

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO. 2010-0447-PWS-E**

**RN101441764**

**CASE NO. 38063**

**RESPONDENT NAME: TRUDY J. GILLEM d/b/a COUNTRY VILLA MOBILE HOME PARK**

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

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

**SITE WHERE VIOLATION(S) OCCURRED:** North side of Highway 202 approximately 3 miles east of Beeville, Bee County

**TYPE OF OPERATION:** mobile home park with a public water system

**SMALL BUSINESS:**  Yes  No  N/A

**OTHER SIGNIFICANT MATTERS:** There are no complaints related to this enforcement action. There is no record of additional pending enforcement action regarding this facility location. Respondent owes \$538.62 in past-due administrative penalties (2005-0201-PWS-E).

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

**COMMENTS RECEIVED:** The *Texas Register* comment period expired January 10, 2011. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney:** Steven M. Fishburn, Litigation Division, MC 175, (512) 239-3400  
Lena Roberts, Litigation Division, MC 175, (512) 239-3400

**TCEQ Enforcement Coordinator:** Epifanio Villarreal, Water Enforcement Section, MC R-14, (361) 825-3425

**TCEQ Regional Contact:** Kelly Ruble, Corpus Christi Regional Office, MC R-14, (361) 825-3113

**Respondent:** Trudy J. Gillem, Owner, Country Villa Mobile Home Park, 241 PVT Oxford Lane #5, Beeville, Texas 78102

**Respondent's Attorney:** Not represented by counsel on this enforcement matter.

**RESPONDENT NAME: TRUDY J. GILLEM d/b/a  
COUNTRY VILLA MOBILE HOME PARK  
DOCKET NO. 2010-0447-PWS-E**

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input checked="" type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint:</b> N/A</p> <p><b>Dates of Investigation:</b> May 19, 2009, July 31, 2009, September 21, 2009, and February 10, 2010</p> <p><b>Dates of NOES:</b> July 4, 2009, October 23, 2009, and February 7, 2010</p> <p><b>Background Facts:</b> The EDRP was filed on June 4, 2010. The Agreed Order was signed on October 29, 2010.</p> <p><b>Current Compliance Status:</b> Respondent has not yet submitted documentation demonstrating compliance with the technical requirements. Respondent owes \$1,233.520 in past-due fees.</p> <p><b>PWS:</b></p> <ol style="list-style-type: none"> <li>Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standards [30 TEX. ADMIN. CODE § 290.42(j)].</li> <li>Failed to calibrate the well meter once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].</li> <li>Failed to provide all dead-end mains with acceptable flush valves [30 TEX. ADMIN. CODE § 290.44(d)(6)].</li> <li>Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].</li> <li>Failed to enclose the well with an intruder-resistant fence or lockable ventilated well house [30 TEX. ADMIN. CODE § 290.41(c)(3)(O)].</li> <li>Failed to pay public health service fees, including late fees, for TCEQ Financial Administration Account No. 90130058 for Fiscal Years 1998 through 2009 [30 TEX. ADMIN. CODE § 290.51(a)(3), TEX. WATER</li> </ol>	<p><b>Total Assessed:</b> \$6,341</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Order  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid/Due to General Revenue:</b> \$206/\$6,135</p> <p>Respondent paid \$206 of the administrative penalty. The remaining amount of \$6,135 shall be payable in one payment of \$185 followed by 34 payments of \$175 each.</p> <p><b>Compliance History Classifications:</b>  <i>Person/CN – N/A</i>  <i>Site/RN – N/A</i></p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Order Justification:</b> Indifference to legal duty based on violation of a previous order.</p>	<p><b>Corrective Actions Taken:</b> The Executive Director recognizes that Respondent performed the following corrective actions:</p> <ol style="list-style-type: none"> <li>On June 16, 2010, submitted an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements;</li> <li>On September 21, 2009, began using treatment chemicals or media that conformed to ANSI/NSF standards;</li> <li>On September 21, 2009, provided a legible sign at the waterwell with the Facility name and an emergency telephone number where a responsible official can be contacted;</li> <li>On September 21, 2009, secured the well house with a chain;</li> <li>On September 21, 2009, provided flush valves for the dead-end mains;</li> <li>On June 17, 2010, commenced operating the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license; and</li> <li>On July 12, 2010, submitted quarterly DLQORs for the first quarter of 2009 and the first and second quarters of 2010.</li> </ol> <p><b>Ordering Provisions:</b> Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> <li>Within 30 days: <ol style="list-style-type: none"> <li>Provide an up-to-date map of the distribution system that includes the locations of all mains and valves;</li> <li>Secure the electrical wiring for the submersible well pump in compliance with a local or national electric code;</li> <li>Begin verifying the accuracy of the manual disinfectant residual analyzer once every 30 days using chlorine solutions of known concentrations;</li> </ol> </li> </ol>

**RESPONDENT NAME: TRUDY J. GILLEM d/b/a  
COUNTRY VILLA MOBILE HOME PARK  
DOCKET NO. 2010-0447-PWS-E**

<b>VIOLATION SUMMARY CHART:</b>		
<b>VIOLATION INFORMATION</b>	<b>PENALTY CONSIDERATIONS</b>	<b>CORRECTIVE ACTIONS TAKEN/REQUIRED</b>
<p>CODE § 5.702, TCEQ Agreed Order Docket No. 2005-0201-PWS-E, Ordering Provision 2.a.iii].</p> <p>7. Failed to provide two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii), TEX. HEALTH &amp; SAFETY CODE § 341.0315(c), TCEQ Agreed Order Docket No. 2005-0201-PWS-E, Ordering Provision 2.c.ii].</p> <p>8. Failed to operate the Facility under the direct supervision of a waterworks operator who holds a Class "D" or higher license [TEX. HEALTH &amp; SAFETY CODE § 341.033(a) and 30 TEX. ADMIN. CODE § 290.46(e)].</p> <p>9. Failed to make available for Commission review a complete, up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].</p> <p>10. Failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].</p> <p>11. Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code [30 TEX. ADMIN. CODE § 290.46(v)].</p> <p>12. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Commission each quarter by the tenth day of the month following the end of each quarter [30 TEX. ADMIN. CODE § 290.110(e)(4)(A)].</p> <p>13. 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 to the TCEQ by July 1 of each year 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 compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].</p>		<p>d. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2009 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers; and</p> <p>e. Submit payment for all outstanding fees, interest, and penalties for TCEQ FA Account No. 90130058.</p> <p>2. Within 45 days, submit to the Commission a copy of the CCR provided to customers of the Facility and the 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.</p> <p>3. Within 60 days, submit written certification demonstrating compliance with Ordering Provisions Nos. 1 and 2.</p> <p>4. Within 180 days, provide two or more pumps with a total rated storage capacity of 2.0 gallons per minute per connection.</p> <p>5. Within 195 days, submit written certification demonstrating compliance with Ordering Provision No. 4</p>

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# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	27-Jul-2009	<b>Screening</b>	31-Jul-2009	<b>EPA Due</b>	31-May-2010
	<b>PCW</b>	21-Jan-2011				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Trudy J. Gillem dba Country Villa Mobile Home Park
<b>Reg. Ent. Ref. No.</b>	RN101441764
<b>Facility/Site Region</b>	14-Corpus Christi
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	38063	<b>No. of Violations</b>	13
<b>Docket No.</b>	2010-0447-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Epifanio Villarreal
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$3,200</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	45.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$1,440</b>
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Notes: The penalty enhancement is due to four prior Notices of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action and one agreed final enforcement order without a denial of liability.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$75</b>
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$1,949  
 Approx. Cost of Compliance: \$13,951  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$4,565</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	38.9%	<b>Adjustment</b>	<b>\$1,776</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for recovery of avoided costs of compliance.

<b>Final Penalty Amount</b>	<b>\$6,341</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$6,341</b>
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	<b>\$0</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral not offered for non-expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$6,341</b>
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**Screening Date** 31-Jul-2009

**Docket No.** 2010-0447-PWS-E

**PCW**

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park

*Policy Revision 2 (September 2002)*

**Case ID No.** 38063

*PCW Revision October 30, 2008*

**Reg. Ent. Reference No.** RN101441764

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Epifanio Villarreal

### Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 45%

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

N/A

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

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

N/A

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

>> **Compliance History Summary**

**Compliance History Notes** The penalty enhancement is due to four prior Notices of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement action and one agreed final enforcement order without a denial of liability.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 45%

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<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**

**Good Faith Efforts to Comply**

Reduction

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

**Notes**

**Violation Subtotal**

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

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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
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No commas or \$

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$50	8-Aug-2008	21-Sep-2009	1.12	\$0	\$4	\$4
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to obtain an approved direct additive, calculated from the previous investigation date documenting the violation to the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

**TOTAL**

\$4

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	<b>Harm</b>				
	<b>Release</b>	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"/>	
				<b>Percent</b> <input type="text" value="25%"/>	

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

*mark only one with an x*

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

**Violation Base Penalty**

**Good Faith Efforts to Comply**  Reduction

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

**Notes**

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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
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No commas or \$

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	8-Aug-2008	21-Sep-2009	1.12	\$1	\$15	\$16
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to install flushing valves on the dead-end mains, calculated from the previous investigation date documenting the violation to the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

**TOTAL**

\$16

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	<b>Harm</b>				<b>Percent</b> <input type="text" value="0%"/>
	<b>Release</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
	<b>Actual</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	<b>Potential</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

**Number of Violation Events**   **Number of violation days**

*mark only one with an x*

daily	<input type="text"/>
weekly	<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**

**Good Faith Efforts to Comply**  Reduction

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

**Notes**

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	8-Aug-2008	21-Sep-2009	1.12	\$0	\$7	\$8
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to post a proper sign at the water well, calculated from the previous investigation date documenting the violation to the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$8

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 4

**Rule Cite(s)** 30 Tex. Admin. Code § 290.41(c)(3)(O)

**Violation Description**  
 Failed to enclose the well with an intruder-resistant fence or lockable ventilated well house. Specifically, at the time of the record review, it was documented that the well was enclosed inside a non-ventilated wooden structure with a locked lid that was not secured to the concrete sealing block.

**Base Penalty** \$1,000

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

OR	<b>Harm</b>			Percent	
	Release	Major	Moderate		Minor
	Actual				
	Potential		x		
				10%	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0%

**Matrix Notes**  
 Failure to provide the well with an intruder-resistant fence or a locked ventilated well house could lead to unauthorized access and vandalism which could expose consumers to a significant amount of contaminants which would not exceed levels protective of human health.

**Adjustment** \$900

\$100

**Violation Events**

Number of Violation Events 1 73 Number of violation days

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

**Violation Base Penalty** \$100

One quarterly event is recommended, from the date of the record review, May 19, 2009, to the date of screening, July 31, 2009.

**Good Faith Efforts to Comply** 10.0% Reduction \$10

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

**Notes**  
 The Respondent achieved compliance on September 21, 2009.

**Violation Subtotal** \$90

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

**Estimated EB Amount** \$78 **Violation Final Penalty Total** \$188

**This violation Final Assessed Penalty (adjusted for limits)** \$188

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**Media** Public Water Supply  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	8-Aug-2008	21-Sep-2009	1.12	\$4	\$75	\$78
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide the well with an intruder-resistant fence or a locked ventilated well house, calculated from the previous investigation date documenting the violation to the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$78

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code § 290.51(a)(3), Tex. Water Code § 5.702, TCEQ Agreed Order Docket No. 2005-0201-PWS-E, Ordering Provision 2.a.iii.

**Violation Description**

Failed to pay public health service fees, including late fees, for TCEQ Financial Administration Account No. 90130058 for Fiscal Years 1998 through 2009.

**Base Penalty**

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

OR	<b>Harm</b>			
	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="0%"/>

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events  Number of violation days

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

**Violation Base Penalty**

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

**Good Faith Efforts to Comply**  Reduction

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

**Notes**

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

N/A

### Avoided Costs

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

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

Notes for AVOIDED costs

N/A

Approx. Cost of Compliance

\$0

**TOTAL**

\$0

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 6  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.45(b)(1)(F)(iii), Tex. Health & Safety Code § 341.0315(c), TCEQ Agreed Order Docket No. 2005-0201-PWS-E, Ordering Provision 2.c.ii  
**Violation Description** Failed to provide two or more service pumps with a total rated capacity capacity of 2.0 gallons per minute per connection. Specifically, during the investigation, it was documented that with 30 connections, the Facility is required to provide two or more service pumps with a total rated capacity 60 gpm. However, the Facility currently has only one service pump with a rated capacity of 50 gpm, which is a 17% deficiency.

**Base Penalty** \$1,000

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

OR	<b>Harm</b>			Percent
	Major	Moderate	Minor	
	Actual			
	Potential	x		10%

**>> Programmatic Matrix**

	Major	Moderate	Minor	Percent
Falsification				
				0%

**Matrix Notes** Inadequate service pump capacity could result in water outages and back flow problems and may allow a significant amount of contaminants to enter the water supply which would not exceed levels that are protective of human health.

**Adjustment** \$900

\$100

**Violation Events**

	5	377	Number of violation days
mark only one with an x	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		
			<b>Violation Base Penalty</b> \$500

Five quarterly events are recommended from the effective date of TCEQ Agreed Order Docket No. 2005-0201-PWS-E, October 23, 2008, to the date of screening, November 4, 2009.

**Good Faith Efforts to Comply** 0.0% Reduction \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	

**Violation Subtotal** \$500

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

**Estimated EB Amount** \$147 **Violation Final Penalty Total** \$1,007

**This violation Final Assessed Penalty (adjusted for limits)** \$1,007

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	23-Oct-2008	1-Dec-2010	2.11	\$7	\$140	\$147
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

#### Notes for DELAYED costs

The avoided costs include the estimated amount to submit engineering plans and specifications for and install the additional five horse power service pump, calculated from the effective date of TCEQ Agreed Order Docket No. 2005-0201-PWS-E, 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				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

#### Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$147

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**   
**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	<b>Harm</b>				
	<b>Release</b>	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"/>	
				<b>Percent</b> <input type="text" value="25%"/>	

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of violation days

*mark only one with an x*

daily	<input type="text"/>
weekly	<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**

**Good Faith Efforts to Comply**  Reduction

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

**Notes**

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

### Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel	\$10,400	21-Sep-2009	4-Nov-2009	0.12	\$63	\$1,254	\$1,316
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The delayed costs include the amount to employ a part-time licensed operator (calculated at \$10.00 per hour x 20 hours/week x 52 weeks), calculated from the date of the investigation to the screening date.

Approx. Cost of Compliance \$10,400

**TOTAL** \$1,316

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 8

**Rule Cite(s)** 30 Tex. Admin. Code § 290.121(a) and (b)

**Violation Description**  
 Failed to make available for Commission review a complete, up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

**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**  
 100% of the rule requirement was not met.

**Adjustment** \$900

\$100

**Violation Events**

Number of Violation Events 1 44 Number of violation days

*mark only one with an x*

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$100

One single event is recommended.

**Good Faith Efforts to Comply** 0.0% Reduction \$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 for this violation.

**Violation Subtotal** \$100

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

**Estimated EB Amount** \$4 **Violation Final Penalty Total** \$201

**This violation Final Assessed Penalty (adjusted for limits)** \$201

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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
No commas or \$							

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	21-Sep-2009	16-Jun-2010	0.73	\$4	n/a	\$4
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and begin maintaining a chemical and microbiological monitoring plan, calculated from the date of the investigation to the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$4

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 9  
**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(s)(2)(C)(i)  
**Violation Description** Failed to verify the accuracy of manual disinfectant residual analyzers at least once every 30 days using chlorine solutions of known concentrations. Specifically, at the time of the investigation, it was documented that the accuracy of the manual disinfectant analyzer (Hach Pocket Colorimeter) was not being verified as required.

**Base Penalty** \$1,000

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

OR	<b>Harm</b>			Percent
	Major	Moderate	Minor	
	Actual			
	Potential	x		10%

**>> Programmatic Matrix**

	Major	Moderate	Minor	Percent
Falsification				
				0%

**Matrix Notes** Failure to properly calibrate laboratory equipment could prevent the Facility from properly dosing the water and could expose customers of the Facility to a significant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors.

**Adjustment** \$900

\$100

**Violation Events**

Number of Violation Events 1 44 Number of violation days

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

**Violation Base Penalty** \$100

One quarterly event is recommended from the date of the investigation, September 21, 2009, to the date of screening, November 4, 2009.

**Good Faith Efforts to Comply** 0.0% Reduction \$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 for this violation.

**Violation Subtotal** \$100

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

Estimated EB Amount \$5 Violation Final Penalty Total \$201

**This violation Final Assessed Penalty (adjusted for limits)** \$201

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**Media** Public Water Supply  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	21-Sep-2009	1-Jul-2010	0.78	\$0	\$5	\$5
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to purchase chemical standards which will allow the Facility to properly calibrate the Hach Pocket Colorimeter, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$5

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 10

**Rule Cite(s)** 30 Tex. Admin. Code § 290.46(n)(2)

**Violation Description**  
 Failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies. Specifically, at the time of the investigation, it was documented that the distribution system map was not updated and did not include the mains and valves.

**Base Penalty** \$1,000

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

OR	<b>Harm</b>			Percent
	Major	Moderate	Minor	
	Actual			
Potential				

**>> Programmatic Matrix**

				Percent
Falsification	Major	Moderate	Minor	
		x		5%

**Matrix Notes**  
 30% to 70% of the rule requirement was not met.

**Adjustment** \$950

\$50

**Violation Events**

Number of Violation Events 1 44 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$50

One single event is recommended.

**Good Faith Efforts to Comply** 0.0% Reduction \$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 for this violation.

**Violation Subtotal** \$50

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

Estimated EB Amount \$19 Violation Final Penalty Total \$101

**This violation Final Assessed Penalty (adjusted for limits)** \$101

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	21-Sep-2009	1-Jul-2010	0.78	\$19	n/a	\$19
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide an up-to-date map of the distribution system, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

**TOTAL**

\$19

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**V12**   
**Rule Cite(s)**   
**Violation Description**

**Base Penalty**

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<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**

**Good Faith Efforts to Comply**  Reduction

	<b>Before NOV</b>	<b>NOV to EDRP/Settlement Offer</b>
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

**Notes**

**Violation Subtotal**

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

**Estimated EB Amount**  **Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**Media** Public Water Supply  
**Violation No.** 11

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	21-Sep-2009	1-Jul-2010	0.78	\$1	\$10	\$11
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to ensure the submergible well pump wiring is installed in compliance with a local or national electric code, calculated from the date of the investigation to the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

**TOTAL**

\$11

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 12

**Rule Cite(s)** 30 Tex. Admin. Code § 290.110(e)(4)(A)

**Violation Description**  
 Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Commission each quarter by the tenth day of the month following the end of each quarter. Specifically, at the time of the investigation, the investigator documented that no DLQOR reports were completed and submitted within the last 12 months prior to the date of the September 21, 2009 investigation.

**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**  
 100% of the rule requirement was not met.

**Adjustment** \$900

\$100

**Violation Events**

Number of Violation Events 4 360 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$400

Four quarterly events are recommended for the four quarters preceding the September 21, 2009 investigation.

**Good Faith Efforts to Comply** 0.0% Reduction \$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 for this violation.

**Violation Subtotal** \$400

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

Estimated EB Amount \$110 Violation Final Penalty Total \$806

**This violation Final Assessed Penalty (adjusted for limits)** \$806

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

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

Notes for DELAYED costs

### Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$100	21-Sep-2008	21-Sep-2009	1.92	\$10	\$100	\$110
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to prepare and submit four quarters of DLQORs, calculated for the one year prior to the date of the investigation.

Approx. Cost of Compliance \$100

**TOTAL** \$110

**Screening Date** 31-Jul-2009 **Docket No.** 2010-0447-PWS-E **PCW**  
**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park *Policy Revision 2 (September 2002)*  
**Case ID No.** 38063 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN101441764  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number** 13  
**Rule Cite(s)** 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) 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 to the TCEQ by July 1 of each year 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 compliance monitoring data. Specifically, the Respondent did not mail or directly deliver the CCRs to the Facility's customers nor did the Respondent submit the CCR or the required certification to the TCEQ for the years 2006 through 2008.  
**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%
<b>Matrix Notes</b>	100% of the rule requirements were not met.				
	<b>Adjustment</b> \$900				

**\$100**

**Violation Events**

Number of Violation Events   Number of violation days  
*mark only one with an x*  

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

**Violation Base Penalty** \$300  
 Three annual events are recommended.

**Good Faith Efforts to Comply**  Reduction

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.	

**Violation Subtotal** \$300

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

**Estimated EB Amount** \$230 **Violation Final Penalty Total** \$604  
**This violation Final Assessed Penalty (adjusted for limits)** \$604

## Economic Benefit Worksheet

**Respondent** Trudy J. Gillem dba Country Villa Mobile Home Park  
**Case ID No.** 38063  
**Reg. Ent. Reference No.** RN101441764  
**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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

### Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$201	1-Jul-2007	1-Jul-2009	2.92	\$29	\$201	\$230
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

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

Approx. Cost of Compliance

\$201

**TOTAL**

\$230

# Compliance History Report

Customer/Respondent/Owner-Operator:	CN602832651	Trudy J. Gillem	Classification:	Rating:
Regulated Entity:	RN101441764	COUNTRY VILLA MOBILE HOME PARK	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0130058	
Location:	LOCATED ON THE NORTH SIDE OF HWY 202 APPROXIMATELY 3 MILES EAST OF BEEVILLE, BEE COUNTY, TX			
TCEQ Region:	REGION 14 - CORPUS CHRISTI			
Date Compliance History Prepared:	March 15, 2010			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	March 15, 2005 to March 15, 2010			

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

Name: Epi Villarreal Phone: 361-825-3425

## 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/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator?  
TRUDY J. GILLEM
4. If Yes, who was/were the prior owner(s)/operator(s) ?  
B & C MOBILE HOME PARK
5. When did the change(s) in owner or operator occur?  
2/14/2005

## 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: 10/23/2008

ADMINORDER 2005-0201-PWS-E

Classification: Moderate

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

Rqmt Prov: 2.a. ORDER

Description: Failed to operate the system under the direct supervision of a competent water works operator holding a Grade "D" or higher operator's license.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iii)

Rqmt Prov: 2.g. ORDER

Description: Failed to provide two or more service pumps with a total rated capacity of 2.0 gallons per minute per connection.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iv)

Rqmt Prov: 2.g. ORDER

Description: Failed to provide a pressure tank capacity of 20 gallons per connection.

Classification: Minor

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

Rqmt Prov: 2.b.ii. ORDER

Description: Failed to provide a flow meter on the well pump discharge line.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)(C)

Description: Failed to test the chlorine residual on water collected from various locations within the distribution system using a test kit which employs a diethy-p-phenylenediamine indicator.

Classification: Minor

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

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)

Description: Failed to keep on file and make available for Commission review a record of operations for the previous two years.

Classification: Minor

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

Description: Failed to inspect the pressure tank at least annually.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)

Description: Failed to equip the GST with a water level indicator located at the tank site.

Classification: Major

Citation: 2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: 2a-d and 2f-g ORDER

Description: Failure to comply with Ordering Provisions 2.a-d and 2.f-g from TCEQ Administrative Order Docket Number 2000-0422-PWS-E.

Classification: Major

Citation: 2A TWC Chapter 5, SubChapter A 5.702

30 TAC Chapter 290, SubChapter E 290.51(a)(3)

Rqmt Prov: Agreed Order 2000-0422-PWS-E, OP 2.b.iv ORDER

Description: Failure to pay all public health service fees (FA Account No. 90130058) for calendar years 1996 through 2005.

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 02/20/2008 (791109)
- 2 09/09/2008 (700333)
- 3 01/14/2009 (792397)
- 4 07/09/2009 (742023)
- 5 10/28/2009 (776774)
- 6 11/03/2009 (792412)
- 7 03/04/2010 (794495)

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

Date: 02/20/2008 (791109)

CN602832651

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Self Report? NO

Classification: Minor

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

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2006 CCR year.

Date: 09/09/2008 (700333)

CN602832651

Self Report? NO

Classification: Minor

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

Description: Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standards.

Self Report? NO

Classification: Minor

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

Description: Failed to calibrate the well meter once every three years.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(6)

Description: Failed to design a system to afford effective circulation of water with a minimum of dead-ends.

Self Report? NO

Classification: Minor

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

Description: Failed to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted.

Self Report? NO

Classification: Minor

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

Description: Failed to provide an intruder-resistant fence or lockable building to protect the well.

Date:	01/14/2009	(792397)	CN602832651
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a)		
Description:	This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter H 290.274(c)		
Description:	This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2007 CCR year.		
Date:	11/03/2009	(792412)	CN602832651
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a)		
Description:	This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter H 290.274(c)		
Description:	This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2008 CCR year.		

- 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

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



<b>IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING TRUDY J. GILLEM d/b/a COUNTRY VILLA MOBILE HOME PARK; RN101441764</b>	<b>§ § § § § §</b>	<b>BEFORE THE  TEXAS COMMISSION ON  ENVIRONMENTAL QUALITY</b>
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## AGREED ORDER

**DOCKET NO. 2010-0447-PWS-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Trudy J. Gillem d/b/a Country Villa Mobile Home Park ("Ms. Gillem") under the authority of TEX. WATER CODE ch. 5 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, represented by the Litigation Division, and Ms. Gillem presented this agreement to the Commission.

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

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

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

### FINDINGS OF FACT

1. Ms. Gillem owns and operates a mobile home park with a public water system located on the North side of Highway 202 approximately 3 miles east of Beeville, Bee County, Texas (the "Facility"). The Facility provides water for human consumption, has 34 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(66).
2. During a record review conducted on May 19, 2009, a TCEQ Corpus Christi Regional Office investigator documented that Ms. Gillem:

- a. Failed to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") standards. Specifically, Ms. Gillem was using HEB Bravo bleach which is not approved by ANSI/NSF standards for disinfection of potable water;
  - b. Failed to provide all dead-end mains with acceptable flush valves. Specifically, at the time of the record review, it was documented that two dead-end mains in the distribution system did not have flush valves;
  - c. Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted. Specifically, a legible sign was not posted at the water well; and
  - d. Failed to enclose the well with an intruder-resistant fence or lockable ventilated well house. Specifically, at the time of the record review, it was documented that the well was enclosed inside a non-ventilated wooden structure with a locked lid that was not secured to the concrete sealing block.
3. Ms. Gillem received notice of the violations in Findings of Fact Nos. 2.a. through 2.d. on or about July 9, 2009.
  4. During a record review conducted on July 31, 2009, a TCEQ Corpus Christi Office Enforcement Coordinator documented that Ms. Gillem failed to pay public health service fees, including late fees, for TCEQ Financial Administration Account No. 90130058 for Fiscal Years 1998 through 2009.
  5. During an investigation conducted on September 21, 2009, a TCEQ Corpus Christi Regional Office investigator documented that Ms. Gillem:
    - a. Failed to provide two or more service pumps with a total rated capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, with 30 connections, the Facility is required to provide two or more service pumps with a total rated capacity of 60 gpm. However, the Facility had only one service pump with a rated capacity of 50 gpm, which is a 17% deficiency;
    - b. Failed to operate the Facility under the direct supervision of a waterworks operator who holds a Class "D" or higher license;
    - c. Failed to make available for Commission review a complete, up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements;
    - d. Failed to verify the accuracy of manual disinfectant residual analyzers at least once every 30 days using chlorine solutions of known concentrations. Specifically, the accuracy of the manual disinfectant analyzer (Hach Pocket Colorimeter) was not being verified as required;

- e. Failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies. Specifically, the distribution system map was not updated and did not include the mains and valves;
  - f. Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring to the water well submergible pump was not in a conduit; and
  - g. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Commission each quarter by the tenth day of the month following the end of each quarter. Specifically, no DLQOR reports were completed and submitted within the last 12 months prior to the date of the September 21, 2009 investigation.
6. Ms. Gillem received notice of the violations in Findings of Fact Nos. 5.a. through 5.g. on or about October 28, 2009.
  7. During a file review conducted on February 10, 2010 a TCEQ Central Office investigator documented that Ms. Gillem 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 to the TCEQ by July 1 of each year 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 compliance monitoring data. Specifically, Ms. Gillem did not mail or directly deliver the CCRs to the Facility's customers nor did Ms. Gillem submit the CCRs or the required certification to the TCEQ for the years 2006 through 2008.
  8. Ms. Gillem received notice of the violation in Finding of Fact No. 7 on or about February 12, 2010.
  9. The Executive Director recognizes that Ms. Gillem implemented the following corrective measures at the Facility:
    - a. On June 16, 2010, submitted an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, which meets the requirements of 30 TEX. ADMIN. CODE § 290.121 (Finding of Fact No. 5.c.);
    - b. On September 21, 2009, began using treatment chemicals or media that conforms to ANSI/NSF standards, in accordance with 30 TEX. ADMIN. CODE § 290.42 (Finding of Fact No. 2.a.);
    - c. On September 21, 2009, provided a legible sign at the water well with the Facility name and an emergency telephone number where a responsible official can be contacted, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Finding of Fact No. 2.c.);
    - d. On September 21, 2009, secured the well house with a chain, in accordance with 30 TEX. ADMIN. CODE § 290.41 (Finding of Fact No. 2.d.);

- e. On September 21, 2009, provided flush valves for the dead-end mains, in accordance with 30 TEX. ADMIN. CODE § 290.44 (Finding of Fact No. 2.b.).
- f. On June 17, 2010, commenced operating the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Finding of Fact No. 5.b.); and
- g. On July 12, 2010, submitted quarterly DLQORs for the first quarter of 2009 and the first and second quarters of 2010, in accordance with 30 Tex. ADMIN. CODE § 290.110(e)(4)(A) (Finding of Fact No. 5.g.).

### CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact No. 1, Ms. Gillem 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. 2.a., Ms. Gillem failed to use an approved chemical or media for the disinfection of potable water that conforms to the ANSI/NSF standards, in violation of 30 TEX. ADMIN. CODE § 290.42(j).
3. As evidenced by Finding of Fact No. 2.b., Ms. Gillem failed to provide all dead-end mains with acceptable flush valves, in violation of 30 TEX. ADMIN. CODE § 290.44(d)(6).
4. As evidenced by Finding of Fact No. 2.c., Ms. Gillem failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t).
5. As evidenced by Finding of Fact No. 2.d., Ms. Gillem failed to enclose the well with an intruder-resistant fence or lockable ventilated well house, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(O).
6. As evidenced by Finding of Fact No. 4, Ms. Gillem failed to pay public health service fees, including late fees, for TCEQ Financial Administration Account No. 90130058 for Fiscal Years 1998 through 2009, in violation of TEX. WATER CODE § 5.702; 30 TEX. ADMIN. CODE § 290.51(a)(3) and TCEQ Agreed Order, Docket No. 2005-0201-PWS-E, Ordering Provision No. 2.a.iii.
7. As evidenced by Finding of Fact No. 5.a., Ms. Gillem failed to provide two or more service pumps with a total rated capacity of 2.0 gpm per connection, in violation of TEX. HEALTH & SAFETY CODE § 341.0315(c), 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii); and TCEQ Agreed Order Docket No. 2005-0201-PWS-E, Ordering Provision No. 2.c.ii..
8. As evidenced by Finding of Fact No. 5.b., Ms. Gillem failed to operate the Facility under the direct supervision of a waterworks operator who holds a Class "D" or higher license, in violation of TEX. HEALTH & SAFETY CODE § 341.033(a) and 30 TEX. ADMIN. CODE § 290.46(e).
9. As evidenced by Finding of Fact No. 5.c., Ms. Gillem failed to make available for Commission review a complete, up-to-date chemical and microbiological monitoring

plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b).

10. As evidenced by Finding of Fact No. 5.d., Ms. Gillem failed to verify the accuracy of manual disinfectant residual analyzers at least once every 30 days using chlorine solutions of known concentrations, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i).
11. As evidenced by Finding of Fact No. 5.e., Ms. Gillem failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2).
12. As evidenced by Finding of Fact No. 5.f., Ms. Gillem failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code, in violation of 30 TEX. ADMIN. CODE § 290.46(v).
13. As evidenced by Finding of Fact No. 5.g., Ms. Gillem failed to submit a DLQOR to the Commission each quarter by the tenth day of the month following the end of each quarter, in violation of 30 TEX. ADMIN. CODE § 290.110(e)(4)(A).
14. As evidenced by Finding of Fact No. 7, Ms. Gillem failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year 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 compliance monitoring data, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).
15. Pursuant to TEX. WATER CODE § 7.051 and TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Ms. Gillem 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.
16. An administrative penalty in the amount of six thousand three hundred forty-one dollars (\$6,341.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049. Ms. Gillem paid two hundred six dollars (\$206.00) of the administrative penalty. The remaining amount of six thousand one hundred thirty-five dollars (\$6,135.00) of the administrative penalty shall be payable in thirty-five (35) monthly payments: one initial payment of one hundred eighty-five dollars (\$185.00), followed by 34 monthly payments of one hundred seventy-five dollars (\$175.00) each. The initial monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall be remitted not later than 30 days following the due date of the previous payment. If Ms. Gillem fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Ms. Gillem to meet the payment schedule of this Agreed Order constitutes the failure by Ms. Gillem to timely and satisfactorily comply with all of the terms of this Agreed Order.

## ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Ms. Gillem is assessed an administrative penalty in the amount of six thousand three hundred forty-one dollars (\$6,341.00) as set forth in Conclusion of Law No. 16, above, for violations of state statutes and rules of the TCEQ. The payment of this administrative penalty and Ms. Gillem's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Trudy J. Gillem d/b/a Country Villa Mobile Home Park; Docket No. 2010-0447-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. Ms. Gillem shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, Ms. Gillem shall:
    - i. Provide an up-to-date map of the distribution system that includes the locations of all mains and valves, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Finding of Fact No. 5.e.);
    - ii. Secure the electrical wiring for the submergible well pump in compliance with a local or national electric code, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Finding of Fact No. 5.f.);
    - iii. Begin verifying the accuracy of the manual disinfectant residual analyzer once every 30 days using chlorine solutions of known concentrations, in accordance with 30 TEX. ADMIN. CODE § 290.46 (Finding of Fact No. 5.d.);
    - iv. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2009 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE § 290.274 (Finding of Fact No. 7); and
    - v. Submit payment for all outstanding fees, interest, and penalties for TCEQ FA Account No. 90130058 (Finding of Fact No. 4). The payment shall be sent with the notation "Trudy J. Gillem d/b/a Country Villa Mobile Home Park., FA Account No. 90130058" 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

- b. Within 45 days after the effective of this Agreed Order, Ms. Gillem shall submit to the Commission a copy of the CCR provided to customers of the Facility and the 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, as required by 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:

Public Drinking Water Section  
Water Supply Division, MC-155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- c. Within 60 days after the effective date of this Agreed Order, Ms. Gillem shall submit written certification as described below in Ordering Provision No. 2.f., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions Nos. 2.a. and 2.b.
- d. Within 180 days after the effective date of this Agreed Order, Ms. Gillem shall provide two or more pumps with a total rated storage capacity of 2.0 gpm per connection (Finding of Fact No. 5.a.), in accordance with 30 TEX. ADMIN. CODE § 290.45.
- e. Within 195 days after the effective date of this Agreed Order, Ms. Gillem shall submit written certification as described below in Ordering Provision No. 2.f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2. d.
- f. The certifications required by Ordering Provisions Nos. 2.c. and 2.e. shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certifications 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:

Mr. Kelly Ruble, Water Section Manager  
Corpus Christi Regional Office  
Texas Commission on Environmental Quality  
6300 Ocean Drive, Suite 1200  
Corpus Christi, Texas 78412-5503

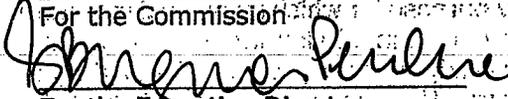
3. All relief not expressly granted in this Agreed Order is denied.
4. The provisions of this Agreed Order shall apply to and be binding upon Ms. Gillem. Ms. Gillem is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Ms. Gillem shall be made in writing to the Executive Director. Extensions are not effective until Ms. Gillem 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 Ms. Gillem if the Executive Director determines that Ms. Gillem has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against Ms. Gillem in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission" "owner" "person" "writing" and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of this Agreed Order to Ms. Gillem, or three days after the date on which the Commission mails notice of this Agreed Order to Ms. Gillem, whichever is earlier.

**SIGNATURE PAGE**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

For the Commission



For the Executive Director

Date

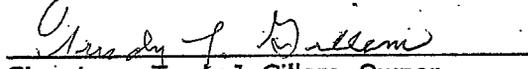
2/28/2011

I, the undersigned, have read and understand the attached Agreed Order in the matter of Trudy J. Gillem d/b/a Country Villa Mobile Home Park and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

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

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

  
Signature—Trudy J. Gillem, Owner  
Country Villa Mobile Home Park

2/29/11  
Date