

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 3  
**DOCKET NO.: 2005-1161-PWS-E TCEQ ID NO.: RN103916839 CASE NO.: 26016**  
**RESPONDENT NAME: DEBBIE LEWIS DBA CHAPARRAL COURTS**

<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
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> 5566 Old Christoval Road, San Angelo, Tom Green County</p> <p><b>TYPE OF OPERATION:</b> Public Water Supply</p> <p><b>SMALL BUSINESS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 9, 2007. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  TCEQ Attorney: Mr. Xavier Guerra, Litigation Division, MC 175, (210) 403-4016  Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873  TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Air Enforcement Section, MC 219, (512) 239-0321  TCEQ Regional Contact: Mr. Ricky Anderson, San Angelo Regional Office, MC R-8 (325) 655-9479  Respondent: Ms. Debbie Lewis, Owner, Chaparral Courts, 2554 Lindenwood Drive, San Angelo, Texas 76904  Respondent's Attorney: Mr. Robert Post, Attorney at Law, P.O. Box 4079, San Angelo, Texas 76902</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date of Complaints Relating to this Case:</b> None</p> <p><b>Dates of Investigation Relating to this Case:</b> March 10, 2005</p> <p><b>Dates of NOE Relating to this Case:</b> April 28, 2005</p> <p><b>Background Facts:</b></p> <p>A settlement agreement was reached, and a signed Agreed Order was received from the Respondent.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p><b>PWS</b></p> <p>1) Failed to submit plans and specifications to the TCEQ prior to construction of a public water system [30 TEX. ADMIN. CODE § 290.39(c) and TEX. HEALTH &amp; SAFETY CODE § 341.035(c)].</p> <p>2) Failed to secure authorization of two wells prior to providing drinking water to the public [30 TEX. ADMIN. CODE § 290.41(c)(3)(A)].</p> <p>3) Failed to have required engineering plans and maps, as there was neither a map of the distribution system nor plans for any ground storage or pressure tanks [30 TEX. ADMIN. CODE § 290.46(n)].</p> <p>4) Failed to provide a sanitary control easement for the two wells [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>5) Failed to ensure that the two well sites are graded so that surface water drains away from the wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(I)].</p> <p>6) Failed to provide a proper sealing block for the wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].</p> <p>7) Failed to provide a vent for either of the two wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(K)].</p> <p>8) Failed to provide either of the two wells with casings that extend a minimum of 18 inches above the ground surface [30 TEX. ADMIN. CODE § 290.41(c)(3)(B)].</p>	<p><b>Initial Calculated Penalty:</b> \$14,801</p> <p><b>Total Assessed:</b> \$11,840*</p> <p><b>Total Deferred:</b> \$0</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid/Due to General Revenue:</b> \$440/\$11,400</p> <p>The Respondent has paid \$440 of the administrative penalty. The remaining amount of \$11,400 shall be payable in 24 monthly payments of \$475 each.</p> <p><b>Site Compliance History Classification:</b> N/A</p> <p><b>Person Compliance History Classification:</b> N/A</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>*Explanation of Initial Calculated Penalty Reduction:</b> The penalty was reduced based on risk of litigation.</p>	<p><b>Corrective Action Taken</b></p> <p>Executive Director recognizes that as of October 16, 2007, the Facility no longer met the definition of a public water system and Chaparral Courts is now being supplied water by Millersview-Doole Water Supply Corporation.</p>

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>9) Failed to collect and submit monthly microbiological samples and failed to post public notice of the routine monitoring violation within 90 days of incurring the monitoring violations [30 TEX. ADMIN. CODE § 290.109(c)(2), 290.109(g) and 290.122(c), and TEX. HEALTH &amp; SAFETY CODE § 341.033(d)].</p> <p>10) Failed to provide either an intruder-resistant fence or a well house for the two wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].</p> <p>11) Failed to provide fencing for the ground storage tank and failing to maintain adequate housing for the two 120 gallon pressure tanks [30 TEX. ADMIN. CODE § 290.43(e)].</p> <p>12) Failed to provide a flow meter for either of the two wells [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].</p> <p>13) Failed to provide disinfection at a point prior to the ground storage tank [30 TEX. ADMIN. CODE § 290.42(e)(2)].</p> <p>14) Failed to maintain a minimum chlorine residual of at least 0.2 mg/L free chlorine in the distribution system [30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4)].</p> <p>15) Failed to provide a ground storage that was designed, fabricated, erected, tested and disinfected in strict accordance with current American Water Works Association ("AWWA") standards [30 TEX. ADMIN. CODE § 290.43(c)].</p> <p>16) Failed to provide a pressure release device for the operational pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(2)].</p> <p>17) Failed to inspect the operational pressure tank and the ground storage tank within a year of the previous investigation [30 TEX. ADMIN. CODE § 290.46(m)(1)].</p> <p>18) Failed to provide adequate total storage capacity [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>19) Failed to provide adequate pumping capacity, as there are no service pumps provided [30 TEX. ADMIN. CODE § 290.45 (b)(1)(F)(iii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>20) Failed to provide adequate pressure tank capacity [30 TEX. ADMIN. CODE § 290.45 (b)(1)(F)(iv) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>21) Failed to provide a system ownership sign at the wells and ground storage tank facility [30 TEX. ADMIN. CODE § 290.46(t)].</p>		



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	05-May-2005	Screening	06-Jul-2005	EPA Due	
	PCW	10-Jan-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Debbie Lewis dba Chaparral Courts
Reg. Ent. Ref. No.	RN103916839
Facility/Site Region	8-San Angelo
Major/Minor Source	Minor Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	26016	No. of Violations	15
Docket No.	2005-1161-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Brian Lehmkuhle
Multi-Media		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$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** 17% Enhancement Subtotals 2, 3, & 7

Notes: The respondent has been provided three Notice of Violation letters (NOVs) for same or similar violations and one NOV for dissimilar violations.

**Culpability** No  Enhancement Subtotal 4

Notes: The respondent does not meet the culpability criteria.

**Good Faith Effort to Comply** 0% Reduction Subtotal 5

Before NOV    NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes: The respondent is not yet in compliance.

**Economic Benefit** 0% Enhancement\* Subtotal 6

Total EB Amounts	\$4,574	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$20,560	

**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 indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral recommended as this is not an expedited case.

**PAYABLE PENALTY**

**Screening Date** 06-Jul-2005 **Docket No.** 2005-1161-PWS-E **PCW**  
**Respondent** Debbie Lewis dba Chaparral Courts *Policy Revision 2 (September 2002)*  
**Case ID No.** 26016 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Brian Lehmkuhle

**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>	3	15%
	Other written NOVs	1	2%
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 disclosed)</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%
Other	<i>Please Enter Yes or No</i>		
	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)** 17%

>> **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 respondent has been provided three Notice of Violation letters (NOVs) for same or similar violations and one NOV for dissimilar violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 17%

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)** 30 Tex. Admin. Code §§ 290.39(c), 290.41(c)(3)(A) and 290.46(n)

**Secondary Rule Cite(s)** Tex. Health & Safety Code § 341.035(c)

**Violation Description**  
 Failure to obtain needed authorization and provide documentation as required. Specifically, the respondent failed to secure authorization of two wells prior to providing drinking water to the public. Also, plans and specifications were not provided prior to construction of this public water system. Additionally, there was neither a map of the distribution system nor plans for any ground storage or pressure tank.

**Base Penalty**

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

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

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="10%"/>

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="checkbox"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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)	\$5,000	24-Sep-2003	30-Sep-2006	3.0	\$755	n/a	\$755

Notes for DELAYED costs: Estimated cost to have plans and specifications (and other related documents) prepared and submitted by a licensed professional engineer, from the date that the respondent was first notified of these requirements through the estimated date of compliance.

Item	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 **\$5,000** TOTAL **\$755**

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	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="checkbox"/>

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** 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
<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)	\$500	24-Sep-2003	30-Jun-2006	2.8	\$69	n/a	\$69

**Notes for DELAYED costs**  
 Estimated cost for activities needed to obtain/provide a sanitary easement for both wells, from the date that the respondent was first notified of these requirements through 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** \$69

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**  
**Secondary Rule Cite(s)**

30 Tex. Admin. Code §§ 290.41(c)(3)(B), 290.41(c)(3)(J), 290.41(c)(3)(K) and 290.41(c)(3)(L)

**Violation Description**

Failure to provide construction that adequately protects the public water supply source. Specifically, for each of the two wells, the respondent failed to provide a sealing block, failed to provide a vent and failed to ensure that site grading allowed surface water to drain away from the wells. Also, the well casings both extended six inches or less above the ground surface; a minimum of 18 inches is required.

**Base Penalty**

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

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

**Percent**

>> **Programmatic Matrix**

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

**Percent**

**Matrix Notes**

Human health or the environment could be exposed to a significant amount of contaminants that exceed levels protective of human health as a result of the failure to properly protect the water source.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="checkbox"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

**Violation Base Penalty**

Four monthly events (per well) are recommended from the March 10, 2005 investigation date through the screening date (July 6, 2005).

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Violation No.** 3

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

<b>Item Description</b>	<b>Item Cost</b>	<b>Date Required</b>	<b>Final Date</b>	<b>Yrs</b>	<b>Interest Saved</b>	<b>Onetime Costs</b>	<b>EB Amount</b>
<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	\$500	24-Sep-2003	30-Jun-2006	2.8	\$5	\$92	\$97
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: Estimated cost to complete necessary well site construction, from the date that the respondent was first notified of these requirements through the estimated date of compliance.

<b>Avoided Costs</b>	<b>ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)</b>						
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** **\$97**

**Screening Date** 06-Jul-2005 **Docket No.** 2005-1161-PWS-E **PCW**

**Respondent** Debbie Lewis dba Chaparral Courts *Policy Revision 2 (September 2002)*

**Case ID No.** 26016 *PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

30 Tex. Admin. Code § 290.109(c)(2) and Tex. Health & Safety Code § 341.033(d)

**Secondary Rule Cite(s)**

30 Tex. Admin. Code §§ 290.109(g) and 290.122(c)

**Violation Description**

Failed to collect and submit monthly microbiological samples and failed to post public notice of the routine monitoring violations within 90 days of incurring the monitoring violations. Specifically, no samples were provided since the system was classified as a public water system in September 2003 (October 2003 through February 2005), and no public notice was provided regarding these violations.

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

Failure to take samples for bacteriological analysis may result in undetected contaminated water being distributed to the public resulting in illness.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input checked="" type="checkbox"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

**Violation Base Penalty**

Seventeen monthly events are recommended based on the respondent's failure to collect and submit a sample for bacteriological analysis for the months of October 2003 through February 2005.

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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	\$360	10-Oct-2003	30-Apr-2005	1.6	\$28	\$560	\$588
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  
 Approximate cost to collect and submit routine bacteriological samples, from the date that the respondent was first notified of these requirements through the date of compliance.

Approx. Cost of Compliance **\$360**

**TOTAL \$588**

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>
<b>Matrix Notes</b>	<input type="text" value="Failure to secure the drinking water facilities as required could allow improper system access which could expose the public to significant amounts of pollutants which could exceed levels that are protective of human health."/>					

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small 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**

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Violation No.** 5

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

<b>Item Description</b>	<b>Item Cost</b>	<b>Date Required</b>	<b>Final Date</b>	<b>Yrs</b>	<b>Interest Saved</b>	<b>Onetime Costs</b>	<b>EB Amount</b>
<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)	\$500	24-Sep-2003	30-Jun-2006	2.8	\$69	n/a	\$69

**Notes for DELAYED costs** Estimated cost to properly secure the plant site with adequate fencing and any other necessary upgrades, from the date the respondent was made aware of the violation through the anticipated compliance date.

<b>Avoided Costs</b>	<b>ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)</b>						
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

**TOTAL**

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

Matrix Notes

Failure to provide a working well meter could mitigate an operator's ability to optimize system performance which could expose the public to an insignificant amount of pollutants which would not exceed levels that are protective of human health.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	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="checkbox"/>

**Violation Base Penalty**

A single event per well site is recommended based on the March 10, 2005 investigation.

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** 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
<b>Delayed Costs</b>							
Equipment	\$500	24-Sep-2003	30-Jun-2006	2.8	\$5	\$92	\$97
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: Estimated cost to provide operational flow measuring devices on both wells, from the date that the respondent was first notified of these requirements through 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** \$97

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

Failed to provide adequate disinfection. Specifically, the point of application is required to be ahead of the water storage tanks; the disinfectant is applied directly into the top of the GST. Also, as documented on at least seven occasions from September 2004 through the investigation date, failed to maintain a minimum chlorine residual of at least 0.2 mg/L free chlorine in the distribution system.

**Base Penalty**

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	

>> **Programmatic Matrix**

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

**Matrix Notes**

Failure to provide and maintain adequate disinfection could allow a significant amount of contaminants to enter the water system which would not exceed protective levels.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input checked="" type="text" value="X"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

**Violation Base Penalty**

Two quarterly events are recommended from the March 10, 2005 investigation date through the screening date (July 6, 2005).

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] 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
No commas or \$							
<b>Delayed Costs</b>							
Equipment	\$600	24-Sep-2003	30-Jun-2006	2.8	\$6	\$111	\$116
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)	\$500	04-Sep-2004	06-May-2005	0.7	\$17	n/a	\$17

Notes for DELAYED costs: Estimated cost to ensure proper chlorination point is provided, from the date that the violation was documented through the (estimated) date of compliance. Estimated cost for enhanced operational oversight to ensure minimum chlorine residual is routinely maintained, from the date that the respondent first noted low chlorine residual through the 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 \$1,100 TOTAL \$133

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	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**

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** 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
<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)	\$1,000	24-Sep-2003	31-Oct-2006	3.1	\$155	n/a	\$155

Notes for DELAYED costs: Estimated cost to ensure an adequate GST is provided, from the date that the respondent was first notified of these requirements through 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 \$155

<b>Screening Date</b> 06-Jul-2005	<b>Docket No.</b> 2005-1161-PWS-E	<b>PCW</b>
<b>Respondent</b> Debbie Lewis dba Chaparral Courts		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 26016		<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b> RN103916839		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Brian Lehmkuhle		
<b>Violation Number</b> <input type="text" value="9"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.43(d)(2)"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failed to provide a pressure release device for the operational PT."/>	
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>
<b>Matrix Notes</b>	Failure to have a pressure release device is a threat to tank integrity (with the potential for the tank to rupture) which might injure the operator or compromise the system's ability to provide water.					

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

		<i>daily</i>	<input type="text"/>
		<i>monthly</i>	X
<i>mark only one use a small x</i>		<i>quarterly</i>	<input type="text"/>
		<i>semiannual</i>	<input type="text"/>
		<i>annual</i>	<input type="text"/>
		<i>single event</i>	<input type="text"/>

**Violation Base Penalty**

Four monthly events are recommended from the March 10, 2005 investigation date through the screening date (July 6, 2005).

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Violation No.** 9

<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
<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)	\$750	24-Sep-2003	31-Oct-2006	3.1	\$116	n/a	\$116

Notes for DELAYED costs: Estimated cost to ensure adequate pressure devices are provided for each PT, from the date that the respondent was first notified of these requirements through 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 \$750 **TOTAL** \$116

**Screening Date** 06-Jul-2005

**Docket No.** 2005-1161-PWS-E

**PCW**

**Respondent** Debbie Lewis dba Chaparral Courts

*Policy Revision 2 (September 2002)*

**Case ID No.** 26016

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN103916839

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Brian Lehmkuhle

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input checked="" type="checkbox"/>

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

Item	Cost	Date	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$150	10-Mar-2004	10-Mar-2005	1.0	\$8	\$150	\$158
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

Estimated cost to inspection the PT.
--------------------------------------

Approx. Cost of Compliance

TOTAL

<b>Screening Date</b> 06-Jul-2005	<b>Docket No.</b> 2005-1161-PWS-E	<b>PCW</b>
<b>Respondent</b> Debbie Lewis dba Chaparral Courts		<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b> 26016		<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b> RN103916839		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Brian Lehmkuhle		
<b>Violation Number</b> <input type="text" value="11"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(m)(1)"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failed to inspect the GST within a year of the previous investigation. Specifically, there had been no inspection of the GST during the 12 month period preceding the investigation."/>	
	<b>Base Penalty</b>	<input type="text" value="\$1,000"/>

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

Failure to inspect the GST could compromise the integrity of the water system, reducing system performance which could allow a significant amount of contaminants to enter the water supply which would not exceed levels that are protective of human health.

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

<i>mark only one use a small x</i>	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

**Violation Base Penalty**

A single event is recommended based on the March 10, 2005 investigation.

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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	\$150	10-Mar-2004	10-Mar-2005	1.0	\$8	\$150	\$158
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 Estimated cost to inspection the GST.

Approx. Cost of Compliance **\$150**

**TOTAL \$158**

**Screening Date** 06-Jul-2005 **Docket No.** 2005-1161-PWS-E **PCW**  
**Respondent** Debbie Lewis dba Chaparral Courts *Policy Revision 2 (September 2002)*  
**Case ID No.** 26016 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Brian Lehmkuhle  
**Violation Number**   
**Primary Rule Cite(s)**   
**Secondary Rule Cite(s)**   
**Violation Description**   
**Base Penalty**

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

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

>> **Programmatic Matrix**

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

Matrix Notes

**Adjustment**   
**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="text" value="X"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

**Violation Base Penalty**

**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 Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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	\$10,000	24-Sep-2003	31-Oct-2006	3.1	\$103	\$2,069	\$2,173
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: Estimated cost to provide necessary capital/capacity upgrades, from the date that the respondent was first notified of these requirements through 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 **\$10,000**

**TOTAL \$2,173**

<b>Screening Date</b> 06-Jul-2005	<b>Docket No.</b> 2005-1161-PWS-E	<b>PCW</b>
<b>Respondent</b> Debbie Lewis dba Chaparral Courts	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 26016	<i>PCW Revision May 19, 2005</i>	
<b>Reg. Ent. Reference No.</b> RN103916839		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Brian Lehmkuhle		
<b>Violation Number</b> <input type="text" value="13"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.45(b)(1)(F)(iii) and Tex. Health &amp; Safety Code § 341.0315(c)"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failed to provide adequate pumping capacity, as there are no service pumps provided."/>	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

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

>> **Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**   
**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input checked="" type="text" value="X"/>
	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**

**Estimated EB Amount**

**Statutory Limit Test**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

### Economic Benefit Worksheet

Respondent Debbie Lewis dba Chaparral Courts  
 Case ID No. 26016  
 Reg. Ent. Reference No. RN103916839  
 Media [Statute] Public Water Supply  
 Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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: Economic benefit reflected on PCW#12.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Avoided Costs</b> 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

TOTAL

**Screening Date** 06-Jul-2005 **Docket No.** 2005-1161-PWS-E **PCW**  
**Respondent** Debbie Lewis dba Chaparral Courts *Policy Revision 2 (September 2002)*  
**Case ID No.** 26016 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Brian Lehmkuhle  
**Violation Number** 14  
**Primary Rule Cite(s)** 30 Tex. Admin. Code § 290.45(b)(1)(F)(iv) and Tex. Health & Safety Code § 341.0315(c)  
**Secondary Rule Cite(s)**  
**Violation Description** Failed to provide adequate PT capacity. Specifically, operational PT capacity provided is 86 gallons while 400 gallons is required.  
**Base Penalty** \$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent 25%
	Potential	X			

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification				Percent

Matrix Notes: Inadequate pressure tank capacity (78% deficient) could result in water outages and other serious problems and may allow a significant amount of contaminants to enter the water supply which would exceed levels that are protective of human health.

**Adjustment** -\$750  
**Base Penalty Subtotal** \$250

**Violation Events**

Number of Violation Events 4

mark only one use a small x	daily	
	monthly	X
	quarterly	
	semiannual	
	annual	
	single event	

**Violation Base Penalty** \$1,000

Four monthly events are recommended from the March 10, 2005 investigation date through the screening date (July 6, 2005).

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$0 **Violation Final Penalty Total** \$1,170

**This violation Final Assessed Penalty (adjusted for limits)** \$1,170

### Economic Benefit Worksheet

**Respondent** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Violation No.** 14

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<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 Economic benefit reflected on PCW#12.

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 \$0 TOTAL \$0

<b>Screening Date</b> 06-Jul-2005	<b>Docket No.</b> 2005-1161-PWS-E	<b>PCW</b>
<b>Respondent</b> Debbie Lewis dba Chaparral Courts	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 26016	<i>PCW Revision May 19, 2005</i>	
<b>Reg. Ent. Reference No.</b> RN103916839		
<b>Media [Statute]</b> Public Water Supply		
<b>Enf. Coordinator</b> Brian Lehmkuhle		
<b>Violation Number</b> <input type="text" value="15"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.46(t)"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failed to provide a system ownership sign at the wells and GST facility."/>	
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>

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

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

>> **Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="10%"/>

Matrix Notes

Adjustment

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

	<i>daily</i>	<input type="text"/>			
	<i>monthly</i>	<input type="text"/>			
<i>mark only one use a small x</i>	<i>quarterly</i>	<input type="text"/>			
	<i>semiannual</i>	<input type="text"/>			
	<i>annual</i>	<input type="text"/>			
	<i>single event</i>	<input checked="" type="checkbox"/>			

**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** Debbie Lewis dba Chaparral Courts  
**Case ID No.** 26016  
**Reg. Ent. Reference No.** RN103916839  
**Media [Statute]** Public Water Supply  
**Violation No.** 15

<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
<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)	\$50	24-Sep-2003	30-Jun-2006	2.8	\$7	n/a	\$7

Notes for DELAYED costs: Estimated cost to post an adequate sign, from the date that the respondent was first notified of these requirements through the estimated date of compliance.

Item	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 **\$50** TOTAL **\$7**

## Compliance History

(For Penalty Calculation Purposes Only)

Customer/Respondent/Owner-Operator: CN602422214 LEWIS, DEBBIE Classification: Rating:

Regulated Entity: RN103916839 CHAPARRAL COURTS Classification: Site Rating:  
 ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2260105

Location: 5566 OLD CRISTOVAL RD, TOM GREEN COUNTY

TCEQ Region: REGION 08 - SAN ANGELO

Date Compliance History Prepared: November 7, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 7, 2000 to November 7, 2005

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
 Name: Brian Lehmkuhle Phone: (512) 239-4482

### 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? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A
6. Comments:

### 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.)

- 1 09/24/2003
- 2 09/27/2005
- 3 12/29/2003
- 4 04/28/2005
- 5 12/23/2004
- 6 01/01/2005

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

Date: 09/24/2003 (249210)

Self Report? NO

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.39(c)[G]

Description: Failure to submit plans and specifications for the system to the TCEQ prior to construction of a public water system.

Self Report? NO

Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)

Description: Failure to secure authorization for use of the two wells.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.39(m)  
Description: Failure to notify the TCEQ in writing of the startup of a new public water system.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)  
Description: Failure to secure a sanitary control easements for the two wells.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(I)  
Description: Failure to ensure the well sites are graded so that all surface water drains away from the wells.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)  
Description: Failure to provide a proper sealing block for the wells.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(3)[G]  
Description: Failure to have a means of testing chlorine residual.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)  
30 TAC Chapter 290, SubChapter F 290.109(g)[G]  
30 TAC Chapter 290, SubChapter F 290.122(c)[G]  
5A THC Chapter 341, SubChapter A 341.033(d)  
Description: Failure to collect and submit samples for microbial testing, as only one routine sample has been obtained since the last (2003) regional investigation. Also, failure to provide notification as required of the failure to monitor.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)  
Description: Failure to provide a sampling cock for each well.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)  
Description: Failure to provide either an intruder-resistant fence or a well house for the wells.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description: Failure to provide a vent for each well.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(N)  
Description: Failure to provide a meter for the wells.

Self Report? NO Classification: Major  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)  
30 TAC Chapter 290, SubChapter F 290.110(b)(4)  
Description: Failure to maintain the minimum chlorine residual required. A sample on 3/10/05 had less than a trace, while a sample taken on 3/14/05 had 0.13 mg/L; both samples are less than the minimum of 0.2 mg/L for the distribution system.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)[G]  
Description: Failure to provide a ground storage tank that was designed, fabricated, erected, tested and disinfected in strict accordance with current AWWA standards.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(2)  
Description: Failure to provide a pressure release device for the three pressure tanks.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)  
Description: Failure to provide fencing for the ground storage tank, and failure to maintain the housing for the two, 120-gallon each, pressure tanks.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]  
Description: Failure to employ an operator with at least a Class "D" license.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)  
Description: Failure to generate or maintain any operating records.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)  
Description: Failure to inspect the ground storage tank and three pressure tanks annually.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)  
Description: Failure to have engineering plans and maps.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(v)  
Description: Failure to ensure all water system electrical wiring is securely installed in compliance with a local or national electrical code. The electrical wires from the north well are laying unsecured along the open ground surface/vegetation.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)  
Description: Failure to provide wells that have casing that extend a minimum of 18 inches above the elevation of the natural ground surface.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(ii)  
5A THC Chapter 341, SubChapter A 341.0315(c)  
Description: Failure to meet the total storage capacity requirement. While 400 gallons was required, based on connections, only 300 gallons was provided.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iii)  
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to meet the service pumping capacity requirement. No service pumps are provided.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iv)  
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to meet the pressure tank (PT) capacity requirement. While 400 gallons is required, based on connections, only 86 gallons are provided by the one tank in use (see also detailed description).

Self Report? NO Classification: Minor

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

Description: Failure to provide a system ownership sign at the wells and storage tanks facility.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(2)

Description: Failure to add disinfectant into the line that leads to the storage tank.

Date: 09/24/2003 (248880)

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(2)  
30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

Description: Failure to provide disinfection facilities for the system.

Date: 01/26/2005

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 290, SubChapter H 290.274(a)  
30 TAC Chapter 290, SubChapter H 290.274(c)

Description: Failure to provide consumer confidence report.

Date: 12/27/2004

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.117(a)(2)  
30 TAC Chapter 290, SubChapter F 290.117(c)(5)

Description: Failure to provide lead/copper samples during required period.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
DEBBIE LEWIS DBA  
CHAPARRAL COURTS,  
RN103916839

§  
§  
§  
§  
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§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2005-1161-PWS-E

I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Debbie Lewis dba Chaparral Courts ("Ms. Lewis") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and 30 TEX. ADMIN. CODE ch. 290. The Executive Director of the TCEQ, represented by the Litigation Division, and Ms. Lewis represented by Mr. Robert Post, Attorney at Law, appear before the Commission and together stipulate that:

1. Ms. Lewis owns and operates a public water system located at 5566 Old Christoval Road in San Angelo, Tom Green County, Texas (the "Facility") that has approximately 20 service connections and serves at least 25 people per day for at least 60 days per year.
2. This Agreed Order is entered into pursuant to TEX. HEALTH & SAFETY CODE § 341.049. The Commission has jurisdiction of this matter pursuant to TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 and TCEQ rules.
3. The Commission and Ms. Lewis agree that the Commission has jurisdiction to enter this Agreed Order, and that Ms. Lewis is subject to the Commission's jurisdiction.
4. Ms. Lewis received notice of the violations alleged in Section II ("Allegations") on or about May 3, 2005.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Ms. Lewis of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of eleven thousand eight hundred forty dollars (\$11,840.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Ms. Lewis has paid four hundred forty dollars (\$440.00) of the administrative penalty. The remaining amount of eleven thousand four hundred dollars (\$11,400.00) of the administrative penalty shall be paid in twenty-four monthly payments of four hundred seventy five dollars (\$475.00) each. The first 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 Ms. Lewis fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, 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 failure of Ms. Lewis to meet the payment schedule of this Agreed Order constitutes the failure by Ms. Lewis to timely and satisfactorily comply with all of the terms of this Agreed Order.
7. 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.
8. The Executive Director of the TCEQ and Ms. Lewis have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that as of October 16, 2007, the Facility no longer met the definition of a public water system and Chaparral Courts is now being supplied water by Millersview-Doole Water Supply Corporation.
10. 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. Lewis has not complied with one or more of the terms or conditions in this Agreed Order.
11. 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.
12. 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

Ms. Lewis, as owner and operator of the Facility, is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 290.39(c) and TEX. HEALTH & SAFETY CODE § 341.035(c), by failing to submit plans and specifications to the TCEQ prior to construction of a public water system, as documented during an investigation conducted on March 10, 2005.
2. 30 TEX. ADMIN. CODE § 290.41(c)(3)(A), by failing to secure authorization of two wells prior to providing drinking water to the public, as documented during an investigation conducted on March 10, 2005.
3. 30 TEX. ADMIN. CODE § 290.46(n), by failing to have required engineering plans and maps, as there was neither a map of the distribution system nor plans for any ground storage or pressure tanks, as documented during an investigation conducted on March 10, 2005.
4. 30 TEX. ADMIN. CODE § 290.41(c)(1)(F), by failing to provide a sanitary control easement for the two wells, as documented during an investigation conducted on March 10, 2005.
5. 30 TEX. ADMIN. CODE § 290.41(c)(3)(I), by failing to ensure that the two well sites are graded so that surface water drains away from the wells, as documented during an investigation conducted on March 10, 2005.
6. 30 TEX. ADMIN. CODE § 290.41(c)(3)(J), by failing to provide a proper sealing block for the wells, as documented during an investigation conducted on March 10, 2005.
7. 30 TEX. ADMIN. CODE § 290.41(c)(3)(K), by failing to provide a vent for either of the two wells, as documented during an investigation conducted on March 10, 2005.
8. 30 TEX. ADMIN. CODE § 290.41(c)(3)(B), by failing to provide either of the two wells with casings that extend a minimum of 18 inches above the ground surface, as documented during an investigation conducted on March 10, 2005. Specifically, the well casings were six inches or less above the ground surface.
9. 30 TEX. ADMIN. CODE §§ 290.109(c)(2), 290.109(g) and 290.122(c), and TEX. HEALTH & SAFETY CODE § 341.033(d), by failing to collect and submit monthly microbiological samples and failing to post public notice of the routine monitoring violation within 90 days of incurring the monitoring violations, as documented during an investigation conducted on March 10, 2005. Specifically, there have been no samples and public notice provided for the system from October 2003 through February 2005.

10. 30 TEX. ADMIN. CODE § 290.41(c)(3)(O), by failing to provide either an intruder-resistant fence or a well house for the two wells, as documented during an investigation conducted on March 10, 2005.
11. 30 TEX. ADMIN. CODE § 290.43(e), by failing to provide fencing for the ground storage tank and failing to maintain adequate housing for the two 120 gallon pressure tanks, as documented during an investigation conducted on March 10, 2005. Specifically, there is no fencing for the ground storage tank, while the lock of the door housing the two pressure tanks was broken and the door held shut by propping a board against it from the outside.
12. 30 TEX. ADMIN. CODE § 290.41(c)(3)(N), by failing to provide a flow meter for either of the two wells, as documented during an investigation conducted on March 10, 2005.
13. 30 TEX. ADMIN. CODE § 290.42(e)(2), by failing to provide disinfection at a point prior to the ground storage tank, as documented during an investigation conducted on March 10, 2005. Specifically, bleach is being injected directly into the top of the ground storage tank rather than at a point prior to the GST as required.
14. 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4), by failing to maintain a minimum chlorine residual of at least 0.2 mg/L free chlorine in the distribution system, as documented during an investigation conducted on March 10, 2005. Specifically, as documented on at least seven occasions from September 2004 through the investigation date, the chlorine residual was less than 0.2 mg/L.
15. 30 TEX. ADMIN. CODE § 290.43(c), by failing to provide a ground storage tank that was designed, fabricated, erected, tested and disinfected in strict accordance with current American Water Works Association (“AWWA”) standards, as documented during an investigation conducted on March 10, 2005. Specifically, the 3,000 gallon plastic ground storage tank does not have proper roof vents, man way, drain, ladder, overflow, or liquid level indicator.
16. 30 TEX. ADMIN. CODE § 290.43(d)(2), by failing to provide a pressure release device for the operational pressure tank, as documented during an investigation conducted on March 10, 2005.
17. 30 TEX. ADMIN. CODE § 290.46(m)(1), by failing to inspect the operational pressure tank and the ground storage tank within a year of the previous investigation, as documented during an investigation conducted on March 10, 2005. Specifically, there had been no inspection of the tanks since the previous investigation conducted in September 2003.

18. 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), by failing to provide adequate total storage capacity, as documented during an investigation conducted on March 10, 2005. Specifically, 0.003 million gallons ("MG") is provided and 0.004 MG is required.
19. 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), by failing to provide adequate pumping capacity, as there are no service pumps provided, as documented during an investigation conducted on March 10, 2005.
20. 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c), by failing to provide adequate pressure tank capacity, as documented during an investigation conducted on March 10, 2005. Specifically, operational pressure tank capacity provided is 86 gallons while 400 gallons is required.
21. 30 TEX. ADMIN. CODE § 290.46(t), by failing to provide a system ownership sign at the wells and ground storage tank facility, as documented during an investigation conducted on March 10, 2005.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Ms. Lewis pay administrative penalties as set forth in Section I, Paragraph 6 above. The payment of these administrative penalties and Ms. Lewis's compliance with all the terms and conditions set forth in this Agreed Order resolve only those matters described here. 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: Debbie Lewis dba Chaparral Courts, Docket No. 2005-1161-PWS-E" 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. The provisions of this Agreed Order shall apply to and be binding upon Ms. Lewis. Ms. Lewis 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.
3. This Agreed Order, issued by the Commission, shall not be admissible against Ms. Lewis 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.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Ms. Lewis, or three days after the date on which the Commission mails notice of the Order to Ms. Lewis, 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

4/11/08

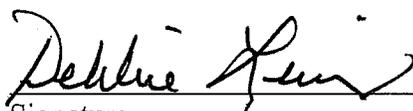
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, 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 my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- 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 against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

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



\_\_\_\_\_  
Signature

2/13/08

\_\_\_\_\_  
Date

Debbie Lewis

\_\_\_\_\_  
Name (Printed or typed)

Authorized representative of

Debbie Lewis dba Chaparral Courts

OWNER

\_\_\_\_\_  
Title