

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 42246  
Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates  
RN102679305  
Docket No. 2014-0110-PWS-E

**Order Type:**

Default Order

**Media:**

PWS

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

No. 3 Private Road 7355, one and one-half miles south of Wolfforth, off Farm-to-Market Road 179, Lubbock County

**Type of Operation:**

public water system

**Other Significant Matters:**

Additional Pending Enforcement Actions: None  
Past-Due Penalties: \$816.14 (2009-1274-PWS-E; referred for collection)  
Past-Due Fees: \$242.96 (Account No. 91520188)  
Other: None  
Interested Third-Parties: None

**Texas Register Publication Date:** October 24, 2014

**Comments Received:** None

**Penalty Information**

**Total Penalty Assessed:** \$2,805

**Total Paid to General Revenue:** \$0

**Total Due to General Revenue:** \$2,805

**Compliance History Classifications:**

Person/CN –N/A (Both Respondents)  
Site/RN – N/A

**Major Source:** No

**Statutory Limit Adjustment:** None

**Applicable Penalty Policy:** September 2002 (PCW 1); September 2011 (PCW 2)

**Investigation Information**

**Complaint Date(s):** N/A

**Date(s) of Investigation:** October 30, 2013; December 2, 2013

**Date(s) of NOV(s):** June 14, 2013; November 13, 2013; November 14, 2013;  
November 22, 2013

**Date(s) of NOE(s):** January 24, 2014

**Violation Information**

1. Failed to mail or directly deliver one copy of the Consumer Confidence Report (“CCR”) to each bill paying customer by July 1 of each year and failed to submit to the Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR was 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)].
2. Failed to submit Disinfectant Level Quarterly Operating Reports (“DLQORs”) to the Executive Director each quarter by the tenth day of the month following the end of each quarter [30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.iii. and 2.c].
3. Failed to provide results of quarterly nitrate and fluoride sampling to the Executive Director [30 TEX. ADMIN. CODE § 290.106(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii].
4. Failed to provide the results of annual volatile organic chemical (“VOC”) contaminants sampling to the Executive Director [30 TEX. ADMIN. CODE § 290.107(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii].
5. Failed to provide the results of triennial metal sampling to the Executive Director [30 TEX. ADMIN. CODE § 290.106(e)].
6. Failed to provide the results of annual radionuclide sampling to the Executive Director [30 TEX. ADMIN. CODE § 290.108(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii].
7. Failed to provide the results of six-year synthetic organic chemical (“SOC”) contaminants sampling to the Executive Director [30 TEX. ADMIN. CODE § 290.107(e)].
8. Failed to collect nitrate samples and provide the results to the Executive Director [30 TEX. ADMIN. CODE § 290.106(c)(6) and (e)].
9. Failed to collect Stage 1 disinfectant bi-product (“DBP”) samples and provide the results to the Executive Director [30 TEX. ADMIN. CODE § 290.113(c) and (e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii].

**Corrective Actions/Technical Requirements**

**Corrective Action(s) Completed:**

None

**Technical Requirements:**

1. Within 30 days:
  - a. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established (Violation Nos. 3 through 8);
  - b. Implement improvements to the Facility’s process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are collected, analyzed, and the results released by the Facility’s laboratories and reported to the Executive Director within ten days of request or of their receipt by the Facility, whichever is later (Violation Nos. 3 through 9);
  - c. Update the Facility’s operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs (Violation No. 1); and
  - d. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers (Violation No. 1).

**EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 42246**  
**Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates**  
**RN102679305**  
**Docket No. 2014-0110-PWS-E**

2. Within 45 days, submit to the Executive Director a copy of the CCR provided to customers of the Facility and the certification that the CCR was distributed to customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data (Violation No. 1).
3. Within 90 days, begin submitting DLQORs to the Executive Director each quarter, by the tenth day of the month following the end of the quarter (Violation No. 2). This provision will be satisfied upon two consecutive quarters of compliant reporting.
4. Submit written certification to demonstrate compliance:
  - a. Within 45 days for Technical Requirement Nos. 1.a through 1.c;
  - b. Within 60 days for Technical Requirement No. 2; and
  - c. Within 285 days for Technical Requirement No. 3.

**Litigation Information**

**Date Petition(s) Filed:** May 5, 2014  
**Date Green Card(s) Signed:** May 7, 2014  
**Date Answer(s) Filed:** N/A

**Contact Information**

**TCEQ Attorneys:** Joel Cordero, Litigation Division, (512) 239-3400  
Lena Roberts, Litigation Division, (512) 239-3400  
Isabel Segarra Treviño, Public Interest Counsel, (512) 239-6363  
**TCEQ Enforcement Coordinator:** Epifanio Villarreal, Enforcement Division, (361) 825-3425  
**TCEQ Regional Contact:** Gary Shipp, Lubbock Regional Office, (806) 796-7604  
**Respondent Contact:** Jack and Rhonda Vanover, P.O. Box 576, Wolfforth, TX 79382-0576  
**Respondent's Attorney:** N/A

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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-Jan-2014			
	<b>PCW</b>	29-Jan-2014	<b>Screening</b>	29-Jan-2014	<b>EPA Due</b>
					31-Mar-2013

**RESPONDENT/FACILITY INFORMATION**

<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates	
<b>Reg. Ent. Ref. No.</b>	RN102679305	
<b>Facility/Site Region</b>	2-Lubbock	<b>Major/Minor Source</b>
		Minor

**CASE INFORMATION**

<b>Enf./Case ID No.</b>	42246	<b>No. of Violations</b>	1
<b>Docket No.</b>	2014-0110-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>	\$100
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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>	94.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$94
<b>Notes</b>	Enhancement for four NOV's with same/similar violations, two NOV's with dissimilar violations, one agreed final enforcement order containing a denial of liability and two agreed final enforcement orders without a denial of liability.		
<b>Culpability</b>	No 0.0% Enhancement	<b>Subtotal 4</b>	\$0
<b>Notes</b>	The Respondents do not meet the culpability criteria.		
<b>Good Faith Effort to Comply Total Adjustments</b>		<b>Subtotal 5</b>	\$0
<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
Total EB Amounts	\$120	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$102		

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$194
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	61.9%	<b>Adjustment</b>	\$120
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	Enhancement recommended for the recovery of avoided costs for Violation No. 1.	
	<b>Final Penalty Amount</b>	\$314

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$314
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction)

<b>Notes</b>	No deferral is recommended for Findings Orders.	
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<b>PAYABLE PENALTY</b>	\$314
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Screening Date 29-Jan-2014

Docket No. 2014-0110-PWS-E

PCW

Respondent Jack Vanover and Rhonda C. Vanover dba Seven Estates

Policy Revision 2 (September 2002)

Case ID No. 42246

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102679305

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	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	2	50%
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) 94%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, one agreed final enforcement order containing a denial of liability and two agreed final enforcement orders without a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 94%

**Screening Date** 29-Jan-2014 **Docket No.** 2014-0110-PWS-E **PCW**  
**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates *Policy Revision 2 (September 2002)*  
**Case ID No.** 42246 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN102679305  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

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

>> **Programmatic Matrix**

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

**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

	Before NOV	NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark w th 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** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$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]				0.00	\$0	\$0	\$0
Other (as needed)	\$102	1-Jul-2011	29-Jan-2014	3.50	\$18	\$102	\$120

Notes for AVOIDED costs

The avoided cost includes the estimated amount necessary to produce copies of the CCRs and mail or directly deliver the reports to customers of the water supply and provide a copy of required certification to the Executive Director (\$0.50 x 104 connections plus a flat fee of \$50) x 1 year), calculated from the date the 2010 CCR was due to the screening date.

Approx. Cost of Compliance

\$102

**TOTAL**

\$120



# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

<b>DATES</b>	<b>Assigned</b>	27-Jan-2014	<b>Screening</b>	29-Jan-2014	<b>EPA Due</b>	31-Mar-2013
	<b>PCW</b>	31-Mar-2014				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates		
<b>Reg. Ent. Ref. No.</b>	RN102679305		
<b>Facility/Site Region</b>	2-Lubbock	<b>Major/Minor Source</b>	Minor

## CASE INFORMATION

<b>Enf./Case ID No.</b>	42246	<b>No. of Violations</b>	9
<b>Docket No.</b>	2014-0110-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

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

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

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

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

Notes: Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, one agreed final enforcement order containing a denial of liability and two agreed final enforcement orders without a denial of liability.

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

Notes: The Respondents do not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5**

**Economic Benefit**  Enhancement\* **Subtotal 6**

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

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

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended for the recovery of avoided costs for Violation Nos. 1, 5, 8, and 9.

**Final Penalty Amount**

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

**DEFERRAL**  Reduction **Adjustment**

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

Notes: No deferral is recommended for Findings Orders.

**PAYABLE PENALTY**

Screening Date 29-Jan-2014

Docket No. 2014-0110-PWS-E

PCW

Respondent Jack Vanover and Rhonda C. Vanover dba Seven I

Policy Revision 3 (September 2011)

Case ID No. 42246

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102679305

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	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	2	50%
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) 94%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, one agreed final enforcement order containing a denial of liability and two agreed final enforcement orders without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 94%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 94%

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			

**Violation Number**

**Rule Cite(s)**

30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provision Nos. 2.a.iii. and 2.c.

**Violation Description**

Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of each quarter. Specifically, it was documented that the Respondents did not comply with TCEQ Agreed Order Docket No. 2011-1390-PWS-E by failing to submit a DLQOR to the Executive Director for the second quarter of 2013.

**Base Penalty**

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

OR

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

**Percent**

>> **Programmatic Matrix**

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

**Percent**

Matrix Notes

100% of the rule requirement was not met

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

**Violation Base Penalty**

Six quarterly events are recommended, calculated from the effective date of TCEQ Agreed Order Docket No. 2011-1390-PWS-E, August 2, 2012, to the screening date, January 29, 2014.

**Good Faith Efforts to Comply**

Reduction

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

Notes

The Respondents do not meet the good faith criteria for this violation.

**Violation Subtotal**

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

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

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

## Economic Benefit Worksheet

**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$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	\$45	2-Aug-2012	1-Sep-2014	2.08	\$5	n/a	\$5
Training/Sampling	\$100	2-Aug-2012	1-Sep-2014	2.08	\$10	n/a	\$10
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 update the Facility's operational guidance and conduct employee training to ensure that all DLQORs are submitted to the TCEQ in a timely manner, calculated from the effective date of TCEQ Agreed Order Docket No. 2011-1390-PWS-E 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)	\$22	10-Apr-2013	10-Apr-2013	0.00	\$0	\$22	\$22

**Notes for AVOIDED costs**  
 The avoided costs include the estimated amount to timely prepare and submit a DLQOR (\$22 x 1 DLQORs), calculated for the time the DLQOR was due.

<b>Approx. Cost of Compliance</b>	\$167	<b>TOTAL</b>	\$37
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<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.106(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provision Nos. 2.a.i. and 2.a.ii.			
<b>Violation Description</b>	Failed to provide the results of quarterly nitrate and fluoride sampling to the Executive Director. Specifically, the Respondents failed to provide fluoride monitoring results for the first and second quarter of 2013 and failed to provide nitrate monitoring results for the first and second quarter of 2013.			
		<b>Base Penalty</b>	\$1,000	

>> Environmental, Property and Human Health Matrix

<b>OR</b>	<b>Harm</b>			
	Major	Moderate	Minor	
	Actual			<b>Percent</b> 0.0%
Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 5.0%
<b>Matrix Notes</b>	100% of the rule requirement was not met.				
			<b>Adjustment</b>	\$950	

\$50

**Violation Events**

Number of Violation Events	4	538	Number of violation days	
<i>mark only one with an x</i>	daily		<b>Violation Base Penalty</b>	\$200
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
single event	x			
	Four single events are recommended.			

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

	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x	(mark with x)	
<b>Notes</b>	The Respondents do not meet the good faith criteria for this violation.		
		<b>Violation Subtotal</b>	\$200

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount \$120	Violation Final Penalty Total \$433
<b>This violation Final Assessed Penalty (adjusted for limits) \$433</b>	

## Economic Benefit Worksheet

**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 2

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$937	31-Dec-2012	1-Sep-2014	1.67	\$5	\$104	\$109
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)	\$100	2-Aug-2012	1-Sep-2014	2.08	\$10	n/a	\$10

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to pay any outstanding lab fees (\$15.03 for fluoride x 2 samples, \$8.49 for nitrate x 2 samples, \$55.12 for volatile organic compounds, \$272.47 for radionuclides, \$152.43 for metals, \$205.41 for synthetic organic contaminants x 2 samples) so that the lab will release all drinking water chemical analysis results. The date required is the last date of the first monitoring period for which results were not provided, and the final date is the estimated date of compliance. The other delayed cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training and/or oversight to ensure that future drinking water chemical sample results are collected, analyzed and released by the Facility's laboratories and reported to the Executive Director, calculated from the effective date of TCEQ Agreed Order No. 2011-1390-PWS-E 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**

<b>Approx. Cost of Compliance</b>	\$1,037	<b>TOTAL</b>	\$120
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**Screening Date** 29-Jan-2014 **Docket No.** 2014-0110-PWS-E **PCW**  
**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates *Policy Revision 3 (September 2011)*  
**Case ID No.** 42246 *PCW Revision August 3, 2011*  
**Reg. Ent. Reference No.** RN102679305  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 290.107(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provision Nos. 2.a.i. and 2.a.ii

**Violation Description**

Failed to provide the results of annual volatile organic chemical ("VOC") contaminants to the Executive Director. Specifically, the Respondents failed to provide VOC monitoring results for 2012.

**Base Penalty**

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

**OR**

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

**Percent**

>> **Programmatic Matrix**

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

**Percent**

**Matrix Notes**

100% of the rule requirement was not met.

**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="checkbox"/>

**Violation Base Penalty**

One single event is recommended

**Good Faith Efforts to Comply**

Reduction

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

**Notes** The Respondents do not meet the good faith criteria for this violation.

**Violation Subtotal**

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

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

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

# Economic Benefit Worksheet

**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 3

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment			0.00	\$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

The delayed costs for this violation are associated with Violation No. 2 of Revision 3 PCW.

### 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

**TOTAL**

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

**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 checked="" type="text" value="x"/>

**Violation Base Penalty**

**Good Faith Efforts to Comply**

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="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** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 4

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

The delayed costs for this violation are associated with Violation No. 2 of Revision 3 PCW.

**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 \$0

**TOTAL** \$0

**Screening Date** 29-Jan-2014 **Docket No.** 2014-0110-PWS-E **PCW**  
**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates *Policy Revision 3 (September 2011)*  
**Case ID No.** 42246 *PCW Revision August 3, 2011*  
**Reg. Ent. Reference No.** RN102679305  
**Media [Statute]** Public Water Supply  
**Enf. Coordinator** Epifanio Villarreal

**Violation Number**

**Rule Cite(s)**

**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 Executive Director 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 Respondents did not mail or directly deliver the CCR to the Facility's customers nor did the Respondents submit the CCR or the required certification to the Executive Director for the years 2011 and 2012.

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

**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 checked="" type="text" value="x"/>

**Violation Base Penalty**

**Good Faith Efforts to Comply**  Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="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** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 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

**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]	\$104	1-Jul-2012	22-Jan-2014	2.48	\$13	\$104	\$117
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount necessary to produce copies of the CCRs and mail or directly deliver the reports to customers of the water supply and provide a copy of required certification to the Executive Director (\$0.50 x 104 connections plus a flat fee of \$50) x 2 years), calculated from the date the 2011 CCR was due to the screening date.

Approx. Cost of Compliance \$104

**TOTAL** \$117

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			
<b>Violation Number</b>	6			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.108(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provision Nos. 2.a.i. and 2.a.ii.			
<b>Violation Description</b>	Failed to provide the results of annual radionuclide sampling to the Executive Director. Specifically, the Respondents failed to provide radionuclide monitoring results for the 2012 monitoring period.			
		<b>Base Penalty</b>	\$1,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
Potential					

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 5.0%

**Matrix Notes**

100% of the rule requirement was not met.

**Adjustment** \$950

\$50

**Violation Events**

Number of Violation Events: 1      365 Number of violation days

<i>mark only one with an x</i>	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 EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

**Notes**

The Respondents do not meet the good faith criteria for this violation.

**Violation Subtotal** \$50

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount \$0	Violation Final Penalty Total \$108
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$108	

# Economic Benefit Worksheet

**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 6

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment			0.00	\$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

The delayed costs for this violation are associated with Violation No. 2 of Revision 3 PCW.

### 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

**TOTAL**

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>

**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 checked="" type="text" value="x"/>

**Violation Base Penalty**

**Good Faith Efforts to Comply**

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="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** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 7

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment			0.00	\$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

The delayed costs for this violation are associated with Violation No. 2 of Revision 3 PCW.

### 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

**TOTAL**

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	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="15.0%"/>
	Potential	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

**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" value="x"/>
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 EDPRP/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** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 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				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 for this violation are associated with Violation No. 2 of Revision 3 PCW.

**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]	\$8	1-Oct-2012	31-Dec-2012	1.17	\$0	\$8	\$8
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed chemical analysis samples (\$8 for nitrate x 1 monitoring period), calculated for the period when samples were required.

Approx. Cost of Compliance \$8

**TOTAL** \$8

<b>Screening Date</b>	29-Jan-2014	<b>Docket No.</b>	2014-0110-PWS-E	<b>PCW</b>
<b>Respondent</b>	Jack Vanover and Rhonda C. Vanover dba Seven Estates			<i>Policy Revision 3 (September 2011)</i>
<b>Case ID No.</b>	42246			<i>PCW Revision August 3, 2011</i>
<b>Reg. Ent. Reference No.</b>	RN102679305			
<b>Media [Statute]</b>	Public Water Supply			
<b>Enf. Coordinator</b>	Epifanio Villarreal			
<b>Violation Number</b>	9			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 290.113(c) and (e) and TCEQ Agreed Order Docket No. 2011 1390-PWS-E Ordering Provision Nos. 2.a.i. and 2.a.ii.			
<b>Violation Description</b>	Failed to collect Stage 1 disinfectant by-product ("DBP") samples and provide the results to the Executive Director for the 2012 monitoring period.			
		<b>Base Penalty</b>	\$1,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential	x			<b>Percent</b> 15.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

**Matrix Notes**

Failure to collect DPB samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

**Adjustment** \$850

\$150

**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="text" value="x"/>

**Violation Base Penalty** \$150

One single event is recommended.

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

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

**Notes**

The Respondents do not meet the good faith criteria for this violation.

**Violation Subtotal** \$150

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$113"/>	Violation Final Penalty Total <input type="text" value="\$325"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$325"/>	

## Economic Benefit Worksheet

**Respondent** Jack Vanover and Rhonda C. Vanover dba Seven Estates  
**Case ID No.** 42246  
**Reg. Ent. Reference No.** RN102679305  
**Media Violation No.** Public Water Supply  
 9

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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**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

The delayed costs for this violation are associated with Violation No. 2 of Revision 3 PCW.

**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)	\$103	1-Jan-2012	31-Dec-2012	1.92	\$10	\$103	\$113

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed chemical analysis samples (\$103 for DPB x 1 monitoring periods), calculated for the period when samples were required

Approx. Cost of Compliance

\$103

**TOTAL**

\$113

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

**PUBLISHED** Compliance History Report for CN602707697, RN102679305, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

**Customer, Respondent, or Owner/Operator:** CN602707697, Jack Vanover

**Classification:** NOT APPLICABLE **Rating:** N/A

**Regulated Entity:** RN102679305, Seven Estates

**Classification:** NOT APPLICABLE **Rating:** N/A

**Complexity Points:** N/A

**Repeat Violator:** N/A

**CH Group:** 14 - Other

**Location:** #3 PR 7355, One and One-Half Miles South of Wolfforth off Farm-To-Market Road 179, Lubbock County, TX

**TCEQ Region:** REGION 02 - LUBBOCK

**ID Number(s):** PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1520188

**Compliance History Period:** September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

**Date Compliance History Report Prepared:** January 29, 2014

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 29, 2009 to January 29, 2014

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Epi Villarreal

**Phone:** (361) 825-3425

## Site and Owner/Operator History:

- |  |     |
|--|-----|
| 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? | NO  |
| 3) If YES for #2, who is the current owner/operator?   | N/A |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)?                                     | N/A |
| 5) If YES, when did the change(s) in owner or operator occur?                                      | N/A |

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 01/30/2009 ADMINORDER 2008-0966-PWS-E (1660 Order-Agreed Order With Denial)**

**Classification:** Moderate

**Citation:** 30 TAC Chapter 290, SubChapter H 290.271(b)  
30 TAC Chapter 290, SubChapter H 290.274(a)  
30 TAC Chapter 290, SubChapter H 290.274(c)

**Description:** Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the water system and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year.

**Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.51(a)(6)

**Description:** Failed to pay all annual and late Public Health Service fees for TCEQ Financial Administration Account No. 91520188 for Fiscal Years 2004 through 2008 to the TCEQ in a timely manner.
- 2 Effective Date: 03/20/2010 ADMINORDER 2009-1274-PWS-E (Findings Order-Agreed Order Without Denial)**

**Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)

**Description:** Failed to make the Facility's operating records accessible for review during an inspection.

**Classification:** Moderate

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

**Description:** Failed to plug an abandoned public water supply well with cement according to 16 TEX. ADMIN. CODE ch. 76 or test the well every five years or as required by the Executive Director to prove that it is in a non-deteriorated condition.

**Classification:** Minor

**Citation:** 2A TWC Chapter 5, SubChapter A 5.702  
30 TAC Chapter 290, SubChapter D 290.51(a)(6)

**Rqmt Prov:** TCEQ Docket No. 2008-0966-PWS-E ORDER

**Description:** Failed to pay all annual and late Public Health Service fees for TCEQ Financial Administration Account No. 91520188 for Fiscal Year 2009 to the TCEQ in a timely manner.

**Classification:** Major

**Citation:** 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

**Description:** This system failed to monitor their disinfectant levels for the fourth quarter of 2008.

**Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

**Description:** This system failed to report their disinfectant levels to the executive director for the fourth quarter of 2008.

**Classification:** Major

**Citation:** 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

**Description:** This system failed to monitor their disinfectant levels for the first quarter of 2009.

**Classification:** Minor

**Citation:** 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

Description: This system failed to report their disinfectant levels to the executive director for the first quarter of 2009.  
 Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: The system failed to report all Inorganic Chemical results after completion of required samples from the first quarter of 2005 through the second quarter of 2009. These 72 samples include 3 Metal, 12 Arsenic, 3 Cyanide, 41 Fluoride, 9 Nitrate, 1 Total Dissolved Solid, and 3 Mineral samples.  
 Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: The system failed to report all Organic Chemical results after completion of required samples from the first quarter of 2005 to the second quarter of 2009, for a total of 16 chemical samples. These 16 samples include 3 Synthetic Organic Chemical and 13 Volatile Organic Chemical samples.

**3 Effective Date: 08/02/2012 ADMINORDER 2011-1390-PWS-E (Findings Order-Agreed Order Without Denial)**

Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2011.  
 Classification: Major  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: This system failed to monitor and/or failed to report nitrate levels at EP003 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP001 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
 Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP002 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Major  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: This system failed to monitor and/or failed to report nitrate levels at EP001 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP003 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.  
Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Description: This system failed to monitor and/or failed to report nitrate levels at EP002 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2009 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2008 to 12/31/2008, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2007 to 12/31/2007, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP001 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP002 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP003 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP001 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP002 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP003 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 07/01/2009 to 09/30/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 07/01/2009 to 09/30/2009, but a notice of violation was not sent.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

N/A

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 **Date:** 03/06/2013 (1057464) CN602707697  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)  
Description: Failure to provide adequate maintenance.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)  
 Description: Failure to maintain the minimum required disinfectant residual throughout the distribution system at all times.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
 Description: Failure to have operating records accessible for review during inspections.

- 2 Date: 06/14/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)  
 30 TAC Chapter 290, SubChapter H 290.274(a)  
 30 TAC Chapter 290, SubChapter H 290.274(c)  
 Description: CCR 2011 - The system failed to provide the Consumer Confidence Report (CCR) for 2011 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 3 Date: 07/26/2013 (1095420) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(1)  
 Description: Failure to notify the Texas Commission on Environmental Quality (TCEQ) of a Boil Water Notice (BWN).
- 4 Date: 11/13/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Description: DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2013 within the required timeline.
- 5 Date: 11/14/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)  
 30 TAC Chapter 290, SubChapter H 290.274(a)  
 30 TAC Chapter 290, SubChapter H 290.274(c)  
 Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 6 Date: 11/22/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: FLU MR 1Q2013 - The system failed to monitor and/or report fluoride levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: FLU MR 2Q2013 - The system failed to monitor and/or report fluoride levels to the TCEQ for the quarterly monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: NO3 MR 4Q2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 10/01/2012 to 12/31/2012 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
 30 TAC Chapter 290, SubChapter F 290.113(f)(1)  
 30 TAC Chapter 290, SubChapter F 290.113(f)(2)  
 Description: DBP1 MR YR2012 - This system failed to monitor and/or report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.

**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

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

**PUBLISHED** Compliance History Report for CN601791023, RN102679305, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

**Customer, Respondent, or Owner/Operator:** CN601791023, Rhonda C. Vanover

**Classification:** NOT APPLICABLE

**Rating:** N/A

**Regulated Entity:** RN102679305, Seven Estates

**Classification:** NOT APPLICABLE

**Rating:** N/A

**Complexity Points:** N/A

**Repeat Violator:** N/A

**CH Group:** 14 - Other

**Location:** #3 PR 7355, One and One-Half Miles South of Wolfforth off Farm-To-Market Road 179, Lubbock County, TX

**TCEQ Region:** REGION 02 - LUBBOCK

**ID Number(s):** PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1520188

**Compliance History Period:** September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

**Date Compliance History Report Prepared:** January 29, 2014

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 29, 2009 to January 29, 2014

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Epi Villarreal

**Phone:** (361) 825-3425

## Site and Owner/Operator History:

- 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? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

- 1 **Effective Date:** 01/30/2009 **ADMINORDER 2008-0966-PWS-E (1660 Order-Agreed Order With Denial)**
  - Classification: Moderate
  - Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)  
30 TAC Chapter 290, SubChapter H 290.274(a)  
30 TAC Chapter 290, SubChapter H 290.274(c)
  - Description: Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit a copy of the annual CCR and certification that the CCR has been distributed to the customers of the water system and that the information in the CCR is correct and consistent with compliance monitoring data to the TCEQ by July 1 of each year.
  - Classification: Minor
  - Citation: 30 TAC Chapter 290, SubChapter D 290.51(a)(6)
  - Description: Failed to pay all annual and late Public Health Service fees for TCEQ Financial Administration Account No. 91520188 for Fiscal Years 2004 through 2008 to the TCEQ in a timely manner.
- 2 **Effective Date:** 03/20/2010 **ADMINORDER 2009-1274-PWS-E (Findings Order-Agreed Order Without Denial)**
  - Classification: Minor
  - Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)  
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iii)
  - Description: Failed to make the Facility's operating records accessible for review during an inspection.
  - Classification: Moderate
  - Citation: 30 TAC Chapter 290, SubChapter D 290.46(u)
  - Description: Failed to plug an abandoned public water supply well with cement according to 16 TEX. ADMIN. CODE ch. 76 or test the well every five years or as required by the Executive Director to prove that it is in a non-deteriorated condition.
  - Classification: Minor
  - Citation: 2A TWC Chapter 5, SubChapter A 5.702  
30 TAC Chapter 290, SubChapter D 290.51(a)(6)
  - Rqmt Prov: TCEQ Docket No. 2008-0966-PWS-E ORDER
  - Description: Failed to pay all annual and late Public Health Service fees for TCEQ Financial Administration Account No. 91520188 for Fiscal Year 2009 to the TCEQ in a timely manner.
  - Classification: Major
  - Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
  - Description: This system failed to monitor their disinfectant levels for the fourth quarter of 2008.
  - Classification: Minor
  - Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
  - Description: This system failed to report their disinfectant levels to the executive director for the fourth quarter of 2008.
  - Classification: Major
  - Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
  - Description: This system failed to monitor their disinfectant levels for the first quarter of 2009.
  - Classification: Minor
  - Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

Description: This system failed to report their disinfectant levels to the executive director for the first quarter of 2009.  
 Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: The system failed to report all Inorganic Chemical results after completion of required samples from the first quarter of 2005 through the second quarter of 2009. These 72 samples include 3 Metal, 12 Arsenic, 3 Cyanide, 41 Fluoride, 9 Nitrate, 1 Total Dissolved Solid, and 3 Mineral samples.  
 Classification: Minor  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: The system failed to report all Organic Chemical results after completion of required samples from the first quarter of 2005 to the second quarter of 2009, for a total of 16 chemical samples. These 16 samples include 3 Synthetic Organic Chemical and 13 Volatile Organic Chemical samples.

**3 Effective Date: 08/02/2012 ADMINORDER 2011-1390-PWS-E (Findings Order-Agreed Order Without Denial)**

Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2011.  
 Classification: Major  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: This system failed to monitor and/or failed to report nitrate levels at EP003 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP001 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
 Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
 Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
 Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 07/01/2010 to 09/30/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP002 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Major  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: This system failed to monitor and/or failed to report nitrate levels at EP001 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)  
 Description: This system failed to monitor and/or failed to report volatile organic contaminants levels at EP003 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
 Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 10/01/2010 to 12/31/2010.  
Classification: Major

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Description: This system failed to monitor and/or failed to report nitrate levels at EP002 to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.i. ORDER  
Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2009 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2008 to 12/31/2008, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
Description: This system failed to monitor and/or failed to report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2007 to 12/31/2007, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP001 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP002 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP003 to the TCEQ for the triennial monitoring period from 01/01/2007 to 12/31/2009, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP001 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP002 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.108(e)  
Description: This system failed to monitor and/or failed to report radionuclide levels at EP003 to the TCEQ for the triennial monitoring period from 01/01/2004 to 12/31/2006, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 01/01/2010 to 03/31/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.  
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 04/01/2010 to 06/30/2010, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 04/01/2011 to 06/30/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 01/01/2011 to 03/31/2011.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP001 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 10/01/2009 to 12/31/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP002 to the TCEQ for the quarterly monitoring period from 07/01/2009 to 09/30/2009, but a notice of violation was not sent.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.106(e)  
Rqmt Prov: Docket No. 2009-1274-PWS-E, OP 3.c.ii. ORDER  
Description: This system failed to monitor and/or failed to report fluoride levels at EP003 to the TCEQ for the quarterly monitoring period from 07/01/2009 to 09/30/2009, but a notice of violation was not sent.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

N/A

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 **Date:** 03/06/2013 (1057464) CN602707697  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)  
Description: Failure to provide adequate maintenance.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)  
 Description: Failure to maintain the minimum required disinfectant residual throughout the distribution system at all times.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)  
 Description: Failure to have operating records accessible for review during inspections.

- 2 Date: 06/14/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)  
 30 TAC Chapter 290, SubChapter H 290.274(a)  
 30 TAC Chapter 290, SubChapter H 290.274(c)  
 Description: CCR 2011 - The system failed to provide the Consumer Confidence Report (CCR) for 2011 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 3 Date: 07/26/2013 (1095420) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(1)  
 Description: Failure to notify the Texas Commission on Environmental Quality (TCEQ) of a Boil Water Notice (BWN).
- 4 Date: 11/13/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
 Description: DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2013 within the required timeline.
- 5 Date: 11/14/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)  
 30 TAC Chapter 290, SubChapter H 290.274(a)  
 30 TAC Chapter 290, SubChapter H 290.274(c)  
 Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 6 Date: 11/22/2013 (1138278) CN602707697**  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: FLU MR 1Q2013 - The system failed to monitor and/or report fluoride levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: FLU MR 2Q2013 - The system failed to monitor and/or report fluoride levels to the TCEQ for the quarterly monitoring period from 04/01/2013 to 06/30/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: NO3 MR 4Q2012 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 10/01/2012 to 12/31/2012 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)  
 30 TAC Chapter 290, SubChapter F 290.106(e)  
 Description: NO3 MR 1Q2013 - The system failed to monitor and/or report nitrate levels to the TCEQ for the quarterly monitoring period from 01/01/2013 to 03/31/2013 within the required timeline.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(e)  
 30 TAC Chapter 290, SubChapter F 290.113(f)(1)  
 30 TAC Chapter 290, SubChapter F 290.113(f)(2)  
 Description: DBP1 MR YR2012 - This system failed to monitor and/or report disinfectant byproduct levels in its distribution system to the TCEQ for the annual monitoring period from 01/01/2012 to 12/31/2012 within the required timeline.

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
JACK VANOVER AND  
RHONDA C. VANOVER  
DBA SEVEN ESTATES;  
RN102679305**

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**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **DEFAULT ORDER**

**DOCKET NO. 2014-0110-PWS-E**

At its \_\_\_\_\_ agenda meeting, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondents. The respondents made the subject of this Order are Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates ("Respondents").

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

### **FINDINGS OF FACT**

1. Respondents own and operate a public water system located at No. 3 Private Road 7355, one and one-half miles south of Wolfforth, off Farm-to-Market Road 179 in Lubbock County, Texas (Water System No. TX1520188) (the "Facility"). The Facility provides water for human consumption, has approximately 104 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 record review investigations conducted on October 30, 2013 (Inv. 1), and December 2, 2013 (Inv. 2), TCEQ Public Drinking Water Section staff documented that Respondents:
  - a. 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 Executive Director 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 (Inv. 2). Specifically, Respondents did not mail or directly deliver the CCR to the Facility's customers nor did Respondents submit the CCR or the required certification to the Executive Director for the years 2010, 2011, and 2012;
  - b. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of each quarter (Invs. 1 and 2). Specifically, Respondents failed to submit a DLQOR to the Executive Director for the second quarter of 2013;
  - c. Failed to provide results of quarterly nitrate and fluoride sampling to the Executive Director (Invs. 1 and 2). Specifically, Respondents failed to provide fluoride monitoring results for the first and second quarters of 2013 and failed to provide nitrate monitoring results for the first and second quarters of 2013;

- d. Failed to provide the results of annual volatile organic chemical ("VOC") contaminants sampling to the Executive Director (Invs. 1 and 2). Specifically, Respondents failed to provide VOC monitoring results for 2012;
  - e. Failed to provide the results of triennial metal sampling to the Executive Director (Inv. 2). Specifically, Respondents failed to provide metal monitoring results for the sampling period from January 1, 2010 through December 31, 2012;
  - f. Failed to provide the results of annual radionuclide sampling to the Executive Director (Invs. 1 and 2). Specifically, Respondents failed to provide radionuclide monitoring results for the 2012 monitoring period;
  - g. Failed to provide the results of six-year synthetic organic chemical ("SOC") contaminants sampling to the Executive Director (Inv. 2). Specifically, Respondents failed to provide SOC contaminants monitoring results for the monitoring period from January 1, 2007 through December 31, 2012 at EPO01 and EPO02;
  - h. Failed to collect nitrate samples and provide the results to the Executive Director for the fourth quarter 2012 (Inv. 2); and
  - i. Failed to collect Stage 1 disinfectant by-product ("DBP") samples and provide the results to the Executive Director for the 2012 monitoring period (Inv. 2).
3. Respondents received notice of the violations on or about January 29, 2014.
  4. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates" (the "EDPRP") in the TCEQ Chief Clerk's office on May 5, 2014.
  5. By letters dated May 5, 2014, sent to each Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served each Respondent with notice of the EDPRP. According to the return receipt "green cards," each Respondent received notice of the EDPRP on May 7, 2014, as evidenced by the signature on the cards.
  6. More than 20 days have elapsed since Respondents received notice of the EDPRP. Respondents failed to file an answer and failed to request a hearing.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Finding of Fact No. 1, Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a. Respondents 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 Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR was distributed to the Facility customers and 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).
3. As evidenced by Finding of Fact No. 2.b. Respondents failed to submit a DLQOR to the Executive Director 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) and (f)(3) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.iii. and 2.c.

4. As evidenced by Finding of Fact No. 2.c. Respondents failed to provide results of quarterly nitrate and fluoride sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.106(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii.
5. As evidenced by Finding of Fact No. 2.d. Respondents failed to provide the results of annual VOC contaminants sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.107(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii.
6. As evidenced by Finding of Fact No. 2.e. Respondents failed to provide the results of triennial metal sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.106(e).
7. As evidenced by Finding of Fact No. 2.f. Respondents failed to provide the results of annual radionuclide sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.108(e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii.
8. As evidenced by Finding of Fact No. 2.g. Respondents failed to provide the results of six-year SOC contaminants sampling to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.107(e).
9. As evidenced by Finding of Fact No. 2.h. Respondents failed to collect nitrate samples and provide the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.106(c)(6) and (e).
10. As evidenced by Finding of Fact No. 2.i. Respondents failed to collect Stage 1 DBP samples and provide the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.113(c) and (e) and TCEQ Agreed Order Docket No. 2011-1390-PWS-E Ordering Provisions Nos. 2.a.i. and 2.a.ii.
11. As evidenced by Findings of Fact Nos. 4 and 5, the Executive Director timely served Respondents with proper notice of the EDPRP, as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.104(b)(1).
12. As evidenced by Finding of Fact No. 6, Respondents failed to file a timely answer as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondents and assess the penalty recommended by the Executive Director.
13. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Respondents for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
14. An administrative penalty in the amount of two thousand eight hundred five dollars (\$2,805.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049.
15. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

### ORDERING PROVISIONS

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

1. Respondents are assessed an administrative penalty in the amount of two thousand eight hundred five dollars (\$2,805.00) for violations of state statutes and rules of the TCEQ. The payment of this administrative penalty and Respondents' compliance with all the terms and conditions set forth in this Order completely resolve the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations which are not raised here.
2. The administrative penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates; Docket No. 2014-0110-PWS-E" to:

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

3. Respondents shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, Respondents shall:
    - i. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants), 290.107 (Organic Contaminants), and 290.108 (Radionuclides) (Conclusions of Law Nos. 4 through 9);
    - ii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are collected, analyzed, and the results released by the Facility's laboratories and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants), 290.107 (Organic Contaminants), 290.108 (Radionuclides), and 290.113 (Disinfection By-Products) (Conclusions of Law Nos. 4 through 10);
    - iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, as required by 30 TEX. ADMIN. CODE § 290.110 (Conclusion of Law No. 3); and
    - iv. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2013 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, as required by 30 TEX. ADMIN. CODE § 290.274 (Conclusion of Law No. 2).

- b. Within 45 days after the effective date of this Order, Respondents shall:
- i. Submit written certification as described in Ordering Provision No. 3.f., below, to demonstrate compliance with Ordering Provisions Nos. 3.a.i. through 3.a.iii; and
  - ii. Submit to the Executive Director a copy of the CCR provided to Facility customers pursuant to Ordering Provision No. 3.a.iv., above, and the certification that the CCR was distributed to the Facility customers 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 (Conclusion of Law No. 2). 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 Order, Respondents shall submit written certification in accordance with Ordering Provision No. 3.f., below, to demonstrate compliance with Ordering Provision No. 3.b.ii.
- d. Within 90 days after the effective date of this Order, Respondents shall begin submitting DLQORs to the Executive Director each quarter, by the tenth day of the month following the end of the quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110 (Conclusion of Law No. 3). This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

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

- e. Within 285 days after the effective date of this Order, Respondents shall submit written certification in accordance with Ordering Provision No. 3.f., below, to demonstrate compliance with Ordering Provision No. 3.d.
- f. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be notarized by a State of Texas Notary Public, and shall include the following certification language:

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

Respondents shall submit the written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions to:

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

and:

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

4. All relief not expressly granted in this Order is denied.
5. The provisions of this Order shall apply to and be binding upon Respondents. Respondents are ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondents shall be made in writing to the Executive Director. Extensions are not effective until Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. 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 Respondents if the Executive Director determines that Respondents have not complied with one or more of the terms or conditions in this Order.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Chief Clerk shall provide a copy of this Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

**S I G N A T U R E   P A G E**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

**AFFIDAVIT OF JOEL CORDERO**

**STATE OF TEXAS**

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**COUNTY OF TRAVIS**

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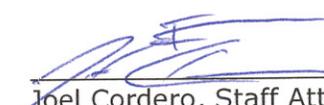
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"My name is Joel Cordero. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates" (the "EDPRP") was filed in the TCEQ Chief Clerk's office on May 5, 2014.

By letters dated May 5, 2014, sent to each Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served each Respondent with notice of the EDPRP. According to the return receipt "green cards," each Respondent received notice of the EDPRP on May 7, 2014, as evidenced by the signature on the cards.

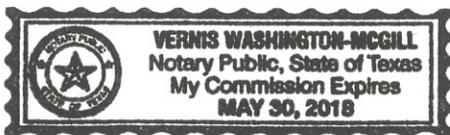
More than 20 days have elapsed since Respondents received notice of the EDPRP. Respondents failed to file an answer and failed to request a hearing."

  
\_\_\_\_\_  
Joel Cordero, Staff Attorney  
Office of Legal Services, Litigation Division  
Texas Commission on Environmental Quality

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

Given under my hand and seal of office this 10<sup>th</sup> day of October, A.D. 2014.

  
\_\_\_\_\_  
Notary Signature



Notary without Bond