

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (10 NOVs, 2 AOs) over the prior five year period for the same violations.

Media:

Public Drinking Water

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

on the north side of State Highway 202, three miles east of Beeville, Bee County

Type of Operation:

public water system

Other Significant Matters:

Additional Pending Enforcement Actions:	None
Past-Due Penalties:	None
Past-Due Fees:	None
Other:	None
Interested Third-Parties:	None

Texas Register Publication Date: May 22, 2015

Comments Received: None

Penalty Information

Total Penalty Assessed: \$844

Total Paid to General Revenue: \$150

Total Due to General Revenue: \$694

Payment Plan: 5 payments of \$118 each and one final payment of \$104

Compliance History Classifications:

Person/CN – Unclassified
Site/RN – N/A

Major Source: No

Statutory Limit Adjustment: \$96 (enhancement)

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A
Date(s) of Investigation: October 13 - 24, 2014
Date(s) of NOV(s): See Compliance History – 10 related NOVs
Date(s) of NOE(s): October 24, 2014

Violation Information

1. 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 the quarter [30 TEX. ADMIN. CODE § 290.110(e)(4)(a) and (f)(3)].
2. Failed to timely provide public notification or submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
3. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct repeat coliform monitoring [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
4. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct increased coliform monitoring [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
5. 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 submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].
6. Failed to meet the adequacy, availability, and/or content requirements for a CCR [30 TEX. ADMIN. CODE §§ 290.272, 290.273, and 290.274(a) and (c)].
7. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the Maximum Contaminant Level (MCL) for arsenic [30 TEX. ADMIN. CODE § 290.122(b)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Provided public notifications and submitted copies of the public notifications to the Executive Director (violation nos. 2,3,4, and 7).

Technical Requirements:

1. Within 30 days:
 - a. Implement procedures to ensure that all necessary public notifications are posted in a timely manner to persons served by the Facility and a copy is submitted to the Executive Director;
 - b. Mail or directly deliver one copy of the CCRs prepared using the compliance monitoring data for the years 2013 and 2014 to each bill-paying customer and make a good faith effort to deliver the CCRs to non-bill-paying customers; and
 - 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.

2. Within 45 days:
 - a. Submit written certification to demonstrate compliance with Technical Requirements Nos. 1.a. through 1.c.; and
 - b. Submit to the Commission a copy of the CCRs provided to customers of the Facility and certifications that the CCRs have been distributed to the customers of the Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data.
3. Within 60 days, submit written certification to demonstrate compliance with Technical Requirement No. 2.b.
4. 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.
5. Within 285 days, submit written certification to demonstrate compliance with Technical Requirement No. 4.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer Filed: N/A
SOAH Referral Date: N/A
Settlement Date: April 22, 2015

Contact Information

TCEQ Attorneys: Elizabeth Carroll Harkrider, Litigation Division, (512) 239-3400
Lena Roberts, Litigation Division, (512) 239-3400
Rudy Calderon, Public Interest Counsel, (512) 239-6363

TCEQ Enforcement Coordinator: Lisa Westbrook, Enforcement Division, (512) 239-1160

TCEQ Regional Contact: Gary Chauvin, Austin Regional Office, (512) 239-2929

Respondent Contact: James L. Oxford, Trustee, Country Villa Trust, 140 Private Oxford Lane, Apartment Number 37, Beeville, Texas 78102-8946

Respondent's Attorney: N/A

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Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	27-Oct-2014	Screening	6-Nov-2014	EPA Due	30-Sep-2014
	PCW	29-Jan-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park		
Reg. Ent. Ref. No.	RN101441764		
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	49631	No. of Violations	5
Docket No.	2014-1684-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Lisa Westbrook
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$290
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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.

Compliance History	100.0% Enhancement	Subtotals 2, 3, & 7	\$290
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Notes: Enhancement for ten NOV's with the same/similar violations, three NOV's with dissimilar violations, and two agreed orders without a denial of liability.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$368	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$640	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$580
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OTHER FACTORS AS JUSTICE MAY REQUIRE	29.0%	Adjustment	\$168
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to capture the avoided costs of compliance for Violation Nos. 1 and 3.

Final Penalty Amount	\$748
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$844
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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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	\$844
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Screening Date 6-Nov-2014

Docket No. 2014-1684-PWS-E

PCW

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa
Mobile Home Park

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Case ID No. 49631

Reg. Ent. Reference No. RN101441764

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Compliance History Worksheet

>> **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>)	10	50%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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 judgments 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) 106%

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

N/A

Adjustment Percentage (Subtotal 3) 0%

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

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for ten NOVs with the same/similar violations, three NOVs with dissimilar violations, and two agreed orders without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 106%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 100%

Screening Date 6-Nov-2014

Docket No. 2014-1684-PWS-E

PCW

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park

Policy Revision 4 (April 2014)
PCW Revision March 26, 2014

Case ID No. 49631

Reg. Ent. Reference No. RN101441764

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)

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 the quarter for the second quarter of 2013 through the first quarter of 2014 and failed to timely provide public notification or submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs for the second quarter of 2013 through the first quarter of 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (0.0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (5.0%).

Matrix Notes

More than 70% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 4 455 Number of violation days

Table with columns: Frequency (daily, weekly, monthly, quarterly, semiannual, annual, single event), mark only one with an x.

Violation Base Penalty \$200

Four single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table with columns: Extraordinary, Ordinary, N/A, Before NOE/NOV, NOE/NOV to EDPRP/Settlement Offer.

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

Violation Subtotal \$200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$212

Violation Final Penalty Total \$516

This violation Final Assessed Penalty (adjusted for limits) \$516

Economic Benefit Worksheet

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park
Case ID No. 49631
Reg. Ent. Reference No. RN101441764
Media Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Record Keeping System	\$45	13-Oct-2014	31-May-2015	0.63	\$0	\$2	\$2
Training/Sampling	\$100	13-Oct-2014	31-May-2015	0.63	\$3	n/a	\$3
Other (as needed)	\$100	13-Oct-2014	31-May-2015	0.63	\$3	n/a	\$3
Other (as needed)	\$25	11-Oct-2013	17-Oct-2014	1.02	\$1	n/a	\$1
Other (as needed)	\$25	11-Jan-2013	17-Oct-2014	1.76	\$2	n/a	\$2
Other (as needed)	\$25	11-Apr-2014	13-Jan-2015	0.76	\$1	n/a	\$1
Other (as needed)	\$25	11-Jul-2014	12-Dec-2014	0.42	\$1	n/a	\$1

Notes for DELAYED costs

The record keeping system and training/sampling delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that the self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs, calculated from the record review date to the estimated date of compliance. The other delayed cost includes the estimated amount to implement procedures, to ensure that all public notifications are provided, calculated from the date of the record review to the estimated date of compliance. The other following delayed costs include the estimated amount to provide public notifications (\$25 per notification x four notifications), calculated from the dates the public notifications were due to the dates the public notifications were provided.

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]	\$88	10-Jul-2013	10-Apr-2014	1.67	\$7	\$88	\$95
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The one-time avoided cost includes the estimated amount to prepare and submit DLQORs (\$22 per report x four missed reports), calculated from the date the report was due for the second quarter of 2013 to the date the report was due for the first quarter of 2014.

Approx. Cost of Compliance \$433

TOTAL \$212

Screening Date 6-Nov-2014 **Docket No.** 2014-1684-PWS-E
Respondent James L. Oxford, Trustee of Country Villa Trust dba Country
Case ID No. Villa Mobile Home Park
Reg. Ent. Reference No. 49631
Media [Statute] RN101441764
Enf. Coordinator Public Water Supply
 Lisa Westbrook

PCW

Policy Revision 4 (April 2014)
PCW Revision March 26, 2014

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

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

Before NOE/NOV NOE/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 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 James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park
Case ID No. 49631
Reg. Ent. Reference No. RN101441764
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$25	31-Dec-2012	12-Dec-2014	1.95	\$2	n/a	\$2
Other (as needed)	\$25	31-Jan-2013	13-Jan-2015	1.95	\$2	n/a	\$2

Notes for DELAYED costs
 The delayed cost to implement procedures, to ensure that all public notifications are provided is captured in the Economic Benefit of Violation No. 1. The other delayed cost includes the estimated amount to provide public notifications (\$25 per notification x two notifications), calculated from the due dates of the public notifications to the dates the public notifications were submitted.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$79

Screening Date 6-Nov-2014

Docket No. 2014-1684-PWS-E

PCW

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Case ID No. 49631

Reg. Ent. Reference No. RN101441764

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

Violation Description

Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for the year of 2012.

Base Penalty

\$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 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

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty

\$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

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

Notes

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

Violation Subtotal

\$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$73

Violation Final Penalty Total

\$129

This violation Final Assessed Penalty (adjusted for limits)

\$129

Economic Benefit Worksheet

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park
Case ID No. 49631
Reg. Ent. Reference No. RN101441764
Media Violation No. Public Water Supply
3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				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]	\$66	1-Jul-2013	6-Nov-2014	2.27	\$7	\$66	\$73
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2012 CCR to the customers of the Facility and to the TCEQ ((\$0.50 x 32 connections + \$50) x 1 year), calculated from the date the 2012 CCR was due to the screening date.

Approx. Cost of Compliance \$66

TOTAL \$73

Screening Date 6-Nov-2014

Docket No. 2014-1684-PWS-E

PCW

James L. Oxford, Trustee of Country Villa Trust dba Country

Respondent Villa Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 49631

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101441764

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 290.272, 290.273, 290.274(a) and 290.274(c)

Violation Description

Failed to meet the adequacy, availability, and/or content requirements for the CCR for the year of 2013. Specifically, the date of the certificate of delivery is prior to the CCR print out date and the CCR does not include the following: correct Source Water Assessment language, source aquifer name, disinfectant residual and lead and copper results.

Base Penalty

\$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment

\$990

\$10

Violation Events

Number of Violation Events 1

365 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty

\$10

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

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

Notes

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

Violation Subtotal

\$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$3

Violation Final Penalty Total

\$26

This violation Final Assessed Penalty (adjusted for limits)

\$50

Economic Benefit Worksheet

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park
Case ID No. 49631
Reg. Ent. Reference No. RN101441764
Media Violation No. 4 Public Water Supply

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)	\$66	1-Jul-2014	31-May-2015	0.92	\$3	n/a	\$3

Notes for DELAYED costs The delayed cost includes the estimated amount to prepare and mail or directly deliver the complete and accurate 2013 CCR to the customers of the Facility and to the TCEQ (([\$0.50 x 32 connections] + \$50) x one year), calculated from the due date of the 2013 CCR to the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$66

TOTAL \$3

Screening Date 6-Nov-2014

Docket No. 2014-1684-PWS-E

PCW

James L. Oxford, Trustee of Country Villa Trust dba Country

Respondent Villa Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 49631

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101441764

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.122(b)(2)(A) and (f)

Violation Description

Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the maximum contaminant level for arsenic in the first quarter of 2014. Specifically, the Respondent was required to provide the public notification for the arsenic exceedance by June 17, 2014.

Base Penalty

\$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment

\$990

\$10

Violation Events

Number of Violation Events 1

90 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty

\$10

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

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

Notes

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

Violation Subtotal

\$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total

\$26

This violation Final Assessed Penalty (adjusted for limits)

\$50

Economic Benefit Worksheet

Respondent James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park
Case ID No. 49631
Reg. Ent. Reference No. RN101441764
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$25	17-Jun-2014	12-Dec-2014	0.49	\$1	n/a	\$1

Notes for DELAYED costs

The delayed cost to implement procedures, to ensure that all public notifications are provided is captured in the Economic Benefit of Violation No. 1. The other delayed cost includes the estimated amount to provide public notification (\$25 per notification x one notification), calculated from the due date of the public notification to the date the public notification was submitted.

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

\$25

TOTAL

\$1

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

PENDING Compliance History Report for CN603395724, RN101441764, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603395724, James L Oxford, Trustee
Country Villa Trust **Classification:** UNCLASSIFIED **Rating:** -----

Regulated Entity: RN101441764, Country Villa Mobile Home Park **Classification:** N/A **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: Located on the north side of State Highway 202, three miles east of Beeville, Bee County, Texas

TCEQ Region: REGION 14 - CORPUS CHRISTI

ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0130058

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: November 12, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 12, 2009 to November 12, 2014

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

Name: Lisa Westbrook

Phone: (512) 239-1160

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: 05/08/2011 ADMINORDER 2010-0447-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Minor

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

Description: Failed to use an approved chemical or media for the disinfection of potable water that conforms to the ANSI/NSF standards.

Classification: Minor

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

Description: Failed to provide all dead-end mains with acceptable flush valves.

Classification: Minor

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

Description: Failed to post a legible sign at the Facility's production, treatment, and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted.

Classification: Minor

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

Description: Failed to enclose the well with an intruder-resistant fence or lockable ventilated well house.

Classification: Major

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

5A THSC Chapter 341, SubChapter A 341.0315(c)

Rqmt Prov:2005-0201-PWS-E OP 2.c.ii ORDER

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

Classification: Major

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

5A THSC Chapter 341, SubChapter A 341.033(a)

Description: Failed to ensure that the production, distribution and treatment facilities are operated at all times under the direct supervision of a water works operator who holds an applicable, valid license issued by the Commission.

Classification: Major

Citation: 2A TWC Chapter 5, SubChapter A 5.702

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

Rqmt Prov:2005-0201-PWS-E OP 2.a.iii. ORDER

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

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.121(b)

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

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)
 Description: Failed to verify the accuracy of manual disinfectant residual analyzers at least once every 30 days using chlorine solutions of known concentrations.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
 Description: Failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(v)
 Description: Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 Description: Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Commission each quarter by the tenth day of the month following the end of each quarter.

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2006 CCR year.

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2007 CCR year.

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.

Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report for the 2008 CCR year.

2 Effective Date: 10/05/2014 ADMINORDER 2014-0491-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 1Q2014 - The system violated the maximum contaminant level for Arsenic during the 1st quarter of 2014 with a RAA of 0.027 mg/L.

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 4Q2013 - The system violated the maximum contaminant level for Arsenic during the 4th quarter of 2013 with a RAA of 0.027 mg/L.

Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 3Q2013 - The system violated the maximum contaminant level for Arsenic during the 3rd quarter of 2013 with a RAA of 0.020 mg/L.

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: 11/13/2013 (1203320) CN603395724
 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.

- 2 Date: 11/14/2013 (1203320) CN603395724**
 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.
- 3 Date: 12/03/2013 (1157499) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 4Q2013 - The system violated the maximum contaminant level for Arsenic during the 4th quarter of 2013 with a RAA of 0.027 mg/L.
- 4 Date: 02/26/2014 (1203320) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: DLQOR MR PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 2nd quarter of 2013.
- 5 Date: 02/27/2014 (1157499) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 3Q2013 - The system violated the maximum contaminant level for Arsenic during the 3rd quarter of 2013 with a RAA of 0.020 mg/L.
- 6 Date: 03/19/2014 (1157499) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
 5A THSC Chapter 341, SubChapter A 341.0315(c)
 Description: ARS MCL 1Q2014 - The system violated the maximum contaminant level for Arsenic during the 1st quarter of 2014 with a RAA of 0.027 mg/L.
- 7 Date: 05/20/2014 (1203320) CN603395724**
 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 4Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 4th quarter of 2013 within the required timeline.
 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 3Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2013 within the required timeline.
- 8 Date: 06/25/2014 (1203320) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: ARS MCL PN 1Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for arsenic during 1Q2014.
- 9 Date: 07/02/2014 (1203320) CN603395724**
 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 1Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2014 within the required timeline.
- 10 Date: 09/11/2014 (1203320) CN603395724**
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: DLQOR MR PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the ED certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 4th quarter of 2013.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 3Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the ED certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 3rd quarter of 2013.

11 Date: 10/13/2014 (1203320) CN603395724
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 1Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the ED certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 1st quarter of 2014.

12 Date: 10/16/2014 (1203320) CN603395724
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter H 290.272
30 TAC Chapter 290, SubChapter H 290.273
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2013 - The system's Consumer Confidence Report (CCR) failed to meet the adequacy, availability, and/or content requirements for the 2013 CCR year.

13 Date: 10/24/2014 (1204135) CN603395724
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: OCT/2012 TCR Increased MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the ED certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct increased coliform monitoring for the month of 10/2012.

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
JAMES L. OXFORD, TRUSTEE OF
COUNTRY VILLA TRUST
DBA COUNTRY VILLA MOBILE
HOME PARK;
RN101441764**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER

DOCKET NO. 2014-1684-PWS-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding James L. Oxford, Trustee of Country Villa Trust d/b/a Country Villa Mobile Home Park ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondent presented this Order to the Commission.

Respondent understands that he has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, Respondent agrees to waive all notice and procedural rights.

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

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

FINDINGS OF FACT

1. Respondent owns and operates a public water system located on the north side of State Highway 202, 3 miles east of Beeville in Bee County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 32 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(66).
2. During a record review conducted October 13 through October 24, 2014, an investigator documented that Respondent:
 - a. 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 the quarter for the second quarter of 2013 through the first quarter of 2014;
 - b. Failed to timely provide public notification or submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs for the second quarter of 2013 through the first quarter of 2014;

- c. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct repeat coliform monitoring during the month of September 2012;
 - d. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct increased coliform monitoring for the month of October 2012;
 - e. 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 submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data for the year 2012;
 - f. Failed to meet the adequacy, availability, and/or content requirements for the CCR for the year 2013. Specifically, the date of the certificate of delivery is prior to the CCR print out date, and the CCR does not include the following: correct Source Water Assessment language, source aquifer name, and disinfectant residual and lead and copper results; and
 - g. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the maximum contaminant level ("MCL") for arsenic in the first quarter of 2014.
3. The Executive Director recognizes that Respondent provided public notifications and submitted copies of the public notifications to the Executive Director as follows:
- a. On October 17, 2014, for the failure to submit DLQORs for the second and third quarter of 2013; on January 15, 2015, for the fourth quarter of 2013; and on December 12, 2014, for the first quarter of 2014 (Conclusion of Law No. 3);
 - b. On December 12, 2014, for the failure to conduct repeat coliform monitoring during the month of September 2012 (Conclusion of Law No. 4);
 - c. On December 12, 2014, for the failure to comply with the MCL for arsenic in the first quarter of 2014 (Conclusion of Law No. 8); and
 - d. On January 13, 2015, for the failure to conduct increased coliform monitoring during the month of October 2012 (Conclusion of Law No. 5).

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is 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., Respondent failed to submit DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in violation of 30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
3. As evidenced by Finding of Fact No. 2.b., Respondent failed to timely provide public notification or submit a copy of the public notification to the Executive Director regarding the failure to submit DLQORs, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
4. As evidenced by Finding of Fact No. 2.c., Respondent failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct repeat coliform monitoring, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).

5. As evidenced by Finding of Fact No. 2.d., Respondent failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct increased coliform monitoring, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
6. As evidenced by Finding of Fact No. 2.e., Respondent failed to mail or directly deliver one copy of the CCR to each bill-paying customer by July 1 of each year and submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).
7. As evidenced by Finding of Fact No. 2.f., Respondent failed to meet the adequacy, availability, and/or content requirements for the CCR for the year 2013, in violation of 30 TEX. ADMIN. CODE §§ 290.272, 290.273, and 290.274(a) and (c).
8. As evidenced by Finding of Fact No. 2.g., Respondent failed to timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to comply with the MCL for arsenic, in violation of 30 TEX. ADMIN. CODE § 290.122(b)(2)(A) and (f).
9. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, TCEQ has the authority to assess an administrative penalty against Respondent 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.
10. An administrative penalty in the amount of eight hundred forty-four dollars (\$844.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049. Respondent paid one hundred fifty dollars (\$150.00) of the penalty. The remaining amount of six hundred ninety-four dollars (\$694.00) of the penalty shall be payable in five (5) monthly payments of one hundred eighteen dollars (\$118.00) each, and one (1) final payment of one hundred four dollars (\$104). The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall be paid not later than 30 days following the due date of the previous payment until paid in full. If Respondent fails to timely and satisfactorily comply with the payment requirements of this Order, including the payment schedule, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, Respondent's failure to meet the payment schedule of this Order constitutes the failure by Respondent to timely and satisfactorily comply with all of the terms of this Order.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty as set forth in Conclusion of Law No. 10 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all requirements set forth in this Order resolve only 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 violations which are not raised here. Penalty payments shall be made payable to TCEQ and shall be sent with the notation "Re: James L. Oxford, Trustee of Country Villa Trust d/b/a Country Villa Mobile Home Park, Docket No. 2014-1684-PWS-E" to:

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

2. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Implement procedures to ensure that all necessary public notifications are posted in a timely manner to persons served by the Facility and a copy is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122 (Conclusions of Law Nos. 3, 4, 5, and 8);
 - ii. Mail or directly deliver one copy of the CCRs prepared using the compliance monitoring data for the years 2013 and 2014 to each bill-paying customer and make a good faith effort to deliver the CCRs to non-bill-paying customers, in accordance with 30 TEX. ADMIN. CODE § 290.274 (Conclusions of Law Nos. 6 and 7); and
 - 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, in accordance with 30 TEX. ADMIN. CODE § 290.110 (Conclusion of Law No. 2).
 - b. Within 45 days after the effective date of this Order:
 - i. Submit written certification, in accordance with Ordering Provision No. 2.f., to demonstrate compliance with Ordering Provisions Nos. 2.a.i. through 2.a.iii.; and
 - ii. Submit to the Commission a copy of the CCRs provided to customers of the Facility and certifications that the CCRs have been distributed to the customers of the Facility and that the information in the CCRs is correct and consistent with the compliance monitoring data, in accordance with 30 TEX. ADMIN. CODE § 290.274 (Conclusions of Law Nos. 6 and 7). The copies of the CCRs and certifications shall be mailed to:

Section Manager, 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, submit written certification, in accordance with Ordering Provision No. 2.f., to demonstrate compliance with Ordering Provision No. 2.b.ii.
 - d. Within 90 days after the effective date of this Order, 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. This provision will be satisfied upon two consecutive quarters of compliant reporting (Conclusion of Law No. 2). 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, submit written certification, in accordance with Ordering Provision No. 2.f., to demonstrate compliance with Ordering Provision No. 2.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 signed by Respondent, 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."

Respondent 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:

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

3. All relief not expressly granted in this Order is denied.
4. The provisions of this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

6. This Order, issued by the Commission, shall not be admissible against Respondent in a civil proceeding, unless the proceeding is brought by the Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
7. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
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. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Order is the date of hand delivery of the fully executed Order to Respondent, or three days after the date on which the Commission mails a copy of the fully executed Order to Respondent, whichever is earlier. The Chief Clerk shall provide a copy of the fully executed Order to each of the parties.

James L. Oxford, Trustee of Country Villa Trust d/b/a Country Villa Mobile Home Park
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

M. Sweeney
For the Executive Director

July 2, 2015
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

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

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

James L. Oxford
Signature - James L. Oxford, Trustee
Country Villa Trust
140 Private Oxford Lane
Apartment Number 37
Beaville, Texas 78102-8946

4/22/15
Date

If mailing address has changed, please check this box and provide the new address below:
