GU) GROUNDWATER UNDER THE INFLUENCE OF SURFACE WATER , (N) NO SOURCES , (SW) SURFACE WATER
Activity Status Codes: (A) ACTIVE , (C) CCN CANCELLED , (D) DELETED/DISSOLVED , (G) SB 381 , (I) INACTIVE , (M) MERGED/ANNEXED , (N) NON-PUBLIC , (P) PROPOSED , (U) UNKNOWN-NO ACTIVITY OR NON-RESPONSIVE , (W) UTILITY WATER SYS XFER
Operational Status Codes: (C) CAPPED , (D) DEMAND , (E) EMERGENCY , (F) FORMER PWS SOURCE , (I) INACTIVE PWS SYSTEM , (N) NON-DRINKING WATER , (O) OPERATING , (P) PLUGGED , (T) TEST , (Y) PWS NOT ACTIVE AND NOT EXPECTED TO BE SO
Source Types: (G) GROUND WATER , (S) SURFACE WATER , (U) GROUND WATER UNDER THE INFLUENCE

- End of Report -

At the time of your query this data was the most current information available from our database, which is in real time. Every effort was made to retrieve it according to your query. Thank-you for using WUD.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CERTIFICATION AND EMPLOYMENT REPORT
TCEQ REGION 04

ID#:	0700063	SYSTEM INFO:	Grande Casa
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Last Name	First Name	License Number	License Type	Exp. Date
Reeder	Rick	WG0008722	C-Groundwater	06/28/2016

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Notice to Neighboring Systems and Cities

NOTICE OF APPLICATION TO AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND
UTILITY SERVICE IN TRAVIS COUNTY, TEXAS

To: _____
(Neighboring System or City)

Date Notice Mailed: _____, 2015

(Address)

(City State Zip)

Austin Water Utility has filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity No. 11157 for the provision of water utility service in Travis County, Texas.

The proposed utility service area is located approximately **10 miles southwest of downtown Austin, Texas**, and is **generally** bounded on the north by XXXXXX; on the east by XXXXXX; on the south by XXXXXX; and on the west by XXXXXXXXXX.

See enclosed map of the proposed service area.

The total area for the water CCN being requested includes approximately 11 acres and 0 current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion

requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221.

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Attachment EE-4: Docket No. 2001-1379-PWS-E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF
AN ENFORCEMENT ACTION
AGAINST
WALTER J. CARROLL WATER
COMPANY, INC.
TCEQ PWS NOS. 0700057, 0700058,
0700063, AND 0700064
CCN NO. 11543

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2001-1379-PWS-E

At its JUL 23 2003 agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Walter J. Carroll Water Company, Inc. ("Carroll Water") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 (the "Code") and 30 TEX. ADMIN. CODE chs. 290 and 291. The Executive Director of the TCEQ, represented by the Litigation Division, and Carroll Water represented by Jimmy Alan Hall and Randall Wilburn of the law firm of Hall and Kleeman, P.L.L.C., presented this agreement to the Commission.

Carroll Water understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Carroll Water agrees to waive all notice and procedural rights.

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

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

FINDINGS OF FACT

1. Carroll Water owns a retail public utility which operates the following four public water systems (the "Facilities"):

- a. Emerald Forest, PWS No. 0700058, located five miles west of Interstate 35 on FM 1446, Waxahachie, Ellis County;
- b. Grande Casa, PWS No. 0700063, located at the intersection of Old Maypearl Road and Grande Casa Street, Waxahachie, Ellis County;
- c. Spanish Grant, PWS No. 0700064, located 11.4 miles west of Interstate 35 on FM 1446, Waxahachie, Ellis County; and
- d. Lakeview Ranchettes, PWS No. 0700057, located at the west edge of Midlothian, a quarter mile west of Highway 67 on Old Ft. Worth Road, Waxahachie, Ellis County.

The Facilities have a total of 391 service connections and serve at least 25 people per day for at least 60 days per year.

2. During an inspection conducted on February 7 and 8, 2001, a TCEQ Dallas/Fort Worth ("DFW") Regional Office investigator documented that Carroll Water violated the following requirements:
 - a. Failed to issue a boil water notice within 24 hours following low distribution pressures (below 20 pounds per square inch ("psi")), or water outages. Specifically, on February 1, 2001, equipment failure caused a complete system outage in which there was no recordable pressure at Emerald Forest, PWS No. 0700058.
 - b. Failed to maintain a residual disinfectant of at least 0.2 milligrams per liter ("mg/L") free chlorine in the far reaches of the distribution system and failure to monitor chlorine residuals in the distribution system at least once every seven days at the facilities set-out below.
 1. Emerald Forest, PWS No. 0700058. Specifically, the chlorine residuals measured on February 7 and February 8, 2001 were 0.15 mg/L at 131 Oak Hill.
 2. Spanish Grant, PWS No. 0700064. Specifically, the chlorine residual measured on February 8, 2001 was 0.15 mg/L at 252 Mesa Road.
 3. Lakeview Ranchettes, PWS No. 0700057. Specifically, the chlorine residual measured on February 8, 2001 was 0.10 mg/L at 3351 Cement Valley Road.
 4. Grande Casa, PWS No. 0700063. Specifically, the chlorine residuals measured on February 8, 2001 were 0.17 and 0.19 mg/L.

- c. Failed to provide well No. 2 with a flow measuring device to measure production yields and provide for the accumulation of water production data at Spanish Grant, PWS No. 0700064.
- d. Failed to use chemicals which conform to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 60 for direct additives and ANSI/NSF Standard 61 for indirect additives at Emerald Forest, PWS No. 0700058.
- e. Failed to initiate maintenance and housekeeping practices which ensure the reliability of the systems' facilities and equipment at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064. Specifically, the pump houses were cluttered and contained spare parts and trash thrown about. Additionally, Carroll Water failed to repair the cracked sealing blocks at well No. 1 at Emerald Forest and well No. 1 at Grande Casa.
- f. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after material improvement, correction, or addition to the private water distribution at the facilities set-out below.
 - 1. Emerald Forest, PWS No. 0700058. Specifically, the number of new connections increased from 42 in November 1999 to 44 in February 2001.
 - 2. Lakeview Ranchettes, PWS No. 0700057. Specifically, the number of new connections increased from 91 in November 1999 to 94 in February 2001.
 - 3. Grande Casa, PWS No. 0700063. Specifically, the number of new connections increased from 129 in November 1999 to 132 in February 2001.
- g. Failed to maintain records of the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- h. Failed to seal the well head on wells Nos. 1 and 2 with a gasket or sealing compound to prevent the possibility of contaminating the well water at Spanish Grant, PWS. No. 0700064.

- i. Failed to protect completed well units by intruder-resistant fences, the gates of which are provided with locks or enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers at Spanish Grant, PWS No. 0700064.
- j. Failed to install the electrical wiring for the wells in a securely mounted conduit in compliance with a local or national electrical code at Emerald Forest, PWS No. 0700058 and Spanish Grant, PWS No. 0700064.
- k. Failed to enclose the ground storage tank with a properly constructed intruder resistant fence at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064.
- l. Failed to ensure the system's ground storage tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058.
- m. Failed to maintain records of annual ground storage tank inspections at Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- n. Failed to ensure the system's pressure tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063.
- o. Failed to maintain records of annual pressure tank inspections at Lakeview Ranchettes, PWS No. 0700057, and Spanish Grant, PWS No. 0700064.
- p. Failed to ensure the ground storage tank was thoroughly tight against leakage at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063.
- q. Failed to provide the ground storage tank vent with a 16-mesh or finer screen fabricated of corrosion-resistant material at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064.
- r. Failed to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- s. Failed to make all reasonable efforts to prevent interruptions of service and make reasonable provisions to meet emergencies resulting from failure of service at Emerald Forest, PWS No. 0700058.

- t. Failed to provide properly sized water lines throughout the distribution system at Spanish Grant, PWS No. 0700064.
 - u. Failed to equip the ground storage tank with a water level indicator at Spanish Grant, PWS No. 0700064.
 - v. Failed to provide the pressure tank with a device for determining the air-water-volume ratio at Spanish Grant, PWS No. 0700064.
 - w. Failed to install a backflow prevention assembly or have an adequate internal cross-connection control program where an actual or potential contamination hazard exists at Lakeview Ranchettes, PWS No. 0700057, and Grande Casa, PWS No. 0700063.
 - x. Failed to modify the overflow pipe flap valve assembly on the ground storage tank to provide no more than a 1/16 inch gap, in strict accordance with American Water Works Association (AWWA) standards at Grande Casa, PWS No. 0700063.
3. Carroll received a notice of enforcement on or about March 10, 2001.
4. The Executive Director recognizes that Carroll Water has implemented the following corrective measures as documented during inspections of the Facilities conducted on December 5, 2002:
- a. Emerald Forest:
 - 1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
 - 2. Began operating the Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions, as required by 30 TEX. ADMIN. CODE § 290.46(r).
 - 3. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 TEX. ADMIN. CODE § 290.110(c)(5)(b).
 - 4. Equipped the vents on the ground storage tank with an approved screen, as required by 30 TEX. ADMIN. CODE § 290.43(c)(1).

5. Installed all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code at well Nos. 1 and 2, as required by 30 TEX. ADMIN. CODE § 290.46(v).
6. Began conducting and recording the results of annual inspections of the ground storage tank, as required by 30 TEX. ADMIN. CODE § 290.46(m)(1)(A).
7. Began conducting and recording the results of annual inspections of the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
8. Began using disinfection chemicals that conform to ANSI/NSF Standard 60 for direct additives, as required by 30 TEX. ADMIN. CODE § 290.42(i).
9. Initiated maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 TEX. ADMIN. CODE § 290.46(m).
10. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 TEX. ADMIN. CODE § 290.46(n).
11. Provided all potable water storage tanks and pressure maintenance facilities with an intruder resistant fence, as required by 30 TEX. ADMIN. CODE § 290.43(e).
12. Ensured clearwells and potable water storage tanks are thoroughly tight against leakage, as required by 30 TEX. ADMIN. CODE § 290.43(c)(6).
13. Properly repaired the concrete sealing block at well No. 1, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(J) and § 290.46(m).
14. Additionally, on or about August 2, 2001, Carroll Water interconnected to Buena Vista Bethel Special Utility District.

b. Grande Casa:

1. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 TEX. ADMIN. CODE § 290.110(c)(5).
2. Began conducting and recording the results of annual inspections of the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).

3. Ensured the overflow pipe hinged flap valve on the elevated storage tank fits tight with a gap of no more than 1/16 inch, as required by 30 TEX. ADMIN. CODE § 290.43(c)(3).
4. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 TEX. ADMIN. CODE § 290.46(n).
5. Ensured clearwells and potable water storage tanks are thoroughly tight against leakage, as required by 30 TEX. ADMIN. CODE § 290.43(c)(6).
6. Properly repaired the concrete sealing block at well No. 1, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(J).

c. Spanish Grant:

1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
2. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 TEX. ADMIN. CODE § 290.110(c)(5).
3. Sealed the wellhead and pump bases at well Nos. 1 and 2 with gaskets or a pliable crack-resistant sealing compound, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(K).
4. Provided a flow meter for well No. 2 to measure production yields and provide for the accumulation of water production data, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(N).
5. Equipped the vents on the storage tank with an approved screen, as required by 30 TEX. ADMIN. CODE § 290.43(c)(1).
6. Installed all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code at well No. 1, as required by 30 TEX. ADMIN. CODE § 290.46(v).
7. Provided a water level indicator on the ground storage tank, in accordance with 30 TEX. ADMIN. CODE § 290.43(c)(4).

8. Provided well site No. 1 with an intruder resistant fence, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).
 9. Provided the ground storage and pressure tanks with an intruder resistant fence, as required by 30 TEX. ADMIN. CODE § 290.43(e).
 10. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 TEX. ADMIN. CODE § 290.46(n).
 11. Provided an air-water volume indicator for the pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.43(d)(3).
- d. Lakeview Ranchettes:
1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
 2. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 TEX. ADMIN. CODE § 290.110(c)(5).
 3. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 TEX. ADMIN. CODE § 290.46(n).

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Carroll Water is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 2.a., Carroll Water has failed to issue a boil water notice within 24 hours following low distribution pressures (below 20 psi), or water outages at Emerald Forest, PWS No. 0700058, in violation of 30 TEX. ADMIN. CODE § 290.46(q).
3. As evidenced by Finding of Fact No 2.b., Carroll Water failed to maintain a residual disinfectant of at least 0.2 mg/L free chlorine in the far reaches of the distribution system and failure to monitor chlorine residuals in the distribution system at least once every seven days at Emerald Forest, PWS No. 0700058; Spanish Grant, PWS No. 0700064; Lakeview

Ranchettes, PWS No. 0700057; and Grande Casa, PWS No. 0700063, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A), 290.110(b)(4), and 290.110(c)(5)(b)

4. As evidenced by Finding of Fact No. 2.c., Carroll Water failed to provide well No. 2 with a flow measuring device to measure production yields and provide for the accumulation of water production data at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(N).
5. As evidenced by Finding of Fact No. 2.d., Carroll Water failed to use chemicals which conform to ANSI/NSF Standard 60 for direct additives and ANSI/NSF Standard 61 for indirect additives at Emerald Forest, PWS No. 0700058, in violation of 30 TEX. ADMIN. CODE § 290.42(i).
6. As evidenced by Finding of Fact No. 2.e., Carroll Water failed to initiate maintenance and housekeeping practices which ensure the reliability of the systems' facilities and equipment at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064. Additionally, Respondent failed to repair the cracked sealing blocks at well no. 1 at Emerald Forest and well no. 1 at Grande Casa, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
7. As evidenced by Finding of Fact No. 2.f., Carroll Water failed to complete a CSI certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after material improvement, correction, or addition to the private water distribution at Emerald Forest, PWS 0700058; Lakeview Ranchettes, PWS No. 0700057; and Grande Casa, PWS 0700063, in violation of 30 TEX. ADMIN. CODE § 290.46(j).
8. As evidenced by Finding of Fact No. 2.g., Carroll Water failed to maintain records of the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(iii).
9. As evidenced by Finding of Fact No. 2.h., Carroll Water failed to seal the well head on wells Nos. 1 and 2 with a gasket or sealing compound to prevent the possibility of contaminating the well water at Spanish Grant, PWS. No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K).

10. As evidenced by Finding of Fact No. 2.i., Carroll Water failed to protect completed well units by intruder-resistant fences, the gates of which are provided with locks or enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).
11. As evidenced by Finding of Fact No. 2.j., Carroll Water failed to install the electrical wiring for the wells in a securely mounted conduit in compliance with a local or national electrical code at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.46(v).
12. As evidenced by Finding of Fact No. 2.k., Carroll Water failed to enclose the ground storage tank with a properly constructed intruder resistant fence at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.43(e).
13. As evidenced by Finding of Fact No. 2.l., Carroll Water failed to ensure the system's ground storage tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A).
14. As evidenced by Finding of Fact No. 2.m., Carroll Water failed to maintain records of annual ground storage tank inspections at Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2).
15. As evidenced by Finding of Fact No. 2.n., Carroll Water failed to ensure the system's pressure tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
16. As evidenced by Finding of Fact No. 2.o., Carroll Water failed to maintain records of annual pressure tank inspections at Lakeview Ranchettes, PWS No. 0700057, and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2).
17. As evidenced by Finding of Fact No. 2.p., Carroll Water failed to ensure the ground storage tank was thoroughly tight against leakage at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(6).
18. As evidenced by Finding of Fact No. 2.q., Carroll Water failed to provide the ground storage tank vent with a 16-mesh or finer screen fabricated of corrosion-resistant material at Emerald Forest, PWS No. 0700058, and at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(1).

19. As evidenced by Finding of Fact No. 2.r., Carroll Water failed to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.46(n).
20. As evidenced by Finding of Fact No. 2.s., Carroll Water by failing to make all reasonable efforts to prevent interruptions of service and make reasonable provisions to meet emergencies resulting from failure of service at Emerald Forest, PWS No. 0700058, in violation of 30 TEX. ADMIN. CODE § 291.90(a)(1) and (2).
21. As evidenced by Finding of Fact No. 2.t., Carroll Water failed to provide properly sized water lines throughout the distribution system at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.44(c).
22. As evidenced by Finding of Fact No. 2.u., Carroll Water failed to equip the ground storage tank with a water level indicator at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4).
23. As evidenced by Finding of Fact No. 2.v., Carroll Water failed to provide the pressure tank with a device for determining the air-water-volume ratio at Spanish Grant, PWS No. 0700064, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3).
24. As evidenced by Finding of Fact No. 2.w., Carroll Water failed to install a backflow prevention assembly or have an adequate internal cross-connection control program where an actual or potential contamination hazard exists at Lakeview Ranchettes, PWS No. 0700057 and Grande Casa, PWS No. 0700063, in violation of 30 TEX. ADMIN. CODE § 290.44(h).
25. As evidenced by Finding of Fact No. 2.x., Carroll Water failed to modify the overflow pipe flap valve assembly on the ground storage tank to provide no more than a 1/16 inch gap, in strict accordance with AWWA standards at Grande Casa, PWS No. 0700063, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3).
26. Pursuant to the Code § 341.049, the Commission has the authority to assess an administrative penalty against Carroll Water for violations of the Code, TCEQ rules, and orders adopted under the Code.
27. An administrative penalty in the amount of thirteen thousand eight hundred seventy-six dollars (\$13,876.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Financial Assurance Section of the Commission's Financial Administration Division reviewed the financial documentation submitted by

Carroll Water and determined that Carroll Water is unable to pay part of the administrative penalty. Therefore, eight thousand three hundred seventy-six dollars (\$8,376.00) of the penalty is deferred contingent upon Carroll Water's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Carroll Water fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Carroll Water to pay all or part of the deferred penalty.

Carroll Water has paid four hundred sixty-two dollars (\$462.00) dollars of the und deferred administrative penalty. The remaining amount of five thousand thirty-eight dollars (\$5,038.00) shall be payable in 11 monthly payments of four hundred fifty-eight dollars (\$458.00) dollars each. The first monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment. If Carroll Water fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the acceleration of any remaining balance constitutes the failure by Carroll Water timely and satisfactorily comply with all the terms of this Agreed Order and the Executive Director may demand payment of any deferred penalty amount.

ORDERING PROVISIONS

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

1. Carroll Water is assessed an administrative penalty as set forth in Conclusion of Law No. 27 for violations of TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ. The imposition of this administrative penalty and Carroll Water's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be sent with the notation "Re: Walter J. Carroll Water Company, Inc.; Docket No. 2001-1379-PWS-E; Enforcement ID No.16096" to:

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

2. Carroll Water shall undertake the following technical requirements at Emerald Forest:
 - a. Immediately upon the effective date of the Commission Order, begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(iii).
 - b. Within 15 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 2.a.
 - c. Within 30 days after the effective date of the Commission Order, begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 TEX. ADMIN. CODE § 290.46(j).
 - d. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 2.c.

3. Carroll Water shall undertake the following technical requirements at Grande Casa:
 - a. Immediately upon the effective date of the Commission Order:
 1. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 TEX. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A); and
 2. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(iii).
 - b. Within 15 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 3.a.1 and 3.a.2.
 - c. Within 30 days after the effective date of the Commission Order:
 1. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 TEX. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding the well free of debris and excess vegetation;

2. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 TEX. ADMIN. CODE § 290.46(f)(2); and
3. Begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 TEX. ADMIN. CODE § 290.46(j).
- d. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 3.c.1 through 3.c.3.
- e. Within 90 days after the effective date of the Commission Order, ensure no water connection to any residence or establishment be allowed where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination, as required by 30 TEX. ADMIN. CODE § 290.44(h).
- f. Within 105 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 3.e.
4. Carroll Water shall undertake the following technical requirements at Spanish Grant:
 - a. Within 30 days after the effective date of the Commission Order:
 1. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(iii);
 2. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 TEX. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding wells No. 1 and No. 2 free of debris and excess vegetation;
 3. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 TEX. ADMIN. CODE § 290.46(f)(2); and

4. Begin maintaining and making accessible the results of annual inspections of the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46(f)(2).
 - b. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 4.a.1 through 4.a.4.
 - c. Within 180 days after the effective date of the Commission Order, install properly sized distribution water lines, as required by 30 TEX ADMIN. CODE § 290.44(c).
 - d. Within 195 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 4.c.
5. Carroll Water shall undertake the following technical requirements at Lakeview Ranchettes:
- a. Within 30 days after the effective date of the Commission Order:
 1. Begin maintaining and making accessible, the results of annual inspections of the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46(f)(e);
 2. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 TEX. ADMIN. CODE § 290.46(f)(2);
 3. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 TEX. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding the well free of debris and excess vegetation;
 4. Begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 TEX. ADMIN. CODE § 290.46(j); and
 5. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 TEX. ADMIN. CODE § 290.46(f)(3)(A)(iii).

- b. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 5.a.1. through 5.a.5.
- c. Within 90 days after the effective date of the Commission Order, ensure no water connection to any residence or establishment be allowed where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination, as required by 30 TEX. ADMIN. CODE § 290.44(h).
- d. Within 105 days after the effective date if the Commission Order, submit written certification of compliance with Ordering Provision 5.c.
- e. Submit certification of compliance letters and all other documents required by these Ordering Provisions to:

Mr. Shawn Stewart, Coordinator
Enforcement, MC 149
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

with a copy to:

Mr. Sid Slocum, Manager
Water Section
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2301 Gravel Dr.
Fort Worth, TX 76118-6951

- 6. The provisions of this Agreed Order shall apply to and be binding upon Carroll Water. Carroll Water is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 7. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Carroll Water shall be made in writing to the Executive Director. Extensions are not effective until Carroll Water receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

8. 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 Carroll Water if the Executive Director determines that Carroll Water has not complied with one or more of the terms or conditions in this Agreed Order.
9. This Agreed Order shall terminate five years from its effective date or upon compliance with all terms and conditions set forth in this Agreed Order, whichever is later.
10. This Agreed Order, issued by the Commission, shall not be admissible against Carroll Water in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of the TEX. WATER CODE or the TEX. HEALTH & SAFETY CODE.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to Carroll Water, or three days after the date on which the Commission mails notice of the Order to Carroll Water, whichever is earlier.

SIGNATURE PAGE

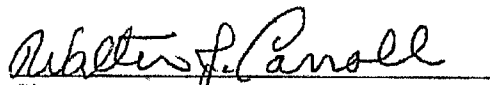
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



For the Commission

I, the undersigned, have read and understand the attached Agreed Order in the matter of Walter J. Carroll Water Company, Inc. I am authorized to agree to the attached Agreed Order on behalf of Walter J. Carroll Water Company, Inc., and do agree to the specified terms and conditions.

I understand that by entering into this Agreed Order, Walter J. Carroll Water Company, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

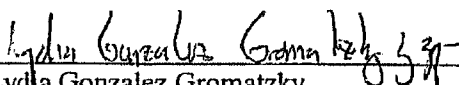


Signature

5-8-03
Date

WALTER J. CARROLL WATER CO. INC. President
Name (printed or typed) Title
Authorized Representative
Walter J. Carroll Water Company, Inc.

I, the undersigned, on behalf of the Executive Director of the Texas Commission on Environmental Quality, hereby agree to the terms of this Agreed Order in lieu of an evidentiary hearing. This Agreed Order represents full and final adjudication of the violations giving rise to this Agreed Order.


Lydia Gonzalez Gromatzky
Deputy Director
Office of Legal Services
Texas Commission on Environmental Quality

5-20-03
Date

Instructions: Send this signed, original Signature Page and Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Ordering Provision No. 1 of this Agreed Order.