

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 2  
**DOCKET NO.:** 2008-1238-PWS-E **TCEQ ID:** RN101228005 **CASE NO.:** 36287  
**RESPONDENT NAME:** Julie Ann Thames dba Primrose 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
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Primrose Mobile Home Park, 4712 Primrose Road, Johnson 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 one additional pending enforcement action regarding this facility location, Docket No. 2007-0731-WQ-E.</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 December 22, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Mr. Thomas Jecha, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-2576; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  <b>Respondent:</b> Ms. Julie Thames, Owner, Primrose Mobile Home Park, 10401 Farm-to-Market Road 1902, Crowley, Texas 76036  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input 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> July 7, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> July 18, 2008 (NOE)</p> <p><b>Background Facts:</b> This was a record review.</p> <p><b>WATER</b></p> <p>1) Failure to meet the minimum well capacity requirement of 1.5 gallons per minute ("gpm") per connection. Specifically, a well capacity of 43.5 gpm is required for the 29 connections at the mobile home park; however, the well provides only 23 gpm which is 47% deficient [30 TEX. ADMIN. CODE § 290.45(b)(1)(A)(i) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>2) Failure to provide a minimum pressure tank capacity of 50 gallons per connection. Specifically, a pressure tank capacity of 1,450 gallons is required for the 29 connections at the mobile home park; however, the system provides only 945 gallons which is 34% deficient [30 TEX. ADMIN. CODE § 290.45(b)(1)(A)(ii) and TEX. HEALTH &amp; SAFETY CODE § 341.0315(c)].</p> <p>3) Failure to maintain public water system Monthly Operating Reports for at least ten years including turbidity monitoring results of the combined filter effluent [30 TEX. ADMIN. CODE § 290.46(f)(3)(E)(i)].</p> <p>4) Failure to calibrate the water system's well meter at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].</p>	<p><b>Total Assessed:</b> \$588</p> <p><b>Total Deferred:</b> \$117  <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> \$471</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" 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>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Calibrate all well meters; and</p> <p>ii. Begin compiling and retain on site for the required timeframes, properly completed monthly water works operation reports and maintenance records, including but not limited to records of well production data and dates of when the dead-end mains are flushed.</p> <p>b. Within 90 days after the effective date of this Agreed Order:</p> <p>i. Begin providing a minimum well capacity of 1.5 gpm per connection; and</p> <p>ii. Begin providing minimum pressure tank capacity of 50 gallons per connection.</p> <p>c. Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions a. and b.</p>

Additional ID No(s): PWS 1260108



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision June 12, 2008

<b>DATES</b>	Assigned	14-Jul-2008	Screening	29-Jul-2008	EPA Due	
	PCW	30-Jul-2008				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Julie Ann Thames dba Primrose Mobile Home Park
Reg. Ent. Ref. No.	RN101228005
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	36287	No. of Violations	4
Docket No.	2008-1238-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Thomas Jecha
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

<b>Penalty Calculation Section</b>	
<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b> <input type="text" value="\$350"/>
<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>	
<b>Compliance History</b>	<b>Subtotals 2, 3, &amp; 7</b> <input type="text" value="\$178"/>
Notes	Enhancement for one NOV with same or similar violations, three NOVs with dissimilar violations and two agreed orders with denials of liability issued within the past five years.
<b>Culpability</b>	<b>Subtotal 4</b> <input type="text" value="\$0"/>
Notes	The Respondent does not meet the culpability criteria.
<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b> <input type="text" value="\$0"/>
<b>Economic Benefit</b>	<b>Subtotal 6</b> <input type="text" value="\$0"/>
Total EB Amounts	\$485
Approx. Cost of Compliance	\$7,350
<small>*Capped at the Total EB \$ Amount</small>	
<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b> <input type="text" value="\$528"/>
<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>Adjustment</b> <input type="text" value="\$60"/>
Notes	Enhancement recommended to recover the avoided costs associated with the economic benefit of violation No. 4.
	<b>Final Penalty Amount</b> <input type="text" value="\$588"/>
<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b> <input type="text" value="\$588"/>
<b>DEFERRAL</b>	<b>Adjustment</b> <input type="text" value="-\$117"/>
Notes	Deferral offered for expedited settlement.
<b>PAYABLE PENALTY</b>	<input type="text" value="\$471"/>

**Screening Date** 29-Jul-2008

**Docket No.** 2008-1238-PWS-E

**PCW**

**Respondent** Julie Ann Thames dba Primrose Mobile Home Park

Policy Revision 2 (September 2002)

**Case ID No.** 36287

PCW Revision June 12, 2008

**Reg. Ent. Reference No.** RN101228005

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Thomas Jecha

**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 (number of NOVs meeting criteria)	1	5%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 51%

>> **Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

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

>> **Compliance History Summary**

**Compliance History Notes**

Enhancement for one NOV with same or similar violations, three NOVs with dissimilar violations and two agreed orders with denials of liability issued within the past five years.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 51%

<b>Screening Date</b> 29-Jul-2008	<b>Docket No.</b> 2008-1238-PWS-E	<b>PCW</b>		
<b>Respondent</b> Julie Ann Thames dba Primrose Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>			
<b>Case ID No.</b> 36287	<small>PCW Revision June 12, 2008</small>			
<b>Reg. Ent. Reference No.</b> RN101228005				
<b>Media [Statute]</b> Public Water Supply				
<b>Enf. Coordinator</b> Thomas Jecha				
<b>Violation Number</b> <input type="text" value="1"/>				
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 290.45(b)(1)(A)(i) and Tex. Health &amp; Safety Code § 341.0315(c)"/>			
<b>Violation Description</b>	<input 23="" 29="" 43.5="" 47%="" a="" at="" capacity="" connection.="" connections="" deficient."="" for="" gpm="" gpm")="" home="" however,="" is="" mobile="" of="" only="" park;="" per="" provides="" required="" specifically,="" the="" type="text" value="Failed to meet the minimum well capacity requirement of 1.5 gallons per minute (" well="" which=""/>			
<b>Base Penalty</b>		<input type="text" value="\$1,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Release	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%"/>
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input type="text" value="0%"/>
<b>Matrix Notes</b>	<input type="text" value="Without sufficient well capacity, customers of the water supply could experience water outages and the system's ability to provide a safe and adequate water supply could be impaired."/>			
<b>Adjustment</b>		<input type="text" value="\$900"/>		
		<input type="text" value="\$100"/>		
<b>Violation Events</b>				
<b>Number of Violation Events</b>	<input type="text" value="1"/>	<input type="text" value="22"/>	<b>Number of violation days</b>	
<small>mark only one with an x</small>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$100"/>	
	monthly	<input type="text"/>		
	quarterly	x		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
<input type="text" value="One quarterly event is recommended from the July 7, 2008 investigation date until the July 29, 2008 screening date."/>				
<b>Good Faith Efforts to Comply</b>		<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>	
		<small>Before NOV    NOV to EDPRP/Settlement Offer</small>		
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input type="text"/>	<input type="text"/>		
N/A	x	(mark with x)		
<b>Notes</b>	<input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>			
<b>Violation Subtotal</b>		<input type="text" value="\$100"/>		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>	<input type="text" value="\$296"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$168"/>	
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$168"/>		

## Economic Benefit Worksheet

**Respondent** Julie Ann Thames dba Primrose Mobile Home Park  
**Case ID No.** 36287  
**Reg. Ent. Reference No.** RN101228005  
**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
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No commas or \$

**Delayed Costs**

Equipment	\$5,000	7-Jul-2008	12-May-2009	0.85	\$14	\$282	\$296
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to meet the minimum well capacity requirements of 1.5 gpm per connection, calculated from the investigation date to the estimated date of compliance.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$296

**Screening Date** 29-Jul-2008 **Docket No.** 2008-1238-PWS-E **PCW**  
**Respondent** Julie Ann Thames dba Primrose Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 36287 *PCW Revision June 12, 2008*

**Reg. Ent. Reference No.** RN101228005  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Thomas Jecha

**Violation Number**

**Rule Cite(s)**

**Violation Description** Failed to provide a minimum pressure tank capacity of 50 gallons per connection. Specifically, a pressure tank capacity of 1,450 gallons is required for the 29 connections at the mobile home park; however, the system provides only 945 gallons which is 34% deficient.

**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="10%"/>
Potential	<input type="text"/>	<input checked="" type="checkbox"/>	<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** Without sufficient pressure tank capacity, the system could experience water outages and its ability to provide a safe and adequate water supply could be impaired.

**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 checked="" type="checkbox"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

**Violation Base Penalty**

One quarterly event is recommended from the July 7, 2008 investigation date until the July 29, 2008 screening date.

**Good Faith Efforts to Comply**

Reduction

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

**Violation Subtotal**

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

**Statutory Limit Test**

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

## Economic Benefit Worksheet

**Respondent** Julie Ann Thames dba Primrose Mobile Home Park  
**Case ID No.** 36287  
**Reg. Ent. Reference No.** RN101228005  
**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
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$2,000	7-Jul-2008	12-May-2009	0.85	\$6	\$113	\$119
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to provide adequate pressure tank capacity, calculated from the date of the investigation to the estimated date of compliance.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$119



<b>Screening Date</b> 29-Jul-2008	<b>Docket No.</b> 2008-1238-PWS-E	<b>PCW</b>			
<b>Respondent</b> Julie Ann Thames dba Primrose Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>				
<b>Case ID No.</b> 36287	<small>PCW Revision June 12, 2008</small>				
<b>Reg. Ent. Reference No.</b> RN101228005					
<b>Media [Statute]</b> Public Water Supply					
<b>Enf. Coordinator</b> Thomas Jecha					
<b>Violation Number</b> <input type="text" value="3"/>					
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(f)(3)(E)(I)				
<b>Violation Description</b>	Failed to maintain public water system Monthly Operating Reports for at least ten years including turbidity monitoring results of the combined filter effluent.				
<b>Base Penalty</b>		\$1,000			
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
Potential					
		<b>Percent</b>	0%		
<b>&gt;&gt; Programmatic Matrix</b>					
		<b>Falsification</b>	Major	Moderate	Minor
			x		
		<b>Percent</b>	10%		
<b>Matrix Notes</b>	100% of the rule requirement was not met.				
		<b>Adjustment</b>	\$900		
		\$100			
<b>Violation Events</b>					
		<b>Number of Violation Events</b>	1	22	<b>Number of violation days</b>
<small>mark only one with an x</small>	daily				
	monthly	x			
	quarterly				
	semiannual				
	annual				
	single event				
		<b>Violation Base Penalty</b>	\$100		
One monthly event is recommended from the July 7, 2008 investigation date until the July 29, 2008 screening date.					
<b>Good Faith Efforts to Comply</b>					
		<b>0.0%</b>	<b>Reduction</b>		\$0
		<small>Before NOV</small>	<small>NOV to EDPRP/Settlement Offer</small>		
Extraordinary					
Ordinary					
N/A	x	<small>(mark with x)</small>			
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.				
		<b>Violation Subtotal</b>	\$100		
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>		\$10	<b>Violation Final Penalty Total</b>		\$168
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					\$168

## Economic Benefit Worksheet

**Respondent** Julie Ann Thames dba Primrose Mobile Home Park  
**Case ID No.** 36287  
**Reg. Ent. Reference No.** RN101228005  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$300	7-Jul-2008	13-Mar-2009	0.68	\$10	n/a	\$10
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to properly prepare and maintain Monthly Operating Reports, calculated from the investigation date to the estimated date of compliance.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$300	TOTAL	\$10
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<b>Screening Date</b> 29-Jul-2008	<b>Docket No.</b> 2008-1238-PWS-E	<b>PCW</b>			
<b>Respondent</b> Julie Ann Thames dba Primrose Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>				
<b>Case ID No.</b> 36287	<small>PCW Revision June 12, 2008</small>				
<b>Reg. Ent. Reference No.</b> RN101228005					
<b>Media [Statute]</b> Public Water Supply					
<b>Enf. Coordinator</b> Thomas Jecha					
<b>Violation Number</b>	4				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.46(s)(1)				
<b>Violation Description</b>	Failed to calibrate the water system's well meter at least once every three years.				
<b>Base Penalty</b>		\$1,000			
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
OR	<b>Harm</b>				
	Release	Major	Moderate	Minor	
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Potential	<input type="checkbox"/>	<input type="checkbox"/>	x		
		<b>Percent</b>	5%		
<b>&gt;&gt; Programmatic Matrix</b>					
		Falsification	Major	Moderate	Minor
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<b>Percent</b>	0%
Matrix Notes	Failure to calibrate well meters could possibly contribute to an inadequate water supply because the operator cannot make the necessary production and usage calculations to ensure a continuous and safe water supply.				
		<b>Adjustment</b>		\$950	
				\$50	
<b>Violation Events</b>					
		Number of Violation Events	1	Number of violation days	22
<small>mark only one with an x</small>	daily	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	monthly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	annual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	single event	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<b>Violation Base Penalty</b>	\$50
One single event is recommended for the single well meter.					
<b>Good Faith Efforts to Comply</b>		0.0% Reduction		\$0	
		Before NOV	NOV to EDPRP/Settlement Offer		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>			
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>			
N/A	x	(mark with x)			
Notes	The Respondent does not meet the good faith criteria for this violation.				
		<b>Violation Subtotal</b>		\$50	
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>		
Estimated EB Amount		\$60		Violation Final Penalty Total	\$84
		This violation Final Assessed Penalty (adjusted for limits)		\$84	

## Economic Benefit Worksheet

**Respondent** Julie Ann Thames dba Primrose Mobile Home Park  
**Case ID No.** 36287  
**Reg. Ent. Reference No.** RN101228005  
**Media** Public Water Supply  
**Violation No.** 4

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

<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>Item Description</b> No commas or \$						

**Delayed Costs**

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

Notes for DELAYED costs

**Avoided Costs**

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

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$50	7-Jul-2005	7-Jul-2008	3.92	\$10	\$50
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated cost to have the well meters calibrated (\$50 per meter). The date required is three years prior to the investigation. The final date is the date of the investigation.

Approx. Cost of Compliance \$50

**TOTAL** \$60

# Compliance History

Customer/Respondent/Owner-Operator: CN601960743 THAMES, JULIE ANN Classification: AVERAGE Rating: 2.75  
Regulated Entity: RN101228005 PRIMROSE MOBILE HOME PARK Classification: AVERAGE Site Rating: 2.75  
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1260108  
WATER LICENSING LICENSE 1260108  
Location: 4712 PRIMROSE ROAD, JOHNSON CO. Rating Date: 9/1/2007 Repeat Violator: NO  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: July 23, 2008  
Agency Decision Requiring Compliance Enforcement  
Compliance Period: July 23, 2003 to July 23, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Thomas Jecha Phone: 512 239 2576

## 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? THAMES, JULIE ANN
4. If Yes, who was/were the prior owner(s)? MCMURRY, LAWRENCE WAYNE
5. When did the change(s) in ownership occur? 15-Aug-07

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 07/14/2006

ADMINORDER 2006-0049-PWS-E

Classification: Minor

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

Description: Failed to maintain water works operation and maintenance records.

Classification: Minor

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

Description: Failed to compile and maintain a facility operations manual for operator review and reference.

Classification: Minor

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

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan for the distribution system.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failed to ensure the three 315-gallon pressure tanks are inspected annually by water system personnel or a contracted inspection service.

Classification: Moderate

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

Description: Failed to provide a minimum well production capacity of at least 1.5 gallons per minute ("gpm") per connection. Specifically, the water system has 29 connections which should provide a minimum well production of 43.5 gpm, but is only providing 24 gpm, which is approximately 45% deficient.

Classification: Moderate

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

Description: Failed to provide a pressure tank capacity of at least 50 gallons per connection. Specifically, the water system has 29 connections which should provide a minimum pressure tank capacity of 1,450 gallons, but is only providing 945 gallons, which is approximately 35% deficient.

Effective Date: 01/12/2008

ADMINORDER 2007-0731-WQ-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: Failure to prevent an unauthorized discharge of wastewater from the treatment system.

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	12/16/2005	(435620)
2	03/09/2007	(543275)
3	04/20/2007	(557210)
4	06/11/2007	(563617)
5	10/10/2007	(597354)
6	11/02/2007	(597437)
7	02/29/2008	(636806)
8	05/05/2008	(612979)
9	05/12/2008	(657008)
10	06/06/2008	(669903)
11	07/11/2008	(685443)

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

Date 01/19/2007 (535809)

Self Report? NO

Classificat Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: Failure to prevent an unauthorized discharge of wastewater from the treatment system.

Self Report? NO

Classificat Major

Citation: 2D TWC Chapter 26, SubChapter A 26.121

Description: Failure to obtain a discharge permit to operate the facility.

Date 04/25/2007 (557210)

Self Report? NO

Classificat Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121

Description: Failure to prevent the unauthorized discharge of wastewater from the treatment system.

Date 10/26/2007 (597437)

Self Report? NO

Classificat Minor

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

Description: Failure to provide a plant operations manual.

Self Report? NO

Classificat Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)

Description: Failure to provide a well production capacity of at least 1.5 gallons per minute per connection.

Self Report? NO

Classificat Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(ii)

Description: Failure to provide a pressure tank capacity of 50 gallons per connection.

Self Report? NO

Classificat Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)

Description: Failure to maintain Monthly Operating Reports per this agency's rules and







TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
JULIE ANN THAMES DBA  
PRIMROSE MOBILE HOME PARK  
RN101228005

§  
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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2008-1238-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 Julie Ann Thames dba Primrose Mobile Home Park ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a public water supply at 4712 Primrose Road in Johnson County, Texas (the "Facility") that has approximately 29 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 23, 2008.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Five Hundred Eighty-Eight Dollars (\$588) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Hundred Seventy-One Dollars (\$471) of the administrative penalty and One Hundred Seventeen Dollars (\$117) is deferred contingent upon the Respondent's timely and



satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

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 the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
9. 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.
10. 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, the Respondent is alleged to have:

1. Failed to meet the minimum well capacity requirement of 1.5 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(A)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on July 7, 2008. Specifically, a well capacity of 43.5 gpm is required for the 29 connections at the mobile home park; however, the well provides only 23 gpm which is 47% deficient.
2. Failed to provide a minimum pressure tank capacity of 50 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(A)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on July 7, 2008. Specifically, a pressure tank capacity of 1,450 gallons is required for the 29 connections at the mobile home park; however, the system provides only 945 gallons which is 34% deficient.
3. Failed to maintain public water system Monthly Operating Reports for at least ten years including turbidity monitoring results of the combined filter effluent, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(E)(i) as documented during a record review conducted on July 7, 2008.
4. Failed to calibrate the water system's well meter at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1), as documented during a record review conducted on July 7, 2008.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential 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 data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the implementation of data-driven strategies. It discusses how the insights gained from data analysis can be used to inform decision-making and to develop targeted interventions to improve organizational performance.

4. The fourth part of the document addresses the challenges and risks associated with data management. It identifies common pitfalls such as data quality issues, privacy concerns, and the potential for data misuse, and provides recommendations to mitigate these risks.

5. The fifth part of the document discusses the role of technology in data management. It explores the use of cloud computing, big data analytics, and artificial intelligence to enhance data processing capabilities and to enable more sophisticated data analysis.

6. The sixth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of a data-driven approach and offers final recommendations for the organization to ensure the successful implementation of its data management strategy.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent'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: Julie Ann Thames dba Primrose Mobile Home Park, Docket No. 2008-1238-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 the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Calibrate all well meters, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
    - ii. Begin compiling and retain on site for the required timeframes, properly completed monthly water works operation reports and maintenance records, including but not limited to records of well production data and dates of when the dead-end mains are flushed, in accordance with 30 TEX. ADMIN. CODE § 290.46.
  - b. Within 90 days after the effective date of this Agreed Order:
    - i. Begin providing a minimum well capacity of 1.5 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
    - ii. Begin providing minimum pressure tank capacity of 50 gallons per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45.
  - c. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.b. 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  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this 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 the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, 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


12/29/2008  
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

9-15-08  
Date

Julie Thames  
Name (Printed or typed)  
Authorized Representative of  
Julie Ann Thames dba Primrose Mobile Home Park

Owner  
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.

Handwritten text, possibly a title or header, including the word "MATHS" and some illegible characters.

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