

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2007-1143-PWS-E    **TCEQ ID:** RN101265098    **CASE NO.:** 34196

**RESPONDENT NAME:** Kim Moore dba Smith Springs Road Mobile Home Park

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	

<b>CASE TYPE:</b>		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION

**SITE WHERE VIOLATION(S) OCCURRED:** Smith Springs Road MHP, approximately 0.6 of a mile northwest of the intersection of Highway 377 and County Road 176, Erath County

**TYPE OF OPERATION:** Mobile home park with a public water supply

**SMALL BUSINESS:**  Yes     No

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There are no additional pending enforcement actions regarding this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent has expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on December 17, 2007. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None  
**TCEQ Enforcement Coordinator:** Mr. Epifanio Villarreal, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4033; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  
**Respondent:** Ms. Kim Moore, Owner, Smith Springs Road Mobile Home Park, P.O. Box 2058, Stephenville, Texas 76401  
**Respondent's Attorney:** Not represented by counsel on this enforcement matter

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> May 25 and July 16, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> July 5, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation and record review.</p> <p><b>WATER</b></p> <p>1) Failed to provide a sanitary control easement or an approved exception to the easement requirement that covers the land within 150 feet of the well [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>2) Failed to provide a concrete sealing block on the well that extends at least three feet in all directions from the well casing and is sloped to drain away from the well head [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].</p> <p>3) Failed to provide an all-weather access road to the well site [30 TEX. ADMIN. CODE § 290.41(c)(3)(P)].</p> <p>4) Failed to properly develop and maintain water works operation records. Specifically, at the time of the investigation, water usage records that were provided were incomplete [30 TEX. ADMIN. CODE § 290.46(f)(3)].</p> <p>5) Failed to properly develop and maintain water works operation records. Specifically, at the time of the investigation, there were no records of the results of microbiological analysis [30 TEX. ADMIN. CODE § 290.46(f)(3)(D)(i)].</p> <p>6) Failed to maintain the facility's storage</p>	<p><b>Total Assessed:</b> \$1,375</p> <p><b>Total Deferred:</b> \$275  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$100 (remaining \$1,000 due in 10 monthly payments of \$100 each)</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>1) The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a. Began maintaining well completion data that was confirmed and verified by the DFW Regional Office, as documented on October 3, 2007; and</p> <p>b. Submitted documentation demonstrating compliance with the microbiological requirement, as documented on October 1, 2007.</p> <p><b>Ordering Provisions:</b></p> <p>2) The Order will require the Respondent to:</p> <p>a. Immediately, upon the effective date of this Agreed Order, compile and maintain properly completed monthly water works operation reports and maintenance records.</p> <p>b. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Provide a concrete sealing block for the well that is properly sloped away from the well head and extends at least three feet in all directions from the well casing;</p> <p>ii. Begin calibrating the well meter once every three years; and</p> <p>iii. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 90720035.</p> <p>c. Within 60 days after the effective date of this Agreed Order:</p> <p>i. Submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and 2.b.</p> <p>ii. Create and begin maintaining an up-to-date map of the distribution system so that</p>

<p>tank in strict accordance with current American Water Works Association ("AWWA") standards [30 TEX. ADMIN. CODE § 290.43(c)].</p> <p>7) Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>8) Failed to maintain accurate, up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank [30 TEX. ADMIN. CODE § 290.46(n)(1)].</p> <p>9) Failed to maintain an up-to date map of the distribution system so that valves and mains may be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].</p> <p>10) Failed to maintain a copy of well completion data on file [30 TEX. ADMIN. CODE § 290.46(n)(3)].</p> <p>11) Failed to calibrate the well meter once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].</p> <p>12) Failed to pay public health service fees, including all late fees, for TCEQ Financial Administration Account No. 90720035 for Fiscal Year 2006 [30 TEX. ADMIN. CODE § 290.51(a)(3) and TEX. WATER CODE § 5.702].</p>		<p>valves and mains may be easily located during emergencies; and</p> <p>iii. Submit as-built plans to the Executive Director for review and approval.</p> <p>d. Within 90 days after the effective date of this Agreed Order:</p> <p>i. Submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.</p> <p>ii. Obtain a sanitary control easement or an exception to the easement requirement that covers the land within 150 feet of the well;</p> <p>iii. Provide an all-weather access road to the well site;</p> <p>iv. Make repairs to the storage tank, in strict accordance with current AWWA standards; and</p> <p>v. Provide a service pump capacity of 2.0 gpm for connection.</p> <p>e. Within 105 days after the effective date of this Agreed Order, submit written certification and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d.</p>
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Additional ID No(s): PWS 0720035

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 14th inst.

in relation to the above mentioned matter.

The same has been referred to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Yours truly,  
[Signature]

Very truly yours,  
[Signature]

I have the honor to acknowledge the receipt of your letter of the 14th inst.

in relation to the above mentioned matter.

The same has been referred to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Yours truly,  
[Signature]

Very truly yours,  
[Signature]

I have the honor to acknowledge the receipt of your letter of the 14th inst.

in relation to the above mentioned matter.

The same has been referred to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Yours truly,  
[Signature]

Very truly yours,  
[Signature]



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

<b>DATES</b>	<b>Assigned</b>	9-Jul-2007	<b>Screening</b>	16-Jul-2007	<b>EPA Due</b>	
	<b>PCW</b>	16-Jul-2007				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Kim Moore dba Smith Springs Road Mobile Home Park
<b>Reg. Ent. Ref. No.</b>	RN101265098
<b>Facility/Site Region</b>	4-Dallas/Fort Worth
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	34196	<b>No. of Violations</b>	9
<b>Docket No.</b>	2007-1143-PWS-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Public Water Supply	<b>Enf. Coordinator</b>	Epifanio Villarreal
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History**  Enhancement **Subtotals 2, 3, & 7**

**Notes**

**Culpability**   Enhancement **Subtotal 4**

**Notes**

**Good Faith Effort to Comply**  Reduction **Subtotal 5**

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

**Notes**

**Total EB Amounts**  **Subtotal 6**   
**Approx. Cost of Compliance**  **\*Capped at the Total EB \$ Amount**

**SUM OF SUBTOTALS 1-7** **Final Subtotal**

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes**

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  Reduction **Adjustment**

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

**Notes**

**PAYABLE PENALTY**

**Screening Date** 16-Jul-2007

**Docket No.** 2007-1143-PWS-E

**PCW**

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park

Policy Revision 2 (September 2002)

**Case ID No.** 34196

PCW Revision June 26, 2007

**Reg. Ent. Reference No.** RN101265098

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Epifanio Villarreal

**Compliance History Worksheet**

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written 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 judgements 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%

Please Enter Yes or No

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)**

N/A

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

>> **Compliance History Summary**

**Compliance History Notes**

The penalty enhancement is due to two prior Notices of Violation ("NOVs") containing violations that are the same as or similar to the violations in the current enforcement action.

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

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b> <input type="text" value="1"/>		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.41(c)(1)(F)	
<b>Violation Description</b>	Failed to provide a sanitary control easement or an approved exception to the easement requirement that covers the land within 150 feet of the well.	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>		x
				<b>Percent</b> <input type="text" value="5%"/>	

**>> Programmatic Matrix**

	<b>Falsification</b>			
	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				<b>Percent</b> <input type="text" value="0%"/>
<b>Matrix Notes</b>	Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do 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"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	x

**Violation Base Penalty**

One single event is recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$13"/>	Violation Final Penalty Total <input type="text" value="\$55"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$55"/>	

### Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	25-May-2007	1-May-2008	0.9	\$1	\$12	\$13
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to obtain a sanitary control easement or an approved exception to the easement requirement, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

<b>Approx. Cost of Compliance</b>	\$200	<b>TOTAL</b>	\$13
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<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>					
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>						
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>						
<b>Reg. Ent. Reference No.</b> RN101265098							
<b>Media [Statute]</b> Public Water Supply							
<b>Enf. Coordinator</b> Epifanio Villarreal							
<b>Violation Number</b>	2						
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.41(c)(3)(J)						
<b>Violation Description</b>	Failed to provide a concrete sealing block on the well that extends at least three feet in all directions from the well casing and is sloped to drain away from the well head.						
<b>Base Penalty</b>		\$1,000					
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>							
OR	<b>Harm</b>						
	<b>Release</b>	Major	Moderate	Minor			
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Potential	<input type="text"/>	x	<input type="text"/>	<b>Percent</b>	10%		
<b>&gt;&gt; Programmatic Matrix</b>							
<b>Falsification</b>							
Major			Moderate	Minor			
<input type="text"/>			<input type="text"/>	<input type="text"/>	<b>Percent</b>	0%	
<b>Matrix Notes</b>	Failure to provide a concrete sealing block that is sloped and extends three feet in all directions may allow the well to be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.						
<b>Adjustment</b>					\$900		
\$100							
<b>Violation Events</b>							
<b>Number of Violation Events</b>		1		<b>Number of violation days</b>		52	
<i>mark only one with an x</i>	daily	<input type="text"/>		<b>Violation Base Penalty</b>		\$100	
	monthly	<input type="text"/>					
	quarterly	x					
	semiannual	<input type="text"/>					
	annual	<input type="text"/>					
	single event	<input type="text"/>					
One quarterly event is recommended, calculated from the date of the investigation, May 25, 2007, to the date of screening, July 16, 2007.							
<b>Economic Benefit (EB) for this violation</b>				<b>Statutory Limit Test</b>			
<b>Estimated EB Amount</b>		\$17		<b>Violation Final Penalty Total</b>		\$110	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>						\$110	

### Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34198  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	25-May-2007	1-Feb-2008	0.7	\$17	n/a	\$17
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to extend the size of the concrete sealing block and to appropriately slope the sealing block, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$17

Screening Date 16-Jul-2007

Docket No. 2007-1143-PWS-E

PCW

Respondent Kim Moore dba Smith Springs Road Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 34196

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101265098

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

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"/>	<input type="text" value="5%"/>
Potential	<input type="text"/>	<input type="text"/>	<input 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%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events   Number of violation days

mark only one with an x	daily	<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

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** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 3

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	25-May-2007	1-Apr-2008	0.9	\$3	\$57	\$60
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs includes the 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$60

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 34196	<small>PCW Revision June 26, 2007</small>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b>	4	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(f)(3) and (f)(3)(D)(i)	
<b>Violation Description</b>	Failed to properly develop and maintain water works operation records. Specifically, at the time of the investigation, water usage records that were provided were incomplete and there were no records of the results of microbiological analysis.	
<b>Base Penalty</b>		\$1,000

>> Environmental, Property and Human Health Matrix

OR	<b>Harm</b>				
	<b>Release</b>	Major	Moderate		Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Percent</b> <input style="width:50px;" type="text" value="0%"/>	

>> Programmatic Matrix

	<b>Falsification</b>				
		Major	Moderate		Minor
	<input type="checkbox"/>	x	<input type="checkbox"/>		<input type="checkbox"/>
				<b>Percent</b> <input style="width:50px;" type="text" value="10%"/>	
<b>Matrix Notes</b>	Greater than 70% of the rule requirement was not met.				

**Adjustment**

Violation Events

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

One single event is recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input style="width:150px;" type="text" value="\$17"/>	Violation Final Penalty Total <input style="width:100px;" type="text" value="\$110"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input style="width:100px;" type="text" value="\$110"/>	

### Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 4

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	25-May-2007	1-Feb-2008	0.7	\$17	n/a	\$17
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**  
 The delayed cost includes the amount to properly prepare and maintain records of water works operation and maintenance activities and microbiological results, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance** \$500

**TOTAL** \$17

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b> <input type="text" value="5"/>		
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.43(c)"/>	
<b>Violation Description</b>	<input 30="" and="" at="" awwa")="" diameter,="" did="" drains,="" ground="" have="" in="" inches="" investigation,="" less="" not="" of="" opening="" proper="" roof="" screen="" specifically,="" standards.="" storage="" tank="" than="" the="" time="" torn."="" type="text" value="Failed to maintain the facility's storage tank in strict accordance with current American Water Works Association (" vent="" was=""/>	
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

OR	<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	x	<input type="text"/>
			<b>Percent</b>	<input type="text" value="10%"/>

>> Programmatic Matrix

Matrix Notes	<b>Falsification</b>			
	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
			<b>Percent</b>	<input type="text" value="0%"/>
	<input type="text" value="Failing to maintain the storage tank could result in customers of the water supply being exposed to significant amounts of contaminants which would not exceed levels that are protective of human health."/>			

**Adjustment**

Violation Events

<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="52"/>	<b>Number of violation days</b>
mark only one with an x daily <input type="text"/> monthly <input type="text"/> quarterly <input checked="" type="text"/> semiannual <input type="text"/> annual <input type="text"/> single event <input type="text"/>		<b>Violation Base Penalty</b> <input type="text" value="\$100"/>

One quarterly event is recommended from the date of the investigation, May 25, 2007, to the date of screening, July 16, 2007.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$47"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$110"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$110"/>	

## Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 5

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	25-May-2007	1-May-2008	0.9	\$47	n/a	\$47

Notes for DELAYED costs

The delayed cost includes the amount for the storage tank to meet current AWWA standards, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$47

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b> 6		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.45(b)(1)(F)(iii) and Tex. Health & Safety Code § 341.0315(c)	
<b>Violation Description</b>	Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, at the time of the investigation, it was noted that that system had only one service pump installed and operating.	
<b>Base Penalty</b>		\$1,000

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

OR	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Percent</b> <input type="text" value="25%"/>

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="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"/>	
	monthly	<input checked="" type="checkbox"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

**Violation Base Penalty**

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$131"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$550"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$550"/>	

## Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 6

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	25-May-2007	1-May-2008	0.9	\$6	\$125	\$131
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the amount to install an additional service pump so that a total capacity of 2.0 gpm per connection will be produced, 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$131

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b>	7	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(n)(1), (n)(2), and (n)(3)	
<b>Violation Description</b>	Failed to maintain accurate, up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank, failed to maintain an up-to date map of the distribution system so that valves and mains may be easily located during emergencies, and failed to maintain a copy of well completion data on file. Specifically, it was noted that the system did not produce as-built plans, drawings, specifications, map of the distribution system, and well completion data at the time of the investigation.	
<b>Base Penalty</b>		\$1,000

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

OR	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	<b>Actual</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	<b>Potential</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width:50px;" type="text" value="0%"/>

**>> Programmatic Matrix**

	<b>Falsification</b>					
		Major	Moderate	Minor		
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>		
	<b>Matrix Notes</b>	100% of the rule requirements were not met.				<b>Percent</b> <input style="width:50px;" type="text" value="10%"/>
<b>Adjustment</b>					\$900	

	\$100
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**Violation Events**

	<input style="width:40px;" type="text" value="3"/>		<input style="width:40px;" type="text" value="52"/>	Number of violation days
<i>mark only one with an x</i>	daily <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"/>			
<b>Violation Base Penalty</b>				\$300
Three single events are recommended (one event for each record that was lacking at the time of the investigation).				

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input style="width:150px;" type="text" value="\$43"/>	Violation Final Penalty Total <input style="width:100px;" type="text" value="\$330"/>
This violation Final Assessed Penalty (adjusted for limits) <input style="width:100px;" type="text" value="\$330"/>	

### Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 7

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$1,000	25-May-2007	1-Apr-2008	0.9	\$43	n/a	\$43
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**

The delayed cost includes the amount to prepare and maintain as-built plans and specifications to create and maintain an up-to-date map of the distribution system, and 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				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$1,000

**TOTAL** \$43

<b>Screening Date</b> 16-Jul-2007	<b>Docket No.</b> 2007-1143-PWS-E	<b>PCW</b>
<b>Respondent</b> Kim Moore dba Smith Springs Road Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34196	<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN101265098		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Epifanio Villarreal		
<b>Violation Number</b> <input type="text" value="8"/>		
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(s)(1)"/>	
<b>Violation Description</b>	<input type="text" value="Failed to calibrate the well meter once every three years."/>	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	x	<b>Percent</b> <input type="text" value="5%"/>	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
<input type="text"/>					
					<b>Percent</b> <input type="text" value="0%"/>

**Matrix Notes**

**Adjustment**

**Violation Events**

	<input type="text" value="1"/>		<input type="text" value="52"/>	Number of violation days
<i>mark only one with an x</i>	daily		monthly	
	quarterly		semiannual	
	annual		single event	x

**Violation Base Penalty**

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$239"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$55"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$55"/>	

### Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**Media** Public Water Supply  
**Violation No.** 8

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

**Avoided Costs** ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$200	25-May-2004	25-May-2007	3.9	\$39	\$200	\$239
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the amount to properly calibrate the well meter calculated for the three years prior to the date of the investigation.

Approx. Cost of Compliance \$200

TOTAL \$239

**Screening Date** 16-Jul-2007 **Docket No.** 2007-1143-PWS-E **PCW**  
**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 34196 *PCW Revision June 26, 2007*  
**Reg. Ent. Reference No.** RN101265098  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal  
**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%"/>
	Potential	<input type="text"/>	<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%"/>

Matrix Notes

**Adjustment**

Violation Events

Number of Violation Events  Number of violation days

*mark only one with an x*

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

**Violation Base Penalty**

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$0"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$0"/>	

## Economic Benefit Worksheet

**Respondent** Kim Moore dba Smith Springs Road Mobile Home Park  
**Case ID No.** 34196  
**Reg. Ent. Reference No.** RN101265098  
**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				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

N/A

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

N/A

Approx. Cost of Compliance

\$0

TOTAL

\$0

# Compliance History

Customer/Respondent/Owner-Operator:	CN602815789 MOORE, KIM	Classification:	Rating:
Regulated Entity:	RN101265098 SMITH SPRINGS ROAD MHP	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING	REGISTRATION LICENSE	0720035 0720035
Location:	0.6 MI NW of Highway 377 and County Road 176 Intersection, Erath County		
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	July 12, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	July 12, 2002 to July 12, 2007		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	<u>Epi Villarreal</u>	Phone:	<u>(210) 403-4033</u>

## Site Compliance History Components

- |  |             |
|--|-------------|
| 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 of the site during the compliance period?    | Yes         |
| 3. If Yes, who is the current owner?   | Kim Moore   |
| 4. If Yes, who was/were the prior owner(s)?  | Ford Realty |
| 5. When did the change(s) in ownership occur?  | May-04      |

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.  
N/A
- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- |            |          |  |
|------------|----------|--|
| 04/06/2005 | (376400) |  |
| 12/22/2006 | (535079) |  |
| 07/05/2007 | (563754) |  |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- |              |  |          |                          |
|--------------|--|----------|--------------------------|
| Date         | 04/18/2005   | (376400) |                          |
| Self Report? | NO   |          | Classification: Moderate |
| Citation:    | 30 TAC Chapter 290, SubChapter D 290.46(i)   |          |                          |
| Description: | Failure to establish and enforce a plumbing ordinance, regulation, or service agreement with a prohibition of potential cross-connections or other undesirable plumbing practices and provisions for proper enforcement. |          |                          |
| Self Report? | NO   |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)   |          |                          |
| Description: | Failure to make available sanitary control easements for the well at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv).   |          |                          |
| Self Report? | NO   |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)   |          |                          |
| Description: | Failure to provide the well with a concrete sealing block extending at least 3 feet from the exterior well casing in all directions and sloped to drain away from the wellhead.  |          |                          |

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)		
Description:	Failure to install a functioning flow meter on each well pump discharge line to provide water usage records and to assist in more efficient system operation.		
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.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)[G]		
Description:	Failure to compile and maintain monthly reports of water works operation.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to maintain and make available an accurate and up-to-date map of the distribution system.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
Description:	Failure to compile and maintain current a thorough plant operations manual for operator review and reference.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(3)		
Description:	Failure to maintain a copy of the well completion data for as long as the well remains in service.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(d)(2)		
Description:	Failure to provide all pressure tanks with an easily readable pressure gauge.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to inspect the pressure tank annually and to record and maintain the results of the inspections for at least five years, per §290.46(f)(3)(D)(l).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)[G]		
Description:	Failure to cover and design, fabricate, erect, test and disinfect in strict accordance with current American Water Works Association (AWWA) standards, all facilities for potable water storage.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(e)		
Description:	Failure to provide an intruder-resistant fence in good condition in order to protect the ground storage tank.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)[G]		
Description:	Failure to inspect the ground storage tank at least annually and to record and maintain the results of the inspections for at least five years, per §290.46(f)(3)(D)(ii).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iii)		
Description:	Failure to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection.		
Date	01/05/2007	(535079)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(l)		
Description:	Failure to establish and enforce a plumbing ordinance, regulation, or service agreement with a prohibition of potential cross-connections or other undesirable plumbing practices and provisions for proper enforcement.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)		
Description:	Failure to make available sanitary control easements for the well at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)		
Description:	Failure to provide the well with a concrete sealing block extending at least 3 feet from		

the exterior well casing in all directions and sloped to drain away from the wellhead.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)		
Description:	Failure to install a functioning flow meter on each well pump discharge line to provide water usage records and to assist in more efficient system operation.		
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.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)[G]		
Description:	Failure to compile and maintain monthly reports of water works operation.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(2)		
Description:	Failure to maintain and make available an accurate and up-to-date map of the distribution system.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
Description:	Failure to compile and maintain current a thorough plant operations manual for operator review and reference.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(n)(3)		
Description:	Failure to maintain a copy of the well completion data for as long as the well remains in service.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(d)(2)		
Description:	Failure to provide all pressure tanks with an easily readable pressure gauge.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)		
Description:	Failure to inspect the pressure tank annually and to record and maintain the results of the inspections for at least five years, per §290.46(f)(3)(D)(ii).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(c)[G]		
Description:	Failure to cover and design, fabricate, erect, test and disinfect in strict accordance with current American Water Works Association (AWWA) standards, all facilities for potable water storage.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.43(e)		
Description:	Failure to provide an intruder-resistant fence in good condition in order to protect the ground storage tank.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)(1)[G]		
Description:	Failure to inspect the ground storage tank at least annually and to record and maintain the results of the inspections for at least five years, per §290.46(f)(3)(D)(ii).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iii)		
Description:	Failure to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(e)		
Description:	Failure by the regulated entity to be under the direct supervision of a licensed water works operator at all times.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain the well casing vent to prevent conditions that might cause contamination of the water. Specifically, the well casing vent was not properly installed and securely fastened and sealed on the well casing.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition. Specifically, the facilities, lines and/or appurtenance(s) located inside		
	the wellhouse were not maintained in a watertight condition.		

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



<b>IN THE MATTER OF AN</b>	<b>§</b>	<b>BEFORE THE</b>
<b>ENFORCEMENT ACTION</b>	<b>§</b>	
<b>CONCERNING</b>	<b>§</b>	
<b>KIM MOORE DBA SMITH SPRINGS</b>	<b>§</b>	<b>TEXAS COMMISSION ON</b>
<b>ROAD MOBILE HOME PARK</b>	<b>§</b>	
<b>RN101265098</b>	<b>§</b>	<b>ENVIRONMENTAL QUALITY</b>

**AGREED ORDER**  
**DOCKET NO. 2007-1143-PWS-E**

**I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Kim Moore dba Smith Springs Road Mobile Home Park ("Ms. Moore") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 5. The Executive Director of the TCEQ, through the Enforcement Division, and Ms. Moore appear before the Commission and together stipulate that:

1. Ms. Moore owns and operates a mobile home park with a public water supply located approximately 0.6 of a mile northwest of the intersection of Highway 377 and County Road 176, Erath County, Texas (the "Facility") that has approximately 15 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and Ms. Moore agree that the Commission has jurisdiction to enter this Agreed Order, and that Ms. Moore is subject to the Commission's jurisdiction.
3. Ms. Moore received notice of the violations alleged in Section II ("Allegations") on or about July 10, 2007.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Ms. Moore of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of One Thousand Three Hundred Seventy-Five Dollars (\$1,375) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Ms. Moore has paid One Hundred Dollars (\$100) of the administrative penalty



and Two Hundred Seventy-Five Dollars (\$275) is deferred contingent upon Ms. Moore's timely and satisfactory compliance with all the terms of this Agreed Order. If Ms. Moore fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Ms. Moore to pay all or part of the deferred penalty.

The remaining amount of One Thousand Dollars (\$1,000) of the administrative penalty shall be payable in 10 monthly payments of One Hundred Dollars (\$100) each. The next 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 until paid in full. If Ms. Moore fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's 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 failure of Ms. Moore to meet the payment schedule of this Agreed Order constitutes the failure by Ms. Moore to timely and satisfactorily comply with all the terms of this Agreed Order.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and Ms. Moore have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that Ms. Moore has implemented the following corrective measures at the Facility:
  - a. Began maintaining well completion data that was confirmed and verified by the Dallas Fort Worth Regional Office, as documented on October 3, 2007; and
  - b. Submitted documentation demonstrating compliance with the microbiological requirement, as documented on October 1, 2007.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Ms. Moore has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. 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.

## II. ALLEGATIONS

As owner and operator of the Facility, Ms. Moore is alleged to have:

As a result of the above, the Commission has concluded that the proposed transaction is in the best interests of the shareholders of the Company and that the transaction should be approved by the Board of Directors.

The Board of Directors has approved the proposed transaction and the Commission has approved the proposed transaction on the basis of the information provided to it.

The Commission has also approved the proposed transaction on the basis of the information provided to it.

The Commission has also approved the proposed transaction on the basis of the information provided to it.

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The Commission has also approved the proposed transaction on the basis of the information provided to it.

1. Failed to provide a sanitary control easement or an approved exception to the easement requirement that covers the land within 150 feet of the well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F), as documented during an investigation conducted on May 25, 2007.
2. Failed to provide a concrete sealing block on the well that extends at least three feet in all directions from the well casing and is sloped to drain away from the well head, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(J), as documented during an investigation conducted on May 25, 2007.
3. Failed to provide an all-weather access road to the well site, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(P), as documented during an investigation conducted on May 25, 2007.
4. Failed to properly develop and maintain water works operation records, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3), as documented during an investigation conducted on May 25, 2007. Specifically, at the time of the investigation, water usage records that were provided were incomplete.
5. Failed to properly develop and maintain water works operation records, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(D)(i), as documented during an investigation conducted on May 25, 2007. Specifically, at the time of the investigation, there were no records of the results of microbiological analysis.
6. Failed to maintain the facility's storage tank in strict accordance with current American Water Works Association ("AWWA") standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c), as documented during an investigation conducted on May 25, 2007.
7. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on May 25, 2007.
8. Failed to maintain accurate, up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(1), as documented during an investigation conducted on May 25, 2007.
9. Failed to maintain an up-to date map of the distribution system so that valves and mains may be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2), as documented during an investigation conducted on May 25, 2007.
10. Failed to maintain a copy of well completion data on file, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3), as documented during an investigation conducted on May 25, 2007.
11. Failed to calibrate the well meter once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1), as documented during an investigation conducted on May 25, 2007.

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring the integrity and reliability of the data used in various reports and analyses.

Furthermore, it highlights the need for regular audits and reviews to identify any discrepancies or errors in the data. This process helps in maintaining the accuracy of the information and ensures that the organization is operating in a transparent and accountable manner.

In addition, the document outlines the various methods and tools used for data collection and analysis. It provides a detailed overview of the different techniques employed to gather and process the information, ensuring that the results are both valid and meaningful.

The second part of the document focuses on the application of the collected data in various business and operational contexts. It discusses how the information is used to make informed decisions, optimize processes, and improve overall performance across different departments.

Moreover, it explores the role of data in strategic planning and long-term growth. By analyzing trends and patterns in the data, the organization can identify opportunities for expansion and innovation, as well as potential risks and challenges that need to be addressed.

The document also addresses the importance of data security and privacy. It outlines the measures taken to protect sensitive information from unauthorized access and ensure that the data is handled in a secure and compliant manner, in accordance with relevant regulations and standards.

Finally, the document concludes by summarizing the key findings and recommendations. It emphasizes the ongoing nature of data analysis and the need for continuous improvement in data management practices to stay competitive in a rapidly changing market environment.

In conclusion, this document provides a comprehensive overview of the data management process, from collection and analysis to application and security. It serves as a valuable resource for anyone involved in data-driven decision-making and operational optimization.

The information presented here is intended to provide a clear and concise understanding of the data management process and its importance in achieving organizational success. It is hoped that this document will be a helpful guide for all stakeholders involved in the data management process.

For more information or to discuss any of the topics covered in this document, please contact the relevant department or individual mentioned in the text. We are always open to feedback and suggestions to improve the quality and effectiveness of our data management practices.

Thank you for your attention and interest in this document. We look forward to continuing our efforts to enhance our data management capabilities and provide the highest quality of service to our stakeholders.

Best regards,  
[Name]  
[Title]  
[Contact Information]

12. Failed to pay public health service fees, including all late fees, for TCEQ Financial Administration Account No. 90720035 for Fiscal Year 2006, in violation of 30 TEX. ADMIN. CODE § 290.51(a)(3) and TEX. WATER CODE § 5.702, as documented in a record review conducted on July 16, 2007.

### III. DENIALS

Ms. Moore generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Ms. Moore pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Ms. Moore's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Kim Moore dba Smith Springs Road Mobile Home Park, Docket No. 2007-1143-PWS-E" to:

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

2. It is further ordered that Ms. Moore shall undertake the following technical requirements:
  - a. Immediately, upon the effective date of this Agreed Order, compile and maintain properly completed monthly water works operation reports and maintenance records, in accordance with 30 TEX. ADMIN. CODE § 290.46.
  - b. Within 30 days after the effective date of this Agreed Order:
    - i. Provide a concrete sealing block for the well that is properly sloped away from the well head and extends at least three feet in all directions from the well casing, in accordance with 30 TEX. ADMIN. CODE § 290.41;
    - ii. Begin calibrating the well meter once every three years, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
    - iii. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 90720035. The payment shall be sent with the notation "RE: Kim Moore dba Smith Springs Road Mobile Home Park, FA Account No. 90720035" to:



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

- c. Within 60 days after the effective date of this Agreed Order:
- i. Submit written certification as described below in Ordering Provision 2.e., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and 2.b.
  - ii. Create and begin maintaining an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
  - iii. Submit as-built plans to the Executive Director for review and approval, in accordance with 30 TEX. ADMIN CODE § 290.46.

The plans shall be submitted to:

Water Supply Division  
Utility Creation & Plan Review Team, MC 153  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

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

- d. Within 90 days after the effective date of this Agreed Order:
- i. Submit written certification as described below in Ordering Provision 2.e., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.
  - ii. Obtain a sanitary control easement or an exception to the easement requirement that covers the land within 150 feet of the well, in accordance with 30 TEX. ADMIN. CODE § 290.41;
  - iii. Provide an all-weather access road to the well site, in accordance with 30 TEX. ADMIN. CODE § 290.41;



- iv. Make repairs to the storage tank, in strict accordance with current AWWA standards, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
  - v. Provide a service pump capacity of 2.0 gpm for connection, in accordance with 30 TEX. ADMIN. CODE § 290.45.
- e. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d. The certification shall be notarized by a State of Texas Notary Public and 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 certification shall be submitted to:

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

with a copy to:

Water Section, Manager  
Dallas/Fort Worth Regional Office  
Texas Commission on Environmental Quality  
2301 Gravel Drive  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon Ms. Moore. Ms. Moore is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. 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 Ms. Moore shall be made in writing to the Executive Director. Extensions are not effective until Ms. Moore receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and integration. It provides strategies to overcome these challenges and ensure the integrity and reliability of the data.

5. The fifth part of the document discusses the importance of data governance and compliance. It outlines the key principles and practices for ensuring that data is managed in a responsible and ethical manner, in accordance with applicable laws and regulations.

6. The sixth part of the document concludes by summarizing the key findings and recommendations. It emphasizes the need for a holistic approach to data management, one that integrates technology, processes, and people to achieve the organization's goals.

7. The seventh part of the document provides a detailed overview of the data management framework, including the roles and responsibilities of various stakeholders and the specific processes involved in data collection, storage, and analysis.

8. The eighth part of the document discusses the importance of data literacy and training. It highlights the need for all employees to have a basic understanding of data management principles and practices to ensure effective data utilization.

9. The ninth part of the document addresses the issue of data privacy and security. It outlines the measures that should be taken to protect sensitive data from unauthorized access, disclosure, and loss, ensuring the confidentiality and integrity of the information.

10. The tenth part of the document discusses the importance of data-driven decision-making. It highlights how data can provide valuable insights into organizational performance, customer behavior, and market trends, enabling leaders to make informed and strategic decisions.

11. The eleventh part of the document provides a detailed overview of the data management framework, including the roles and responsibilities of various stakeholders and the specific processes involved in data collection, storage, and analysis.

12. The twelfth part of the document discusses the importance of data literacy and training. It highlights the need for all employees to have a basic understanding of data management principles and practices to ensure effective data utilization.

13. The thirteenth part of the document addresses the issue of data privacy and security. It outlines the measures that should be taken to protect sensitive data from unauthorized access, disclosure, and loss, ensuring the confidentiality and integrity of the information.

14. The fourteenth part of the document discusses the importance of data-driven decision-making. It highlights how data can provide valuable insights into organizational performance, customer behavior, and market trends, enabling leaders to make informed and strategic decisions.

15. The fifteenth part of the document provides a detailed overview of the data management framework, including the roles and responsibilities of various stakeholders and the specific processes involved in data collection, storage, and analysis.

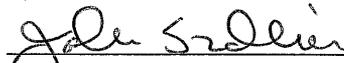
5. This Agreed Order, issued by the Commission, shall not be admissible against Ms. Moore in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Ms. Moore, or three days after the date on which the Commission mails notice of the Order to Ms. Moore, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

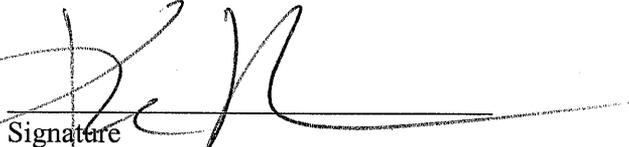
2/7/08  
Date

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

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

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

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

  
Signature

10-16-07  
Date

Kim Moore  
Name (Printed or typed)  
Authorized Representative of  
Kim Moore dba Smith Springs Road Mobile Home Park

Quense  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

