

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigations Relating to this Case: February 21, 2005; April 8, 2005; June 1, 2005; January 19, 2007; June 20, 2007 and December 30, 2008.</p> <p>Dates of NOEs Relating to this Case: February 21, 2005; June 1, 2005; August 15, 2007</p> <p>Background Facts: An EDPRP regarding the 2005 investigations was filed February 6, 2007, and mailed to the Respondent via certified mail, return receipt requested, and via first class mail, postage prepaid. According to the return receipt green card, Respondent received notice on February 16, 2007. Subsequent violations were discovered and an additional enforcement action was initiated. The two cases were combined and an EDFARP was filed August 14, 2008. The certified mail was returned unclaimed, but the first class mail was not returned, indicating that Respondent received notice of the EDFARP. An additional violation was added and an EDSARP was filed January 6, 2009. The certified mail was returned unclaimed, but the first class mail was not, indicating the Respondent received notice of the EDSARP. The Respondent failed to answer either the EDPRP, the EDFARP, or the EDSARP, failed to request a hearing, and failed to schedule a settlement conference.</p> <p>Current Compliance Status: Respondent is not yet in compliance.</p> <p>PWS:</p> <p>1. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year; failed to submit a copy of the annual CCR, and certification that the CCR has been distributed to the customers of the water system and that the information in the CCR is correct and consistent with the compliance monitoring data, to the TCEQ by July 1 of each year [30 TEX. ADMIN. CODE § 290.274(a), (b), and (c)].</p>	<p>Total Assessed: \$22,844</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Due to General Revenue: \$22,844</p> <p>This is a Default Order. The Respondent has not actually paid any of the assessed penalty, but will be required to do so under the terms of this Order.</p> <p>Site Compliance History Classification: N/A</p> <p>Person Compliance History Classification: N/A</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> 1. Immediately, begin collecting monthly samples which are representative of the Facility's water system according to the Facility's written Sample Siting Plan. 2. Within 15 days, submit written certification and supporting documentation to demonstrate compliance with Ordering Provision No. 1 above. 3. Within 30 days: <ol style="list-style-type: none"> a. Conduct and record the results of the ground storage tanks and pressure tanks inspections; b. Develop and begin maintaining a written protocol that is to be followed to ensure that proper public notification and boil water notices are provided to customers of the water supply in the event of distribution pressures below 20 pounds per square inch, water outage, positive microbiological samples, low chlorine residuals or other conditions which indicate that the potability of the water may have been compromised, and failure to collect and submit samples; c. Begin compiling and maintaining proper completed monthly water works operation reports and maintenance records, including but not limited to: the amount of chemical used, the volume of water treated, the dates dead-end mains were flushed, the dates that storage tanks and other facilities were cleaned, the facility's chlorine residual log, records of backflow prevention device program, the results of microbiological analysis, the results of chemical analysis, records of complaints received, and information for the Consumer Confidence Report; d. Submit to TCEQ well completion data for well no. 1 and well no. 2 that includes well material setting data, geological log, sealing information, disinfection information, microbiological sample results and a chemical analysis report of a representative sample of water from the well;

<p>2. Failed to pay Public Health Service ("PHS") fees for fiscal years 2003 through 2008, including all late fees and interest, for TCEQ Financial Administration Account Number 90610016 [TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(3)].</p> <p>3. Failed to collect and submit monthly water samples for bacteriological analysis, and failed to provide public notification for the failure to collect water samples [TEX. HEALTH & SAFETY CODE § 341.033(d) and 30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(ii) and 290.122(c)(2)(A)].</p> <p>4. Failed to submit documentation showing compliance with the flow chart in 30 TEX. ADMIN. CODE § 290.47(h), to determine if a boil water notification must be issued in the event of a loss of distribution system pressure prior to returning the Facility to service after a water outage [30 TEX. ADMIN. CODE § 290.46(q)(2)].</p> <p>5. Failed to operate the Facility by a licensed operator who holds a class "D" or higher license [30 TEX. ADMIN. CODE § 290.46(e)].</p> <p>6. Failed to keep on file and make available for Commission review the Facility's operating records [30 TEX. ADMIN. CODE § 290.46(f), (f)(3)(A)(i), (ii), (iv), (v), and (vi), (f)(3)(B)(iii) and (vi), (f)(3)(D)(i) and (ii), and (f)(3)(E)(ii)].</p> <p>7. Failed to perform annual inspections of the ground storage tank [30 TEX. ADMIN. CODE § 290.46(m)(1)(A)].</p> <p>8. Failed to perform annual inspections of the pressure tank [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].</p> <p>9. Failed to obtain a sanitary control easement for Well Nos. 1 and 2 [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].</p> <p>10. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i)].</p> <p>11. Failed to submit well completion data to the Commission prior to placing wells into service so that the wells may be evaluated and approved for public use [30 TEX. ADMIN. CODE § 290.46(n)(3)].</p> <p>12. Failed to compile and maintain an up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>13. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].</p>		<p>e. Initiate maintenance and housekeeping practices to ensure the good working conditions and general appearance of the Facility, including but not limited to ensuring the grounds of the Facility are mowed and kept clean of debris, and remove trash and rubbish piled up adjacent to the pump house;</p> <p>f. Compile and begin maintaining, an up-to-date and thorough plant operations manual for operator review and reference;</p> <p>g. Install a pressure release device on the pressure tank;</p> <p>h. Locate well no. 1 so that the well is not located within 50 feet of any septic tank or other source of pollution; and</p> <p>i. Securely install all Facility electrical wiring in a securely mounted conduit in compliance with local or national electrical code.</p> <p>4. Within 45 days, submit written certification and supporting documentation to demonstrate compliance with Ordering Provision Nos. 3.a.through 3.i. above.</p> <p>5. Within 60 days:</p> <p>a. Ensure that the well house for each well is locked or can be locked or install intruder resistant fencing around the well sites that can be locked during periods when the Facility is unattended;</p> <p>b. Install a concrete sealing block around each well;</p> <p>c. Provide a flow meter for each well;</p> <p>d. Pay all outstanding fees due on TCEQ Financial Administration Account No. 90610016; and</p> <p>e. Operate the Facility with a licensed operator who holds a class "D" or higher license.</p> <p>6. Within 75 days, submit written certification and supporting documentation to demonstrate compliance with Ordering Provision Nos. 5.a. through 5.e. above.</p> <p>7. Within 90 days:</p>
--	--	--

<p>14. Failed to provide a ground storage tank that meets American Water Works Association ("AWWA") standards [30 TEX. ADMIN. CODE § 290.43(c)].</p> <p>15. Failed to provide an intruder-resistant fence for the wells and ground storage tank that can be locked during periods of darkness or when the Facility is unattended [30 TEX. ADMIN. CODE §§ 290.41(c)(3)(O) and 290.43(e)].</p> <p>16. Failed to provide a release device on the pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(2)].</p> <p>17. Failed to provide ground storage tank capacity of 200 gallons per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>18. Failed to provide a pressure tank capacity of 20 gallons per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>19. Failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>20. Failed to locate Well No. 1 greater than 50 feet from a septic tank [30 TEX. ADMIN. CODE § 290.41(c)(1)(A)].</p> <p>21. Failed to provide concrete sealing blocks around Well Nos. 1 and 2 that extend a minimum of three feet in all directions [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].</p> <p>22. Failed to provide an operable flow meter on both Well Nos. 1 and 2 to measure production yields and provide for the accumulation of water production data [30 TEX. ADMIN. CODE § 290.41(c)(3)(N)].</p> <p>23. Failed to securely install electrical wiring in compliance with local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].</p> <p>24. Failed to provide metering devices at each service connection [30 TEX. ADMIN. CODE § 290.44(d)(4)].</p>		<p>a. Secure from adjacent landowners a sanitary easement covering all property within 150 feet of well nos. 1 and 2 and record the deed(s) at the county courthouse; and</p> <p>b. Repair, refurbish or replace the ground storage tank in order to meet AWWA standards.</p> <p>8. Within 105 days, submit written certification and supporting documentation to demonstrate compliance with Ordering Provision Nos. 7.a. and 7.b. above.</p> <p>9. Within 180 days:</p> <p>a. Provide a minimum pressure tank capacity of 20 gallons per connection;</p> <p>b. Provide two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection;</p> <p>c. Provide all residences with an accurate metering device;</p> <p>d. Provide a minimum well capacity of 0.6 gallons per minute per connection; and</p> <p>e. Provide a pressure tank capacity of 200 gallons per connection.</p> <p>10. Mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and submit a copy of the annual CCR, and certification that the CCR has been distributed to the customers of the Facility, and that the information in the CCR is correct and consistent with the compliance monitoring data, to the TCEQ by July 1 of each year.</p> <p>11. Within 190 days, submit written certification and supporting documentation to demonstrate compliance with Ordering Provision Nos. 9.a. through 10 above.</p>
---	--	---



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

DATES	Assigned	23-Oct-2007		
	PCW	6-Aug-2008	Screening	29-Oct-2007
	EPA Due			

RESPONDENT/FACILITY INFORMATION			
Respondent	Deloris Petty dba Denton Estates Mobile Home Park		
Reg. Ent. Ref. No.	RN101174894		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	25318	No. of Violations	24
Docket No.	2008-1967-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Enf. Coordinator	Tel Croston
Multi-Media		EC's Team	EnforcementTeam 2
Admin. Penalty \$	Limit Minimum	\$50	Maximum
			\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$12,750
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance History	72% Enhancement	Subtotals 2, 3, & 7
		\$9,180

Notes: Enhancement is due to the Respondent being issued one Court Order, one same or similar NOV, and 16 dissimilar NOVs in the past five years.

Culpability	No	0% Enhancement	Subtotal 4	\$0
-------------	----	----------------	-------------------	------------

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
-----------------------------	--------------	-------------------	------------

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

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

	0% Enhancement*	Subtotal 6	\$0
--	-----------------	-------------------	------------

Total EB Amounts \$5,322
 Approx. Cost of Compliance \$34,890
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$21,930
-----------------------------	-----------------------	-----------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	4%	Adjustment	\$914
---	----	-------------------	--------------

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

Notes: Enhancement recommended for the recovery of avoided compliance cost for violations 1, 4, 5, 6, and 24.

Final Penalty Amount	\$22,844
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$22,844
-----------------------------------	-------------------------------	-----------------

DEFERRAL	0% Reduction	Adjustment	\$0
-----------------	--------------	-------------------	------------

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

Notes: No deferral offered for non-expedited case.

PAYABLE PENALTY	\$22,844
------------------------	-----------------

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

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	16	32%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (number of judgements 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	1	35%
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%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 72%

>> 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

Enhancement is due to the Respondent being issued one Court Order, one same or similar NOV, and 16 dissimilar NOVs in the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 72%

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 25318		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number	1	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(q)(2)	
Violation Description	Failed to submit documentation showing that the Respondent followed the flow chart in 30 Tex. Admin. Code § 290.47(h) to determine if a boil water notification must be issued in the event of a loss of distribution system pressure prior to returning the system to service after a water outage on September 23, 2006.	
	Base Penalty	\$1,000

>> Environmental, Property and Human Health Matrix					
OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	x	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Matrix Notes	The Respondent failed to comply with 100% of the rule requirement.				
				Adjustment	\$750

\$250

Violation Events				
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="1"/>
<i>mark only one with an x</i>	daily	<input type="text"/>	monthly	<input type="text"/>
	quarterly	<input type="text"/>	semiannual	<input type="text"/>
	annual	<input type="text"/>	single event	<input checked="" type="text" value="x"/>
			Violation Base Penalty	\$250
	One single event is recommended.			

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	<input type="text" value="\$50"/>	Violation Final Penalty Total	<input type="text" value="\$448"/>
	This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$448"/>

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

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]	\$50	23-Sep-2006	24-Sep-2006	0.0	\$0	\$50	\$50
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the costs to follow the steps in 30 Tex. Admin Code § 290.47(h) to determine if the water system needs to conduct bacteriological testing of the water supply and issue a boil water notice, calculated from the date of the water outage to date that the water was restored.

Approx. Cost of Compliance

\$50

TOTAL

\$50

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(e)	
Violation Description	Failed to operate the water system by a licensed operator who holds a class "D" or higher license. Specifically, during the investigation conducted on June 20, 2007, no documentation identifying an operator with the appropriate license was produced.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes The Respondent failed to comply with 100% of the rule requirement.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Five monthly event are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$9"/>	Violation Final Penalty Total <input type="text" value="\$2,240"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,240"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$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)	\$100	20-Jun-2007	27-Apr-2009	1.9	\$9	n/a	\$9

Notes for DELAYED costs

The delayed costs include the amount to provide records showing that the water system is being operated by certified person, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$9

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 3

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

Violation Description

Failed to keep on file and make available for Commission review, the water system's operating records. Specifically, during the investigation conducted on June 20, 2007, the water system failed to provide the following records: records documenting the amount of chemicals used to treat the water and the volume of water treated, dates the dead-end mains were flushed, date that storage tanks and other facilities were cleaned, maintenance records, chlorine residual logs, backflow prevention device programs, records of microbiological analyses, results of tank inspections and results of chemical analyses.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					0%
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			10%

Matrix Notes

Failed to comply with 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 132

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$34

Violation Final Penalty Total \$179

This violation Final Assessed Penalty (adjusted for limits) \$179

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$300	20-Jun-2007	14-Sep-2009	2.2	\$34	n/a	\$34
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost include the amount to prepare and maintain water system records, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

Disposal				0.0	\$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

\$300

TOTAL

\$34

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number <input type="text" value="4"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 290.109 (c)(2)(A)(ii) and 290.122.(c)(2)(A) and Tex. Health & Safety Code 341.033(d)	
Violation Description	Failed to collect and submit monthly water samples for bacteriological analysis for the months of August through December 2004, and January through May 2005, and failed to provide public notification for the failure to collect water samples for the months of August through December 2004, and January through May 2005.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
Failure to sample may allow undected contaminants to be distributed to the public resulting in illness.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Ten monthly events are recommended based on the months that the respondent failed to collect and submit the required water samples.

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

Estimated EB Amount <input type="text" value="\$542"/>	Violation Final Penalty Total <input type="text" value="\$4,479"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$4,479"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

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)	\$500	31-Aug-2004	31-May-2005	1.7	\$42	\$500	\$542

Notes for AVOIDED costs

Estimated cost to collect and submit monthly water samples for bacteriological analysis and to provide public notification, calculated from the dates that samples were not collected.

Approx. Cost of Compliance

\$500

TOTAL

\$542

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number	5	
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)(A)	
Violation Description	Failed to perform annual inspections of the system's ground storage tank.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
Complete failure to perform an inspection of the ground storage tank could result in non-detection of a tank defect causing loss of tank integrity, and customers of the water supply could be exposed to significant amounts of contaminants that do not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One annual event is recommended.

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 Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$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	\$100	20-Jun-2006	20-Jun-2007	1.0	\$5	\$100	\$105
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

The avoided cost includes the amount to conduct an annual inspection on the storage tank, calculated for the year prior to the June 20, 2007 investigation.

Approx. Cost of Compliance

\$100

TOTAL

\$105

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

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

>> Programmatic Matrix

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

Matrix Notes

Complete failure to perform an inspection of the pressure tank could result in non-detection of a tank defect causing loss of tank integrity, and customers of the water supply could be exposed to significant amounts of contaminants that exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text" value="x"/>
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 Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$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	\$100	20-Jun-2006	20-Jun-2007	1.0	\$5	\$100	\$105
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

The avoided cost includes the amount to conduct an annual inspection on the pressure tank, calculated for the year prior to the June 20, 2007 investigation.

Approx. Cost of Compliance

\$100

TOTAL

\$105

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

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

>> 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 sanitary control easements for the wells, contaminants could enter the wells and customers of the water supply could be exposed to an insignificant amount of contaminants that would not exceed levels protective of human health.

Adjustment

Violation Events

Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input 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 Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$250	20-Jun-2007	20-Mar-2009	1.8	\$1	\$29	\$31
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to obtain sanitary control easements or exceptions to the easement requirement, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$31

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number

Rule Cite(s)

Violation Description

Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection. With 80 connections, the system should supply a minimum total well capacity of 48 gpm. The water system currently provides a total well capacity of 30 gpm, a 38% deficiency.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input checked="" type="checkbox"/>	<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 well capacity, customers of the water system could experience water outages and backflow problems exposing customers of the water supply to a significant amount of contaminants that do not exceed levels protective of human health.

Adjustment

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

Two quarterly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

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 Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$5,000	20-Jun-2007	20-Mar-2009	1.8	\$29	\$584	\$613
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount necessary to increase the total well capacity to a minimum of 0.6 gpm per connection, calculated from the date of the investigation, June 20, 2007, to the estimated date of compliance.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

\$613

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.46(n)(3)

Violation Description Failed to submit well completion data to the Commission prior to placing the Wells into service so that the Wells may be evaluated and approved for public use.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
	x			10%

Matrix Notes

Failed to meet 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 2 Number of violation days 132

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

One single event is recommended (one for each well).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$123

Violation Final Penalty Total \$358

This violation Final Assessed Penalty (adjusted for limits) \$358

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	20-Jun-2007	20-Mar-2009	1.8	\$6	\$117	\$123
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 The delayed costs include the amount to prepare and submit well completion data to the Commission, 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				0.0	\$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** \$123

Screening Date 29-Oct-2007 **Docket No.** 2008-1967-PWS-E **PCW**

Respondent Deloris Petty dba Denton Estates Mobile Home Park *Policy Revision 2 (September 2002)*

Case ID No. 25318 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 10

Rule Cite(s) 30 Tex. Admin. Code § 290.42(l)

Violation Description Failed to compile and maintain an up-to-date plant operations manual for operator review and reference.

Base Penalty \$1,000

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	X			10%

Matrix Notes Failed to comply with 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 132 Number of violation days

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

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$18	Violation Final Penalty Total \$179
This violation Final Assessed Penalty (adjusted for limits) \$179	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$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	\$200	20-Jun-2007	20-Apr-2009	1.8	\$18	n/a	\$18
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

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

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$18

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number <input type="text" value="11"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)	
Violation Description	Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, during the investigation conducted on June 20, 2007, it was observed that the Facility grounds were overgrown with tall grass, trash and other rubbish was piled up within the open portion of the pump house, and the lower portion of the pump house was covered with wet and packed insulation.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual				Percent <input type="text" value="10%"/>
	Potential	x			Percent <input type="text" value="0%"/>
Matrix Notes Failure to maintain sanitary conditions around the water supply facilities could allow vermin to gain access to the water system, which could cause customers of the water supply to be exposed to significant amounts of contaminants which would not exceed levels protective of human health.					
Adjustment					\$900

\$100

Violation Events

Number of Violation Events	2	Number of violation days	132	
<i>mark only one with an x</i>	daily			
	monthly			
	quarterly	x	Violation Base Penalty <input type="text" value="\$200"/>	
	semiannual			
	annual			
single event				
Two quarterly events are recommended from the date of the investigation, June 20, 2007, to the date of screening October 29, 2007.				

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$193"/>	Violation Final Penalty Total <input type="text" value="\$358"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$358"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,500	20-Jun-2007	20-Apr-2009	1.8	\$9	\$184	\$193
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to repair the damage to and clean the facility grounds, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$1,500** **TOTAL** **\$193**

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
V12 <input type="text" value="12"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)	
Violation Description	Failed to provide a ground storage tank that meets American Water Works Association ("AWWA") standards. Specifically, during the investigation conducted on June 20, 2007, it was documented that the ground storage tank in use was not certified to meet AWWA standards.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
Failure to provide a ground storage tank that is certified to meet AWWA standards could compromise the sanitary nature of the drinking water, exposing customers of the water supply to significant amounts of contaminants that do not exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Two quarterly events are recommended from the date of the investigation, June 20, 2007 to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$642"/>	Violation Final Penalty Total <input type="text" value="\$358"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$358"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media 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	Overtime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	----------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$5,000	20-Jun-2007	20-Apr-2009	1.8	\$31	\$612	\$642
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to provide a ground storage tank that is certified to meet AWWA standards, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$642

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number <input type="text" value="13"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(O) and 290.43(e)	
Violation Description	Failed to provide an intruder-resistant fence for the wells and ground storage tank that can be locked during periods of darkness or when the Facility is unattended. Specifically, during the investigation conducted on June 20, 2007, it was documented that the well houses were not locked or enclosed by an intruder resistant fence and the ground storage tank was not enclosed by an intruder resistant fence.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

Without an intruder-resistant fence in place, the customers of the water supply could be exposed to significant amounts of contaminants introduced to the water supply by trespassers, which would exceed levels protective of human health.

Adjustment

Violation Events

Number of Violation Events <input type="text" value="5"/>	<input type="text" value="132"/>	Number of violation days
---	----------------------------------	--------------------------

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

Violation Base Penalty

Five monthly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$140"/>	Violation Final Penalty Total <input type="text" value="\$2,240"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,240"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	27-Jun-2007	27-Jun-2009	2.0	\$7	\$134	\$140
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 includes the amount to replace or repair the intruder resistant fence, calculated from the date of the investigation to the estimated date of compliance

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$140

PCW

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 14

Rule Cite(s)

30 Tex. Admin. Code § 290.43(d)(2)

Violation Description

Failed to provide a pressure release device on the pressure tank.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 10%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Without a pressure release device, the pressure tank would be unable to release excess pressure in the tank which could cause damage to the distribution lines and booster pumps, as a result of water hammers, which would expose the water supply to significant amounts of contaminants that do not exceed levels protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 2

132 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$200

Two quarterly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$37

Violation Final Penalty Total \$358

This violation Final Assessed Penalty (adjusted for limits) \$358

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$300	20-Jun-2007	20-Mar-2009	1.8	\$2	\$35	\$37
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

The delayed costs include the amount to purchase and install a pressure release device on the pressure tank, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

TOTAL

\$37

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number 15		
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(C)(ii) and Tex. Health and Safety Code § 341.0315(c)	
Violation Description	Failed to provide a ground storage tank capacity of 200 gallons per connection. A system with 80 connections should have a ground storage capacity of 16,000 gallons. At the time of the investigation the system provided a ground storage capacity of 4,260 gallon, which is a 73% deficiency.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes
Without sufficient storage capacity, customers of the water system could experience water outages and the system's ability to provide a safe and adequate supply of water to the customers would be impaired.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

Five monthly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$671"/>	Violation Final Penalty Total <input type="text" value="\$2,240"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,240"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 15

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$5,000	20-Jun-2007	20-May-2009	1.9	\$32	\$639	\$671
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount necessary to increase the storage tank capacity to 200 gallons per connection, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$671

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number 16		
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(C)(iv) and Tex. Health and Safety Code § 341.0315(c)	
Violation Description	Failed to provide a pressure tank capacity of at least 20 gallons per connection. Specifically, a system with 80 connections should provide a pressure tank capacity of 1,600 gallons. At the time of the investigation, the system provided a pressure tank capacity of 350 gallons, which is a 78% deficiency.	
Base Penalty		\$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Major	Moderate	Minor	
	Actual	Potential		Percent
	x			25%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent
					0%

Matrix Notes

Without sufficient pressure tank capacity, customers of the water system could experience water shortages and the system's ability to provide a safe and adequate water supply for the customers would be impaired.

Adjustment \$750

\$250

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty \$1,250

Five monthly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$134"/>	Violation Final Penalty Total <input type="text" value="\$2,240"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,240"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 16

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Delayed Costs							
Equipment	\$1,000	20-Jun-2007	20-May-2009	1.9	\$6	\$128	\$134
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

The delayed costs include the amount to provide a minimum pressure tank capacity of 20 gallons per connection, 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)

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

\$134

Screening Date 29-Oct-2007 **Docket No.** 2008-1967-PWS-E **PCW**

Respondent Deloris Petty dba Denton Estates Mobile Home Park *Policy Revision 2 (September 2002)*

Case ID No. 25318 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 17

Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health and Safety Code § 341.0315(c)

Violation Description Failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection. Specifically, a system with 80 connections should provide a service capacity of 160 gpm. Currently the system has one pump providing 24 gpm, which is an 85% deficiency.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Without sufficient total service pump capacity, customers of the water system could experience shortages and the system's ability to provide a safe and adequate water supply.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 5 132 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,250

Five monthly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$268	Violation Final Penalty Total \$2,240
This violation Final Assessed Penalty (adjusted for limits) \$2,240	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 17

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$2,000	20-Jun-2007	20-May-2009	1.9	\$13	\$256	\$268
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

The delayed costs include the amount necessary to provide two or more service pumps with a capacity of 2.0 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$268

Screening Date 29-Oct-2007 **Docket No.** 2008-1967-PWS-E **PCW**

Respondent Deloris Petty dba Denton Estates Mobile Home Park *Policy Revision 2 (September 2002)*

Case ID No. 25318 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 18

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(1)(A)

Violation Description
Failed to locate Well no.1 greater than 50 feet from a septic tank. Specifically, there is a septic tank located 46 feet from Well no. 1, and a mobile home is located 50 feet from the pump station and Well no. 1, which has a one inch PVC line draining into the ground.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes
Failure to maintain sanitary conditions around the water supply facilities could expose the water supply to significant amounts of contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 5 Number of violation days 132

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,250

Five monthly events are recommended from the date of the investigation, June 20, 2007, to the date of screening, October 29, 2007.

Economic Benefit (EB) for this violation	Statutory/Limit Test
Estimated EB Amount \$1,028	Violation Final Penalty Total \$2,240
This violation Final Assessed Penalty (adjusted for limits) \$2,240	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 18

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	\$8,000	27-Jun-2007	27-Apr-2009	1.8	\$49	\$979	\$1,028
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

The delayed cost includes the amount to relocate the well so it is greater than 50 feet from a septic tank, 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)

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

\$8,000

TOTAL

\$1,028

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW	
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>		
Reg. Ent. Reference No. RN101174894			
Media [Statute] Public Water Supply			
Enf. Coordinator Tel Croston			
Violation Number <input type="text" value="19"/>			
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(J)"/>		
Violation Description	<input type="text" value="Failed to provide a concrete sealing block around Well Nos. 1 and 2 that extends a minimum of three feet in all directions."/>		
Base Penalty		<input type="text" value="\$1,000"/>	
>> Environmental, Property and Human Health Matrix			
OR	Harm		
	Major	Moderate	Minor
	Actual <input type="text"/>	<input type="text"/>	<input type="text" value="x"/>
	Potential <input type="text"/>	<input type="text"/>	<input type="text" value="x"/>
		Percent	<input type="text" value="5%"/>
>> Programmatic Matrix			
	Falsification	Major	Moderate
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Minor		
	<input type="text"/>		
		Percent	<input type="text" value="0%"/>
Matrix Notes	<input type="text" value="Without a adequate protection of the well, customers of the water supply could be exposed to an insignificant amount of contaminants which would not exceed levels that are protective of human health."/>		
Adjustment		<input type="text" value="\$950"/>	
		<input type="text" value="\$50"/>	
Violation Events			
Number of Violation Events		<input type="text" value="2"/>	Number of violation days
		<input type="text" value="132"/>	
<i>mark only one with an x</i>	daily	<input type="text"/>	Violation Base Penalty
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
single event	<input type="text" value="x"/>	<input type="text" value="\$100"/>	
<input type="text" value="Two single events are recommended, one event per well."/>			
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount		<input type="text" value="\$54"/>	Violation Final Penalty Total
			<input type="text" value="\$179"/>
This violation Final Assessed Penalty (adjusted for limits)			<input type="text" value="\$179"/>

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 19

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$400	20-Jun-2007	20-May-2009	1.9	\$3	\$51	\$54
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the amount to extend the sealing block at least 3 feet from the well casing in all directions for well nos. 1 and 2, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$400 **TOTAL** \$54

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW		
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>			
Reg. Ent. Reference No. RN101174894				
Media [Statute] Public Water Supply				
Enf. Coordinator Tel Croston				
Violation Number <input type="text" value="20"/>				
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(3)(N)			
Violation Description	Failed to provide an operable flow meter on both Well nos .1 and 2, to measure production yields, and provide for the accumulation of water production data.			
Base Penalty		<input type="text" value="\$1,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	x
		Percent	<input type="text" value="5%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Failure to install flow meters prevents the system from compiling water production data and could compromise the system's ability to provide an adequate amount of water.			
		Adjustment	<input type="text" value="\$950"/>	
		<input type="text" value="\$50"/>		
Violation Events				
Number of Violation Events		<input type="text" value="2"/>	Number of violation days	
		<input type="text" value="132"/>		
<i>mark only one with an x</i>	daily	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="checkbox"/>		
		Violation Base Penalty	<input type="text" value="\$100"/>	
Two single events are recommended, one event per well.				
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount		<input type="text" value="\$26"/>	Violation Final Penalty Total	
			<input type="text" value="\$179"/>	
			This violation Final Assessed Penalty (adjusted for limits)	
			<input type="text" value="\$179"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 20

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment	\$200	27-Jun-2007	27-Apr-2009	1.8	\$1	\$24	\$26
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

The delayed costs include the amount to purchase and install flow meters on Well Nos .1 and 2, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$26

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number <input type="text" value="21"/>		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(v)	
Violation Description	Failed to securely install the water system's electrical wiring in compliance with local or national electrical code. Specifically, on the date of the investigation it was noted that the electrical wiring was hanging loosely, supported only by a tree.	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="text"/>
				Percent <input type="text" value="0%"/>	
Matrix Notes	Failed to install electrical wiring for the well in accordance with local or national code could cause electrical malfunction, exposing the well to a significant amount of cotaminants that would not exceed levels protective of human health				
Adjustment				<input type="text" value="\$900"/>	

Violation Events

Number of Violation Events <input type="text" value="2"/>		Number of violation days <input type="text" value="132"/>	
mark only one with an x <input type="checkbox"/> daily <input type="checkbox"/> monthly <input checked="" type="checkbox"/> quarterly <input type="checkbox"/> semiannual <input type="checkbox"/> annual <input type="checkbox"/> single event		Violation Base Penalty	<input type="text" value="\$200"/>

Two quarterly events are recommended from the date of the investigation, June 20, 2007, to the date of screening October 29, 2007.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$51"/>	Violation Final Penalty Total <input type="text" value="\$358"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$358"/>	

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 21

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	----------------	-----------

No commas or \$

Delayed Costs

Equipment	\$400	20-Jun-2007	20-Apr-2009	1.8	\$2	\$49	\$51
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

The delayed costs include the amount to install the electrical wiring in compliance with local or national code, so that it is no longer exposed, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$400

TOTAL

\$51

Screening Date 29-Oct-2007	Docket No. 2008-1967-PWS-E	PCW
Respondent Deloris Petty dba Denton Estates Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 25318	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101174894		
Media [Statute] Public Water Supply		
Enf. Coordinator Tel Croston		
Violation Number <input type="text" value="22"/>		
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 290.44(d)(4)"/>	
Violation Description	<input type="text" value="Failed to provide metering devices at each service connection."/>	
Base Penalty		<input type="text" value="\$1,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park
Case ID No. 25318
Reg. Ent. Reference No. RN101174894
Media Public Water Supply
Violation No. 22

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment	\$2,400	20-Jun-2007	20-Jun-2009	2.0	\$16	\$320	\$336
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

The delayed costs include the amount to purchase and install a metering device on each connection associated with the facility, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,400

TOTAL

\$336

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 23

Rule Cite(s) 30 Tex. Admin. Code § 290.51(a)(3) and Tex. Water Code § 5.702

Violation Description Failed to pay Public Health Service ("PHS") fees for fiscal years 2003, 2004, 2005, 2006, 2007 and 2008, including all late fees and interest, for TCEQ Financial Administration Account No. 90610016.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Adjustment \$1,000

\$0

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty \$0

All penalties and interest will be assessed by the Financial Administration Division at the next billing cycle.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$0

This violation Final Assessed Penalty (adjusted for limits) \$0

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 23

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

N/A

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

N/A

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 29-Oct-2007

Docket No. 2008-1967-PWS-E

PCW

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 25318

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101174894

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 24

Rule Cite(s)

30 Tex. Admin. Code § 290.274(a), (b) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the water system and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year. Specifically, the Respondent did not mail or directly deliver the CCRs to the water system's customers for the years 2000 through 2003 nor did the Respondent submit the CCR or the required certification to the TCEQ for the years 2000 through 2003.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

Failed to comply with 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 4

1,460 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$400

Four annual events are recommended for the years in which no CCR or certification of delivery was submitted to the TCEQ.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$112

Violation Final Penalty Total \$717

This violation Final Assessed Penalty (adjusted for limits) \$717

Economic Benefit Worksheet

Respondent Deloris Petty dba Denton Estates Mobile Home Park

Case ID No. 25318

Reg. Ent. Reference No. RN101174894

Media Public Water Supply

Violation No. 24

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$90	1-Jul-2000	30-Jun-2004	4.9	\$22	\$90	\$112

Notes for AVOIDED costs

The avoided costs include the amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply, calculated for the years in which no report was distributed.

Approx. Cost of Compliance

\$90

TOTAL

\$112

Compliance History

Customer/Respondent/Owner-Operator:	CN600623037	PETTY, DELORIS	Classification:	Rating:
Regulated Entity:	RN101174894	DENTON ESTATES MOBILE HOME PARK	Classification:	Site
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		0610016
	WATER LICENSING	LICENSE		0610016
Location:	North end of Cottonwood Lane, DENTON COUNTY, TX, 76249			
TCEQ Region:	REGION 04 - DFW METROPLEX			
Date Compliance History Prepared:	October 01, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	October 01, 2002 to October 01, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Tel Croston	Phone:	(512) 239-5717	

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 |

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: 10/22/2002	COURTORDER
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)	
Description: Failed to hire a certified operator as required.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)[G]	
Description: Failed to collect water samples every month, as required.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)	
Description: Failed to develop a sample siting plan, as required.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)	
Description: Failed to maintain free chlorine residual.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)[G]	
Description: Failed to meet capacity requirements.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)	
Description: Failed to maintain a distance of 150 feet from the drainfield.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)	
30 TAC Chapter 290, SubChapter D 290.46(n)(3)	
Description: Failed to provide well completion data.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B)	
Description: Failure to maintain 18" well casings from the floor.	
Classification: Moderate	
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)	
Description: Failed to provide concrete sealing block.	

Classification: Moderate

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

Description: Failed to provide a flow meter.

Classification: Minor

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

Description: Failed to provide the well unit with intruder-resistance fence.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106[G]

Description: Failure to take routine bact samples since 10/92.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(g)[G]

Description: Failure to do public notice associated with all referred violations.

Classification: Major

Citation: 2B TWC Chapter 13, SubChapter A 13.135

2B TWC Chapter 13, SubChapter A 13.136[G]

2B TWC Chapter 13, SubChapter A 13.242[G]

30 TAC Chapter 291, SubChapter B 291.21(a)

Description: Operating without a CCN or other authorization and charging and collecting compensation for water service withotu authorization.

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	10/01/2004	(400173)
2	11/01/2004	(401654)
3	12/08/2004	(401667)
4	12/28/2004	(401692)
5	01/28/2005	(401702)
6	03/03/2005	(401704)
7	03/28/2005	(371761)
8	04/01/2005	(401705)
9	05/02/2005	(401707)
10	05/31/2005	(401710)
11	06/27/2005	(401712)
12	09/09/2005	(419198)
13	01/25/2006	(456385)
14	08/23/2007	(571260)

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

1	Date: 10/01/2004	(400173)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 08/2004.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 08/2004.		
2	Date: 11/01/2004	(401654)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 09/2004.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 09/2004.		
3	Date: 12/08/2004	(401667)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 10/2004.		
	Self Report?	NO	Classification:	Moderate

- 4 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 10/2004.
Date: 12/28/2004 (401692)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 11/2004.
Self Report? NO Classification: Moderate
- 5 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 11/2004.
Date: 01/28/2005 (401702)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 12/2004.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 12/2004.
- 6 Date: 03/03/2005 (401704)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 01/2005.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 01/2005.
- 7 Date: 04/01/2005 (401705)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 02/2005.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 02/2005.
- 8 Date: 05/02/2005 (401707)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 03/2005.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 03/2005.
- 9 Date: 05/31/2005 (401710)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 04/2005.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 04/2005.
- 10 Date: 06/27/2005 (401712)
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 05/2005.
Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 05/2005.
- 11 Date: 08/25/2005 (456385)

	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	07/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	07/2005 Failure to post a PN for not collecting any routine monitoring samples.		
12	Date:	10/03/2005 (456385)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	08/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	08/2005 Failure to post a PN for not collecting any routine monitoring samples.		
13	Date:	10/31/2005 (456385)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	09/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	09/2005 Failure to post a PN for not collecting any routine monitoring samples.		
14	Date:	12/01/2005 (456385)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	10/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	10/2005 Failure to post a PN for not collecting any routine monitoring samples.		
15	Date:	12/21/2005 (456385)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	11/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	11/2005 Failure to post a PN for not collecting any routine monitoring samples.		
16	Date:	01/25/2006 (456385)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)		
	Description:	12/2005 Failure to collect any routine monitoring samples.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	12/2005 Failure to post a PN for not collecting any routine monitoring samples.		
17	Date:	11/15/2006 (518389)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(q)[G]		
	Description:	Violation of: §291.46(q) Failure to institute special precautions in the event of low distribution pressures and water outages.		

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
DELORIS PETTY DBA
DENTON ESTATES MOBILE
HOME PARK; RN101174894

§
§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

DEFAULT ORDER
DOCKET NO. 2008-1967-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered the Executive Director's Second Amended Report and Petition filed pursuant to TEX. WATER CODE ch. 5, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Deloris Petty dba Denton Estates Mobile Home Park ("Petty").

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

FINDINGS OF FACT

1. Petty owns and operates a public water system located at the north end of Cottonwood Lane, in Denton County, Texas (the "Facility").
2. The Facility has approximately 80 service connections, serves at least 25 people per day for at least 60 days per year; and provides water for human consumption. Therefore, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(63).
3. During a record review inspection conducted on February 21, 2005, a TCEQ Dallas/Fort Worth Regional Office investigator documented that Petty failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1st of each year, and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility, and that the information in the CCR is correct and consistent with the compliance monitoring data, to the TCEQ by July 1 of each year. Specifically, Petty did not mail or directly deliver the CCRs to the Facility's customers for the years 2000-2003; and did not submit the CCR or required certification to the TCEQ for the years 2000-2003.

4. During record review inspections conducted on April 8, 2005, January 19, 2007, June 20, 2007, and December 30, 2008, a TCEQ Dallas/Fort Worth Regional Office investigator documented that Petty failed to pay Public Health Service ("PHS") fees for fiscal years 2003, 2004, 2005, 2006, 2007, and 2008, including all late fees and interest, for TCEQ account number 90610016.
5. During a record review inspection conducted on June 1, 2005, a TCEQ Dallas/Fort Worth Investigator documented that Petty failed to collect and submit monthly water samples for bacteriological analysis for the months of August through December 2004, and January through May 2005, and failed to provide public notification for the failure to collect water samples for the months of August through December 2004, and January through May 2005.
6. During a compliance investigation conducted on June 20, 2007, a TCEQ Dallas/Fort Worth Regional Office investigator documented that Petty:
 - a. Failed to submit documentation showing that Petty followed the flow chart in 30 TEX. ADMIN. CODE § 290.47(h), to determine if a boil water notification must be issued in the event of a loss of distribution system pressure prior to returning the Facility to service after a water outage on September 23, 2006;
 - b. Failed to operate the Facility by a licensed operator who holds a class "D" or higher license. Specifically, during the investigation no documentation identifying an operator with the appropriate license was produced;
 - c. Failed to keep on file and make available for Commission review, the Facility's operating records. Specifically, during the investigation the Facility failed to provide the following records: records documenting the amount of chemicals used to treat the water and the volume of water treated, dates the dead-end mains were flushed, date that storage tanks and other facilities were cleaned, maintenance records, chlorine residual logs, backflow prevention device programs, records of microbiological analyses, results of tank inspections, and results of chemical analyses;
 - d. Failed to perform annual inspections of the Facility's ground storage tank;
 - e. Failed to perform annual inspections of the Facility's pressure tank;
 - f. Failed to obtain a sanitary control easement for well nos. 1 and 2;

- g. Failed to provide a minimum well capacity of 0.6 gallons per minute (“gpm”) per connection. Specifically, a system with 80 connections, should supply a minimum total well capacity of 48 gpm. The Facility currently provides a total well capacity of 30 gpm, a 38% deficiency;
- h. Failed to submit well completion data to the Commission prior to placing the wells into service so that the wells may be evaluated and approved for public use;
- i. Failed to compile and maintain an up-to-date plant operations manual for operator review and reference;
- j. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility. Specifically, it was observed that the Facility grounds were overgrown with tall grass, trash and other rubbish was piled up within the open portion of the pump house, and the lower portion of the pump house was covered with wet and packed insulation;
- k. Failed to provide a ground storage tank that meets American Water Works Association (“AWWA”) standards. Specifically, it was documented that the ground storage tank in use was not certified to meet AWWA standards;
- l. Failed to provide an intruder-resistant fence for the wells and ground storage tank that can be locked during periods of darkness or when the Facility is unattended. Specifically, it was documented that the well houses were not locked or enclosed by an intruder resistant fence, and the ground storage tank was not enclosed by an intruder resistant fence;
- m. Failed to provide a release device on the pressure tank;
- n. Failed to provide ground storage tank capacity of 200 gallons per connection. Specifically, a system with 80 connections should have a ground storage capacity of 16,000 gallons. The Facility provides a ground storage capacity of 4,260 gallons, which is a 73% deficiency;
- o. Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, a system with 80 connections should have a pressure tank capacity of 1,600 gallons. The Facility provided a pressure tank capacity of 350 gallons, which is a 78% deficiency;

- p. Failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection. Specifically, a system with 80 connections should provide a service capacity of 160 gpm. The Facility has one pump providing 24 gpm, which is an 85% deficiency;
 - q. Failed to locate well no. 1 greater than 50 feet from a septic tank. Specifically, there is a septic tank located 46 feet from well no.1, and a mobile home is located 50 feet from the pump station and well no. 1, which has a one inch PVC line draining into the ground;
 - r. Failed to provide a concrete sealing block around well nos. 1 and 2 that extends a minimum of three feet in all directions;
 - s. Failed to provide an operable flow meter on both well nos. 1 and 2, to measure production yields, and provide for the accumulation of water production data;
 - t. Failed to securely install the Facility's electrical wiring in compliance with local or national electrical code. Specifically, on the date of the investigation it was noted that the electrical wiring was hanging loosely, supported only by a tree; and
 - u. Failed to provide metering devices at each service connection.
7. Petty received notices of the violations on or about February 26, 2005, June 6, 2005 and August 20, 2007.
 8. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris Petty dba Denton Estates Mobile Home Park" (the "EDPRP") in the TCEQ Chief Clerk's office on February 6, 2007.
 9. By letter dated February 6, 2007, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Petty with notice of the EDPRP. According to the return receipt "green card", Petty received notice of the EDPRP on February 16, 2007, as evidenced by the signature on the card.
 10. The Executive Director filed the "Executive Director's First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris

Petty dba Denton Estates Mobile Home Park” (the “EDFARP”) in the TCEQ Chief Clerk's office on August 14, 2008.

11. By letter dated August 14, 2008, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Petty with notice of the EDFARP. The United States Postal Service returned the wrapper sent by certified mail as “unclaimed”. The first class mail has not been returned, indicating that Petty received notice of the EDFARP.
12. The Executive Director filed the “Executive Director's Second Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris Petty dba Denton Estates Mobile Home Park” (the “EDSARP”) in the TCEQ Chief Clerk's office on January 6, 2009.
13. By letter dated January 6, 2009, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Petty with notice of the EDSARP. The United States Postal Service returned the wrapper sent by certified mail as “unclaimed”. The first class mail has not been returned, indicating that Petty received notice of the EDSARP.
14. More than 20 days have elapsed since Petty received notice of the EDPRP, the EDFARP and the EDSARP, provided by the Executive Director. Petty failed to file an answer to either the EDPRP, the EDFARP, or the EDSARP, failed to request a hearing, and failed to schedule a settlement conference.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Petty is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 5, TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Petty, failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1st of each year, failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility, and that the information in the CCR is correct and consistent with the compliance monitoring data to the TCEQ by July 1 of each year. Specifically, Petty did not mail or directly deliver the CCRs to the Facility's customers for the years 2000-2003, and did not

submit the CCR or required certification to the TCEQ for the years 2000-2003, in violation of 30 TEX. ADMIN. CODE § 290.274(a), (b), and (c).

3. As evidenced by Finding of Fact No. 4, Petty failed to pay PHS fees for fiscal years 2003, 2004, 2005, 2006, 2007 and 2008, including all late fees and interest, for TCEQ Account Number 90610016, in violation of TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(3).
4. As evidenced by Finding of Fact No.5, Petty failed to collect and submit monthly water samples for bacteriological analysis for the months of August through December 2004, and January through May 2005, and failed to provide public notification for the failure to collect water samples for the months of August through December 2004, and January through May 2005, in violation of 30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(ii) and 290.122(c)(2)(A) and TEX. HEALTH & SAFETY CODE § 341.033(d).
5. As evidenced by Finding of Fact No.6.a, Petty failed to submit documentation showing that Petty followed the flow chart in 30 TEX. ADMIN. CODE § 290.47(h), to determine if a boil water notification must be issued in the event of a loss of distribution system pressure prior to returning the Facility to service after a water outage on September 23, 2006, in violation of 30 TEX. ADMIN. CODE § 290.46(q)(2).
6. As evidenced by Finding of Fact No.6.b, Petty failed to operate the Facility by a licensed operator who holds a class "D" or higher license. Specifically, during the investigation no documentation identifying an operator with the appropriate license was produced, in violation of 30 TEX. ADMIN. CODE § 290.46(e).
7. As evidenced by Finding of Fact No.6.c, Petty failed to keep on file and make available for Commission review, the Facility's operating records. Specifically, during the investigation the Facility failed to provide the following records: records documenting the amount of chemicals used to treat the water and the volume of water treated, dates the dead-end mains were flushed, date that storage tanks and other facilities were cleaned, maintenance records, chlorine residual logs, backflow prevention device programs, records of microbiological analyses, results of tank inspections, and results of chemical analyses, in violation of 30 TEX. ADMIN. CODE § 290.46(f), (f)(3)(A)(i), (f)(3)(A)(ii), (f)(3)(A)(iv), (f)(3)(A)(v), (f)(3)(A)(vi), (f)(3)(B)(iii), (f)(3)(B)(vi), (f)(3)(D)(i), (f)(3)(D)(ii) and (f)(3)(E)(ii).
8. As evidenced by Finding of Fact No.6.d, Petty failed to perform annual inspections of the Facility's ground storage tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A).
9. As evidenced by Finding of Fact No.6.e, Petty failed to perform annual inspections of the

- Facility's pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
10. As evidenced by Finding of Fact No.6.f, Petty failed to obtain a sanitary control easement for well nos. 1 and 2, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F).
 11. As evidenced by Finding of Fact No.6.g, Petty failed to provide a minimum well capacity of 0.6 gpm per connection. Specifically, a system with 80 connections should supply a minimum total well capacity of 48 gpm. The Facility currently provides a total well capacity of 30 gpm, a 38% deficiency, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i).
 12. As evidenced by Finding of Fact No.6.h, Petty failed to submit well completion data to the Commission prior to placing the wells into service so that the wells may be evaluated and approved for public use, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3).
 13. As evidenced by Finding of Fact No.6.i, Petty failed to compile and maintain an up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
 14. As evidenced by Finding of Fact No.6.j, Petty failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility. Specifically, it was observed that the Facility grounds were overgrown with tall grass, trash and other rubbish was piled up within the open portion of the pump house, and the lower portion of the pump house was covered with wet and packed insulation, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
 15. As evidenced by Finding of Fact No.6.k, Petty failed to provide a ground storage tank that meets AWWA standards. Specifically, it was documented that the ground storage tank in use was not certified to meet AWWA standards, in violation of 30 TEX. ADMIN. CODE § 290.43(c).
 16. As evidenced by Finding of Fact No.6.l, Petty failed to provide an intruder-resistant fence for the wells and ground storage tank that can be locked during periods of darkness or when the Facility is unattended. Specifically, it was documented that the well houses were not locked or enclosed by an intruder resistant fence, and the ground storage tank was not enclosed by an intruder resistant fence, in violation of 30 TEX. ADMIN. CODE §§ 290.41(c)(3)(O) and 290.43(e).
 17. As evidenced by Finding of Fact No.6.m, Petty failed to provide a release device on the pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(2).

18. As evidenced by Finding of Fact No.6.n, Petty failed to provide ground storage tank capacity of 200 gallons per connection. Specifically, a system with 80 connections should have a ground storage capacity of 16,000 gallons. The Facility provides a ground storage capacity of 4,260 gallons, which is a 73% deficiency, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
19. As evidenced by Finding of Fact No.6.o, Petty failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, a system with 80 connections should have a pressure tank capacity of 1,600 gallons. The Facility provided a pressure tank capacity of 350 gallons, which is a 78% deficiency, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
20. As evidenced by Finding of Fact No.6.p, Petty failed to provide two or more service pumps having a total capacity of 2.0 gpm per connection. Specifically, a system with 80 connections should provide a service capacity of 160 gpm. The Facility has one pump providing 24 gpm, which is an 85% deficiency, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
21. As evidenced by Finding of Fact No.6.q, Petty failed to locate well no. 1 greater than 50 feet from a septic tank. Specifically, there is a septic tank located 46 feet from well no.1, and a mobile home is located 50 feet from the pump station and well no. 1, which has a one inch PVC line draining into the ground, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(A).
22. As evidenced by Finding of Fact No.6.r, Petty failed to provide a concrete sealing block around well nos. 1 and 2 that extends a minimum of three feet in all directions, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(J).
23. As evidenced by Finding of Fact No.6.s, Petty failed to provide an operable flow meter on both well nos. 1 and 2, to measure production yields, and provide for the accumulation of water production data, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(N).
24. As evidenced by Finding of Fact No.6.t, Petty failed to securely install the Facility's electrical wiring in compliance with local or national electrical code. Specifically, on the date of the investigation it was noted that the electrical wiring was hanging loosely, supported only by a tree, in violation of 30 TEX. ADMIN. CODE § 290.46(v).
25. As evidenced by Finding of Fact No.6.u, Petty failed to provide metering devices at each service connection, in violation of 30 TEX. ADMIN. CODE § 290.44(d)(4).

26. As evidenced by Finding of Fact Nos. 8 and 9, the Executive Director timely served Petty with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(a).
27. As evidenced by Finding of Fact Nos. 10 and 11, the Executive Director timely served Petty with proper notice of the EDFARP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
28. As evidenced by Finding of Fact Nos. 12 and 13, the Executive Director timely served Petty with proper notice of the EDSARP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
29. As evidenced by Finding of Fact No.14, Petty failed to file a timely answer to either the EDPRP, the EDFARP or the EDSARP, as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Petty and assess the penalty recommended by the Executive Director.
30. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Petty for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
31. An administrative penalty in the amount of twenty-two thousand eight hundred forty- four dollars (\$22,844.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b).
32. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Petty is assessed an administrative penalty in the amount of twenty-two thousand eight hundred forty-four dollars (\$22,844.00) for violations of TEX. WATER CODE ch. 5, TEX. HEALTH & SAFETY CODE ch. 341, and rules of the TCEQ. The payment of this administrative penalty and Petty's compliance with all the terms and conditions set forth in this Order

completely resolve the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations which are not raised here. All checks submitted to pay the penalty imposed by this Order shall be made out to the "Texas Commission on Environmental Quality". The administrative penalty assessed by this Order shall be paid within 30 days after the effective date of this Order and shall be sent with the notation "Re: Deloris Petty dba Denton Estates Mobile Home Park; Docket No. 2008-1967-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. Petty shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order, Petty shall begin collecting monthly samples which are representative of the Facility's water system, according to the Facility's written Sample Siting Plan, as required by 30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(ii), 290.122(c)(2)(A) and TEX. HEALTH & SAFETY CODE § 341.033(d);
 - b. Within 15 days of the effective date of this Order, Petty shall submit written certification as described below in Ordering Provision 2.cc, and include detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.;
 - c. Within 30 days after the effective date of this Order, Petty shall conduct and record the results of the ground storage tanks and pressure tanks inspections, as required by 30 TEX. ADMIN. CODE § 290.46(m)(1)(A) and (B);
 - d. Within 30 days of the effective date of this Order, Petty shall develop and begin maintaining a written protocol that is to be followed to ensure that proper public notification and boil water notices are provided to customers of the water supply in the event of distribution pressures below 20 pounds per square inch, water outage, positive microbiological samples, low chlorine residuals, or other conditions which indicate that the potability of the water may have been compromised, and failure to collect and submit samples, as required by 30 TEX. ADMIN. CODE § 290.46(q)(2);
 - e. Within 30 days of the effective date of this Order, Petty shall begin compiling and

maintaining proper completed monthly water works operation reports and maintenance records, including but not limited to: the amount of chemical used, the volume of water treated, the dates dead-end mains were flushed, the dates that storage tanks and other facilities were cleaned, the facility's chlorine residual log, records of backflow prevention device program, the results of microbiological analysis, the results of chemical analysis, records of complaints received, and information for the Consumer Confidence Report, as required by 30 TEX. ADMIN. CODE §§ 290.46(f), (f)(3)(A)(i), (ii), (iv), (v), (vi), and (f)(3)(B)(iii), (vi), and (f)(3)(D)(i), (ii), and (f)(3)(E)(ii);

- f. Within 30 days of the effective date of this Order, Petty shall submit well completion data for well no.1 and well no. 2 that includes well material setting data, geological log, sealing information, disinfection information, microbiological sample results and a chemical analysis report of a representative sample of water from the well, as required by 30 TEX. ADMIN. CODE § 290.46(n)(3). The data shall be submitted to:

Water Supply Division
Utility Creation & Plan Review Team, MC 153
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

with a copy to:

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

- g. Within 30 days of the effective date of this Order, Petty shall initiate maintenance and housekeeping practices to ensure the good working conditions and general appearance of the Facility, including but not limited to ensuring the grounds of the Facility are mowed and kept clean of debris, and remove trash and rubbish piled up adjacent to the pump house, as required by 30 TEX. ADMIN. CODE § 290.46(m);
- h. Within 30 days of the effective date of this Order, Petty shall compile and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference, as required by 30 TEX. ADMIN. CODE § 290.42(l);
- i. Within 30 days of the effective date of this Order, Petty shall install a pressure release

- device on the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.43(d)(2);
- j. Within 30 days of the effective date of this Order, Petty shall locate well no. 1, so that the well is not located within 50 feet of any septic tank or other source of pollution, as required by 30 TEX. ADMIN. CODE § 290.41(c)(1)(A);
 - k. Within 30 days of the effective date of this Order, Petty shall securely install all Facility electrical wiring in a securely mounted conduit in compliance with local or national electrical code, as required by 30 TEX. ADMIN. CODE § 290.46(v);
 - l. Within 45 days after the effective date of this Order, Petty shall submit written documentation, as detailed in Ordering Provision 2.cc below, that certifies compliance with Ordering Provisions 2.c. through 2.k.;
 - m. Within 60 days after the effective date of this Order, Petty shall ensure that the well house for each well is locked or can be locked or install intruder resistant fencing around the well sites that can be locked during periods when the Facility is unattended, as required by 30 TEX. ADMIN. CODE §§ 290.41(c)(3)(O) and 290.43(e);
 - n. Within 60 days after the effective date of this Order, Petty shall install a concrete sealing block around each well that is compliant with 30 TEX. ADMIN. CODE § 290.41(c)(3)(J);
 - o. Within 60 days after the effective date of this Order, Petty shall provide a flow meter for each well, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(N);
 - p. Within 60 days after the effective date of this Order, Petty shall pay all outstanding fees due on "Deloris Petty dba Denton Estate Mobile Home Park, TCEQ FA Account No. 90610016" as required by TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(3);
 - q. Within 60 days after the effective date of this Order, Petty shall operate the Facility with a licensed operator who holds a class "D" or higher license, as required by 30 TEX. ADMIN. CODE § 290.46(e);
 - r. Within 75 days after the effective date of this Order, Petty shall submit written documentation, as detailed in Ordering Provision 2.cc below, that certifies compliance with Ordering Provisions 2.m through 2.q;

- s. Within 90 days after the effective date of this Order, Petty shall secure a sanitary easement covering all property within 150 feet of the well nos. 1 and 2 location from adjacent landowners and record the deeds at the county courthouse, as required by 30 TEX. ADMIN. CODE § 290.41(c)(1)(F);
- t. Within 90 days after the effective date of this Order, Petty shall repair, refurbish or replace the ground storage tank so the ground storage tank meets AWWA standards, as required by 30 TEX. ADMIN. CODE § 290.43(c);
- u. Within 105 days after the effective date of this Order, Petty shall submit written documentation, as detailed in Ordering Provision 2.cc below, that certifies compliance with Ordering Provisions 2.s. and 2.t.;
- v. Within 180 days after the effective date of this Order, Petty shall provide a minimum pressure tank capacity of 20 gallons per connection, as required by 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c);
- w. Within 180 days after the effective date of this Order, Petty shall provide two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection, as required by 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii) & TEX. HEALTH & SAFETY CODE § 341.0315(c);
- x. Within 180 days after the effective date of this Order, Petty shall provide all residences with an accurate metering device, as required by 30 TEX. ADMIN. CODE § 290.44(d)(4);
- y. Within 180 days after the effective date of this Order, Petty shall provide a minimum well capacity of 0.6 gallons per minute per connection, as required by 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(i);
- z. Petty shall mail or directly deliver one copy of the CCR to each bill paying customer by July 1st of each year and submit a copy of the annual CCR, and certification that the CCR has been distributed to the customers of the Facility, and that the information in the CCR is correct and consistent with the compliance monitoring data, to the TCEQ by July 1 of each year, as required by 30 TEX. ADMIN. CODE § 290.274 (a), (b), and (c);
- aa. Within 180 days after the effective date of this Order, Petty shall provide a ground storage tank capacity of 200 gallons per connection, as required by 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c); and

- bb. Within 190 days after the effective date of this Order, Petty shall submit written certification, as detailed in Ordering Provision 2.cc below, that demonstrates compliance with Ordering Provision Nos. 2.v. through 2.aa.
- cc. The certifications required by Ordering Provisions Nos. 2.b., 2.l., 2.r., 2.u., and 2.bb shall include detailed supporting documentation, including receipts and/or other records to demonstrate compliance and shall be notarized by a State of Texas 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, MC R-4
Texas Commission on Environmental Quality
2301 Gravel Drive
Fort Worth, Texas 76118-6951

- 3. All relief not expressly granted in this Order is denied.
- 4. The provisions of this Order shall apply to and be binding upon Petty. Petty is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Petty shall be made in writing to the Executive Director. Extensions are not effective until Petty receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas (“OAG”) for further enforcement proceedings without notice to Petty if the Executive Director determines that Petty has not complied with one or more of the terms or conditions in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. The Chief Clerk shall provide a copy of this Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

Deloris Petty dba Denton Estates Mobile Home Park
Docket No. 2008-1967-PWS-E
Page 16

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

AFFIDAVIT OF REBECCA M. COMBS

STATE OF TEXAS §
 §
 §
COUNTY OF TRAVIS §

“My name is Rebecca M. Combs. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, I filed the ‘Executive Director’s Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris Petty dba Denton Estates Mobile Home Park’ (the ‘EDPRP’) with the Office of the Chief Clerk on February 6, 2007.

I sent the EDPRP to Petty at her last known address on February 6, 2007 via certified mail, return receipt requested, and via first class mail, postage prepaid. According to the return receipt ‘green card’, Petty received notice of the EDPRP on February 16, 2007, as evidenced by the signature on the card.

More than 20 days have elapsed since Petty received notice of the EDPRP. Petty failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, I filed the ‘Executive Director’s First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris Petty dba Denton Estates Mobile Home Park’ (the ‘EDFARP’) with the Office of the Chief Clerk on August 14, 2008.

I sent the EDFARP to Petty at her last known address on August 14, 2008 via certified mail, return receipt requested, and via first class mail, postage prepaid. The United States Postal Service returned the wrapper sent by certified mail as ‘unclaimed’. Service returned the wrapper sent by certified mail as “unclaimed”. The first class mail has not been returned, indicating the respondent received notice of the EDFARP, in accordance with 30 TEX. ADMIN. CODE § 70.104(c)(2).

More than 20 days have elapsed since Petty received notice of the EDFARP. Petty failed to file an answer to the EDFARP, failed to request a hearing, and failed to schedule a settlement conference”.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, I filed the ‘Executive Director’s Second Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Deloris Petty dba Denton Estates Mobile Home Park’ (the ‘EDSARP’) with the Office of the Chief Clerk on January 6, 2009.

I sent the EDSARP to Petty at her last known address on January 6, 2009 via certified mail, return receipt requested, and via first class mail, postage prepaid. The United States Postal Service returned the

wrapper sent by certified mail as 'unclaimed'. Service returned the wrapper sent by certified mail as "unclaimed". The first class mail has not been returned, indicating the respondent received notice of the EDSARP, in accordance with 30 TEX. ADMIN. CODE § 70.104(c)(2).

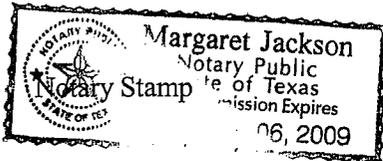
More than 20 days have elapsed since Petty received notice of the EDSARP. Petty failed to file an answer to the EDSARP, failed to request a hearing, and failed to schedule a settlement conference".



Rebecca M. Combs
Attorney
Texas Commission on Environmental Quality

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

Given under my hand and seal of office this 19 day of March, 2009.



Notary Signature