

**Executive Summary – Enforcement Matter – Case No. 50052**  
**James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli**  
**dba Northwoods Mobile Home Park**  
**RN102673779**  
**Docket No. 2015-0214-PWS-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

**Media:**

PWS

**Small Business:**

Yes

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

Northwoods Mobile Home Park, 7119 Fairview Street, near Houston, Harris County

**Type of Operation:**

Public water supply

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 5, 2015

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$2,281

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$181

**Total Due to General Revenue:** \$2,100

Payment Plan: 21 payments of \$100 each

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - N/A

Site/RN - N/A

**Major Source:** No

**Statutory Limit Adjustment:** \$25

**Applicable Penalty Policy:** September 2002 and April 2014

**Executive Summary – Enforcement Matter – Case No. 50052**  
**James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli**  
**dba Northwoods Mobile Home Park**  
**RN102673779**  
**Docket No. 2015-0214-PWS-E**

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** January 5, 2015 through January 16, 2015

**Date(s) of NOE(s):** January 16, 2015

***Violation Information***

1. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director [30 TEX. ADMIN. CODE § 290.117(c)(2)(D) and (i)(1)].
2. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director [30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1)].
3. 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 [30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3)].
4. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].
5. Failed to timely provide public notification and submit a copy of the public notification to the Executive Director [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By January 12, 2015, the Respondents provided public notification and submitted a copy of the public notification to the Executive Director regarding the failure to collect routine coliform monitoring samples for the month of July 2014.

**Technical Requirements:**

The Order will require the Respondents to:

- a. Within 30 days:
  - i. Develop and implement procedures to ensure all necessary public notifications are provided in a timely manner to persons served by the Facility;

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- ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 or for the most current calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers;
  - iii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory and the results reported to the Executive Director within ten days following the end of each monitoring period; and
  - iv. 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.
- b. Within 45 days:
- i. Submit written certification demonstrating compliance with a.i. through a.iv.; and
  - ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.
- c. Within 60 days, submit written certification demonstrating compliance with b.ii.;
- d. Within 90 days:
- i. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period. This provision will be satisfied upon one annual compliant monitoring period; and
  - ii. Begin submitting DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting.
- e. Within 285 days, submit written certification demonstrating compliance with d.ii.;
- f. Within 470 days, submit written certification demonstrating compliance with d.i.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

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**RN102673779**  
**Docket No. 2015-0214-PWS-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Katy Montgomery, Enforcement Division,  
Enforcement Team 2, MC R13, (210) 403-4016; Candy Garrett, Enforcement Division,  
MC 219, (512) 239-1456

**TCEQ SEP Coordinator:** N/A

**Respondents:** James Adamoli, Co-Owner, Northwoods Mobile Home Park, 14343  
Lost Meadow Lane, Houston, Texas 77079

Mark Adamoli, Co-Owner, Northwoods Mobile Home Park, 14343 Lost Meadow Lane,  
Houston, Texas 77079

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>TCEQ DATES</b>	<b>Assigned</b>	20-Jan-2015	<b>Screening</b>	3-Feb-2015	<b>EPA Due</b>	31-Mar-2015
	<b>PCW</b>	4-Feb-2015				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park
<b>Reg. Ent. Ref. No.</b>	RN102673779
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	50052	<b>No. of Violations</b>	1
<b>Docket No.</b>	2015-0214-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>	Katy Montgomery
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$250</b>
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
<b>Compliance History</b>	52.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b> \$130
<b>Notes</b>	Enhancement for six NOVs with the same/similar violations, one NOV with dissimilar violations and one agreed order with 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	\$227	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$250	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$380</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	58.9%	<b>Adjustment</b>	\$224
Reduces or enhances the Final Subtotal by the indicated percentage.			
<b>Notes</b>	Enhancement to recover the avoided costs of compliance associated with Violation No. 1.		
<b>Final Penalty Amount</b>			<b>\$604</b>

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$604</b>
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$0
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.		

<b>PAYABLE PENALTY</b>	<b>\$604</b>
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**Screening Date** 3-Feb-2015

**Docket No.** 2015-0214-PWS-E

**PCW**

**Respondent** James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

Policy Revision 2 (September 2002)

**Case ID No.** 50052

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN102673779

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Katy Montgomery

### 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> )	6	30%
	Other written NOVs	1	2%
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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <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)** 52%

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

N/A

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

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

N/A

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

>> **Compliance History Summary**

**Compliance History Notes**

Enhancement for six NOVs with the same/similar violations, one NOV with dissimilar violations and one agreed order with a denial of liability.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 52%

Screening Date 3-Feb-2015

Docket No. 2015-0214-PWS-E

PCW

Respondent James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 50052

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102673779

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(D) and (i)(1)

Violation Description Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the January 1, 2002 through December 31, 2010 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (25%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (0%).

Matrix Notes Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1 Number of violation days 3285

Table for frequency: daily, weekly, monthly, quarterly, semiannual, annual, single event (marked with x).

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with x).

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$227

Violation Final Penalty Total \$604

This violation Final Assessed Penalty (adjusted for limits) \$604

## Economic Benefit Worksheet

**Respondent** James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park  
**Case ID No.** 50052  
**Reg. Ent. Reference No.** RN102673779  
**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	\$100	5-Jan-2015	31-Aug-2015	0.65	\$3	n/a	\$3
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 implement improvements to the Facility's process procedures, guidance, training and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel, analyzed by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review 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]	\$150	1-Jan-2002	31-Dec-2010	9.92	\$74	\$150	\$224
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples (\$30 per sample x five required samples x one monitoring period), calculated for the monitoring period in which sampling was required.

Approx. Cost of Compliance \$250

**TOTAL** \$227



# Penalty Calculation Worksheet (PCW)

## TCEQ

<b>DATES</b>	<b>Assigned</b>	20-Jan-2015	<b>Screening</b>	3-Feb-2015	<b>EPA Due</b>	31-Mar-2015
	<b>PCW</b>	16-Mar-2015				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park
<b>Reg. Ent. Ref. No.</b>	RN102673779
<b>Facility/Site Region</b>	12-Houston <b>Major/Minor Source</b> Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	50052	<b>No. of Violations</b>	4
<b>Docket No.</b>	2015-0214-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>	Katy Montgomery
		<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>	\$660
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
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<b>Compliance History</b>	52.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$343
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Notes: Enhancement for six NOV's with the same/similar violations, one NOV with dissimilar violations and one agreed order with a denial of liability.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$148  
 Estimated Cost of Compliance \$398  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$1,003
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	64.7%	<b>Adjustment</b>	\$649
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement to recover the avoided costs of compliance associated with Violation Nos. 1 through 3.

<b>Final Penalty Amount</b>	\$1,652
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$1,677
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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.)

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$1,677
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**Screening Date** 3-Feb-2015

**Docket No.** 2015-0214-PWS-E

**PCW**

**Respondent** James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

Policy Revision 4 (April 2014)

**Case ID No.** 50052

PCW Revision March 26, 2014

**Reg. Ent. Reference No.** RN102673779

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Katy Montgomery

**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> )	6	30%
	Other written NOVs	1	2%
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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <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)** 52%

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

N/A

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

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

N/A

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

>> **Compliance History Summary**

**Compliance History Notes**

Enhancement for six NOVs with the same/similar violations, one NOV with dissimilar violations and one agreed order with a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 52%

>> **Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 52%

Screening Date 3-Feb-2015

Docket No. 2015-0214-PWS-E

PCW

Respondent James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

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

Case ID No. 50052

Reg. Ent. Reference No. RN102673779

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(B) and (i)(1)

Violation Description Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the 2011, 2013 and 2014 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
				0.0%

Matrix Notes Failure to collect lead and copper 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 3 1095 Number of violation days

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

Violation Base Penalty \$450

Three annual events are 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 Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$508

Violation Final Penalty Total \$1,127

This violation Final Assessed Penalty (adjusted for limits) \$1,127

## Economic Benefit Worksheet

**Respondent**

James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

**Case ID No.**

50052

**Reg. Ent. Reference No.**

RN102673779

**Media Violation No.**

Public Water Supply

**Violation No.**

1

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$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 of compliance are captured in the Economic Benefit Worksheet for Violation No. 1 of the Revision 2 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]	\$150	1-Jan-2011	31-Dec-2011	1.92	\$14	\$150	\$164
ONE-TIME avoided costs [3]	\$300	1-Jan-2013	31-Dec-2014	2.92	\$44	\$300	\$344
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples (\$30 per sample x five required samples x three monitoring periods), calculated for the monitoring periods in which sampling was required.

**Approx. Cost of Compliance**

\$450

**TOTAL**

\$508

Screening Date 3-Feb-2015

Docket No. 2015-0214-PWS-E

PCW

Respondent James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

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

Case ID No. 50052

Reg. Ent. Reference No. RN102673779

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 2

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

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 for the fourth quarter of 2013 through the second quarter of 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					0.0%
Potential					

>> Programmatic Matrix

OR	Falsification	Harm			Percent
		Major	Moderate	Minor	
Actual		x			5.0%
Potential					

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 3 Number of violation days 272

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

Violation Base Penalty \$150

Three single events are 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 Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$78

Violation Final Penalty Total \$376

This violation Final Assessed Penalty (adjusted for limits) \$376

## Economic Benefit Worksheet

**Respondent** James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park  
**Case ID No.** 50052  
**Reg. Ent. Reference No.** RN102673779  
**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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	5-Jan-2015	31-Aug-2015	0.65	\$1	n/a	\$1
Training/Sampling	\$100	5-Jan-2015	31-Aug-2015	0.65	\$3	n/a	\$3
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**  
 The delayed costs include the estimated amounts to update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified quarterly DLQORs, calculated from the date of the record review to the estimated date of compliance.

### Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$66	10-Jan-2013	10-Jul-2014	2.41	\$8	\$66	\$74
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**  
 The avoided cost includes the estimated amount to prepare and submit the DLQORs (\$22 per report), calculated from the date the DLQOR was due for the fourth quarter of 2013 to the date the DLQOR was due for the second quarter of 2014.

<b>Approx. Cost of Compliance</b>	\$211	<b>TOTAL</b>	\$78
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Screening Date 3-Feb-2015

Docket No. 2015-0214-PWS-E

PCW

Respondent James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 50052

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102673779

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

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 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
	x			5.0%

Matrix Notes

100% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 Number of violation days 365

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$67

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

## Economic Benefit Worksheet

**Respondent** James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park  
**Case ID No.** 50052  
**Reg. Ent. Reference No.** RN102673779  
**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
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]	\$62	1-Jul-2014	3-Feb-2015	1.51	\$5	\$62	\$67
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 2013 CCR to the customers of the Facility and to the TCEQ  $(([\$0.50 \times 23 \text{ connections}] + \$50) \times \text{one year})$ , calculated from the date the 2013 report was due to the screening date.

Approx. Cost of Compliance \$62

**TOTAL** \$67

Screening Date 3-Feb-2015

Docket No. 2015-0214-PWS-E

PCW

Respondent James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Case ID No. 50052  
Reg. Ent. Reference No. RN102673779

Media [Statute] Public Water Supply  
Enf. Coordinator Katy Montgomery

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 290.122(c)(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 collect routine coliform monitoring samples for the month of July 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				X	1.0%
Less than 30% of the rule requirement was not met.					

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1 Number of violation days 92

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
single event	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 Respondents do 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 \$25

This violation Final Assessed Penalty (adjusted for limits) \$50

## Economic Benefit Worksheet

**Respondent**

James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park

**Case ID No.**

50052

**Reg. Ent. Reference No.**

RN102673779

**Media Violation No.**

Public Water Supply

**Violation No.**

4

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				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	\$100	5-Jan-2015	31-Aug-2015	0.65	\$3	n/a	\$3
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25	1-Aug-2014	12-Jan-2015	0.45	\$1	n/a	\$1

**Notes for DELAYED costs**

The Training/Sampling delayed cost includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from the record review date to the estimated date of compliance. The Other delayed cost includes the estimated amount to provide public notification regarding the failure to collect routine coliform monitoring samples (\$25 per notification), calculated from the date the notification was first required to the date the notification was 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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$125

**TOTAL**

\$3

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.



# TCEQ Compliance History Report

**PUBLISHED** Compliance History Report for CN602986663, RN102673779, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

**Customer, Respondent, or Owner/Operator:** CN602986663, James Adamoli, Jr.      **Classification:** NOT APPLICABLE      **Rating:** N/A

**Regulated Entity:** RN102673779, NORTHWOODS MOBILE HOME PARK      **Classification:** NOT APPLICABLE      **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** 7119 FAIRVIEW STREET NEAR HOUSTON, HARRIS COUNTY, TEXAS

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION** 1011956

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

**Date Compliance History Report Prepared:** February 02, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 02, 2010 to February 02, 2015

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Katy Montgomery      **Phone:** (210) 403-4016

## 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: 05/22/2011      ADMINORDER 2010-1766-UTL-E (1660 Order-Agreed Order With Denial)  
    Classification: Moderate  
    Citation: 2B TWC Chapter 13, SubChapter A 13.1395(b)(2)  
              30 TAC Chapter 290, SubChapter D 290.39(o)(1)  
              30 TAC Chapter 291, SubChapter L 291.162(a)  
              30 TAC Chapter 291, SubChapter L 291.162(j)  
    Description: Failed to adopt and submit to the Executive Director for approval by March 1, 2010, an emergency preparedness plan that demonstrates the Facility's ability to provide emergency operations.

### **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: 05/20/2014 (1217877) CN602986663  
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 fourth quarter of 2013 within the required timeline.
- 2 Date: 05/30/2014 (1152296) CN602986663  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)  
Description: Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service.  
  
At the time of the investigation, no letter from TCEQ Technical Review and Oversight Team was provided approving the well for use.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description: Failure to properly screen the well casing vent with 16-mesh or finer corrosion-resistant screening material.  
  
At the time of the investigation, no screen was provided on the well vent.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)  
Description: Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.  
At the time of the investigation, no Plant Operations Manual was provided.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)  
Description: Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead. At the time of the investigation, no service agreements or plumbing ordinance were available for rev  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)  
Description: Failure to conduct an inspection of the pressure tank annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.  
At the time of the invest  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)  
Description: Failure to calibrate the well meter as required by 30 TAC § 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years. At the time of the investigation, no well meter calibration records were provided.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)(B)  
Description: Failure to possess a chlorine test kit which uses the DPD method to determine the free chlorine residual at various locations to ensure the proper chlorine residual is being maintained throughout the distribution system. A record of these tests and the sample location must be kept in your files for future review for a minimum of 3 years.  
At the time of the investigation, no chlorine test kit using the DPD method was available for inspection or use.

- 3 Date: 07/02/2014 (1217877) CN602986663  
 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 first quarter of 2014 within the required timeline.
- 4 Date: 10/16/2014 (1217877) CN602986663  
 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 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 5 Date: 10/23/2014 (1217877) CN602986663  
 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 2Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2014 within the required timeline.
- 6 Date: 11/10/2014 (1217877) CN602986663  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)  
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
 Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.
- 7 Date: 12/03/2014 (1217877) CN602986663  
 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: JULY/2014 TCR Routine MR PN 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 failing to conduct routine coliform monitoring for the month of 07/2014.

**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



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 fourth quarter of 2013 within the required timeline.

5\* Date: 05/30/2014 (1152296) CN602986663  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)  
Description: Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service.  
At the time of the investigation, no letter from TCEQ Technical Review and Oversight Team was provided approving the well for use.  
Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description: Failure to properly screen the well casing vent with 16-mesh or finer corrosion-resistant screening material.  
At the time of the investigation, no screen was provided on the well vent.  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)  
Description: Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.  
At the time of the investigation, no Plant Operations Manual was provided.  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)  
Description: Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.  
At the time of the investigation, no service agreements or plumbing ordinance were available for review.  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)  
Description: Failure to conduct an inspection of the pressure tank annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.  
At the time of the investigation, no service agreements or plumbing ordinance were available for review.  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)  
Description: Failure to calibrate the well meter as required by 30 TAC § 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.  
At the time of the investigation, no well meter calibration records were provided.  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)(B)  
Description: Failure to possess a chlorine test kit which uses the DPD method to determine the free chlorine residual at various locations to ensure the proper chlorine residual is being maintained throughout the distribution system. A record of these tests and the sample location must be kept in your files for future review for a minimum of 3 years.  
At the time of the investigation, no chlorine test kit using the DPD method was available for inspection or use.

6\* Date: 07/02/2014 (1217877) CN602986663

Classification: Moderate

Self Report? NO For Informational Purposes Only  
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 first quarter of 2014 within the required timeline.

7 Date: 10/16/2014 (1217877) CN602986663  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
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 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

8 Date: 10/23/2014 (1217877) CN602986663  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
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 2Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2014 within the required timeline.

9 Date: 11/10/2014 (1217877) CN602986663  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)  
30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.

10 Date: 12/03/2014 (1217877) CN602986663  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)  
30 TAC Chapter 290, SubChapter F 290.122(f)  
Description: JULY/2014 TCR Routine MR PN 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 failing to conduct routine coliform monitoring for the month of 07/2014.

\* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

**Appendix B  
All Investigations Conducted During Component Period February 02, 2010 and February 02, 2015**

(858225)  
Item 1 September 02, 2010\*\* For Informational Purposes Only

(870332)  
Item 2 October 21, 2010\*\* For Informational Purposes Only

(912285)  
Item 3 July 06, 2011\*\* For Informational Purposes Only

(964835)

Item 4	November 14, 2011**	For Informational Purposes Only (980993)
Item 5	March 02, 2012**	For Informational Purposes Only (994506)
Item 6	March 16, 2012**	For Informational Purposes Only (1001283)
Item 7	April 30, 2012**	For Informational Purposes Only (1152296)
Item 8	May 29, 2014**	For Informational Purposes Only (1217877)
Item 9	January 13, 2015	For Informational Purposes Only (1218044)
Item 10	January 16, 2015	For Informational Purposes Only

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.



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.



# TCEQ Compliance History Report

**PUBLISHED** Compliance History Report for CN602986689, RN102673779, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

**Customer, Respondent, or Owner/Operator:** CN602986689, Mark Adamoli      **Classification:** NOT APPLICABLE      **Rating:** N/A

**Regulated Entity:** RN102673779, NORTHWOODS MOBILE HOME PARK      **Classification:** NOT APPLICABLE      **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** 7119 FAIRVIEW STREET NEAR HOUSTON, HARRIS COUNTY, TEXAS

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION** 1011956

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

**Date Compliance History Report Prepared:** February 02, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 02, 2010 to February 02, 2015

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Katy Montgomery      **Phone:** (210) 403-4016

## **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: 05/22/2011      ADMINORDER 2010-1766-UTL-E      (1660 Order-Agreed Order With Denial)  
    Classification: Moderate  
    Citation: 2B TWC Chapter 13, SubChapter A 13.1395(b)(2)  
    30 TAC Chapter 290, SubChapter D 290.39(o)(1)  
    30 TAC Chapter 291, SubChapter L 291.162(a)  
    30 TAC Chapter 291, SubChapter L 291.162(j)  
    Description: Failed to adopt and submit to the Executive Director for approval by March 1, 2010, an emergency preparedness plan that demonstrates the Facility's ability to provide emergency operations.

### **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: 05/20/2014 (1217877) CN602986689  
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 fourth quarter of 2013 within the required timeline.
- 2 Date: 05/30/2014 (1152296) CN602986689  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)  
Description: Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service.  
At the time of the investigation, no letter from TCEQ Technical Review and Oversight Team was provided approving the well for use.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description: Failure to properly screen the well casing vent with 16-mesh or finer corrosion-resistant screening material.  
At the time of the investigation, no screen was provided on the well vent.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)  
Description: Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.  
At the time of the investigation, no Plant Operations Manual was provided.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)  
Description: Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.  
At the time of the investigation, no service agreements or plumbing ordinance were available for rev  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)  
Description: Failure to conduct an inspection of the pressure tank annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.  
At the time of the invest  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)  
Description: Failure to calibrate the well meter as required by 30 TAC § 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.  
At the time of the investigation, no well meter calibration records were provided.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)(B)  
Description: Failure to possess a chlorine test kit which uses the DPD method to determine the free chlorine residual at various locations to ensure the proper chlorine residual is being maintained throughout the distribution system. A record of these tests and the sample location must be kept in your files for future review for a minimum of 3 years.  
At the time of the investigation, no chlorine test kit using the DPD method was available for inspection or use.

- 3 Date: 07/02/2014 (1217877) CN602986689  
 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 first quarter of 2014 within the required timeline.
- 4 Date: 10/16/2014 (1217877) CN602986689  
 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 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 5 Date: 10/23/2014 (1217877) CN602986689  
 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 2Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2014 within the required timeline.
- 6 Date: 11/10/2014 (1217877) CN602986689  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)  
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
 Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.
- 7 Date: 12/03/2014 (1217877) CN602986689  
 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: JULY/2014 TCR Routine MR PN 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 failing to conduct routine coliform monitoring for the month of 07/2014.

**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



Description: 30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
DLQOR MR 4Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2013 within the required timeline.

5\* Date: 05/30/2014 (1152296) CN602986689  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A)  
Description: Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service.

At the time of the investigation, no letter from TCEQ Technical Review and Oversight Team was provided approving the well for use.

Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description: Failure to properly screen the well casing vent with 16-mesh or finer corrosion-resistant screening material.

At the time of the investigation, no screen was provided on the well vent.

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(I)  
Description: Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.

At the time of the investigation, no Plant Operations Manual was provided.

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)  
Description: Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.

At the time of the investigation, no service agreements or plumbing ordinance were available for rev

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)  
Description: Failure to conduct an inspection of the pressure tank annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

At the time of the invest

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)  
Description: Failure to calibrate the well meter as required by 30 TAC § 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.

At the time of the investigation, no well meter calibration records were provided.

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)(B)  
Description: Failure to possess a chlorine test kit which uses the DPD method to determine the



Item 1	September 02, 2010**	(858225) For Informational Purposes Only
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\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



<b>IN THE MATTER OF AN</b>	<b>§</b>	<b>BEFORE THE</b>
<b>ENFORCEMENT ACTION</b>	<b>§</b>	
<b>CONCERNING</b>	<b>§</b>	
<b>JAMES ADAMOLI, JR. DBA</b>	<b>§</b>	
<b>NORTHWOODS MOBILE HOME</b>	<b>§</b>	<b>TEXAS COMMISSION ON</b>
<b>PARK AND MARK ADAMOLI DBA</b>	<b>§</b>	
<b>NORTHWOODS MOBILE HOME</b>	<b>§</b>	
<b>PARK</b>	<b>§</b>	
<b>RN102673779</b>	<b>§</b>	<b>ENVIRONMENTAL QUALITY</b>

**AGREED ORDER**  
**DOCKET NO. 2015-0214-PWS-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park (the "Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents presented this agreement to the Commission.

The Respondents understand that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondents agree to waive all notice and procedural rights.

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

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

## I. FINDINGS OF FACT

1. The Respondents own and operate a public water supply located at 7119 Fairview Street near Houston, Harris County, Texas (the "Facility") that has approximately 23 service connections and serves at least 25 people per day for at least 60 days per year.
2. During a record review conducted from January 5, 2015 through January 16, 2015, TCEQ staff documented that the Respondents did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the January 1, 2002 through December 31, 2010 monitoring period.
3. During a record review conducted from January 5, 2015 through January 16, 2015, TCEQ staff documented that the Respondents did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the 2011, 2013 and 2014 monitoring periods.
4. During a record review conducted from January 5, 2015 through January 16, 2015, TCEQ staff documented that the Respondents did not 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 for the fourth quarter of 2013 through the second quarter of 2014.
5. During a record review conducted from January 5, 2015 through January 16, 2015, TCEQ staff documented that the Respondents did not mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and did not 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 2013.
6. During a record review conducted from January 5, 2015 through January 16, 2015, TCEQ staff documented that the Respondents did not timely provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect routine coliform monitoring samples for the month of July 2014.
7. The Respondents received notice of the violations on February 2, 2015.
8. The Executive Director recognizes that by January 12, 2015, the Respondents provided public notification and submitted a copy of the public notification to the Executive Director regarding the failure to collect routine coliform monitoring samples for the month of July 2014.

## II. CONCLUSIONS OF LAW

1. The Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondents failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(D) and (i)(1)<sup>1</sup>.
3. As evidenced by Findings of Fact No. 3, the Respondents failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1).
4. As evidenced by Findings of Fact No. 4, the 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).
5. As evidenced by Findings of Fact No. 5, the 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 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).
6. As evidenced by Findings of Fact No. 6, the Respondents failed to timely provide public notification and submit a copy of the public notification to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
7. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondents for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
8. An administrative penalty in the amount of Two Thousand Two Hundred Eighty-One Dollars (\$2,281) is justified by the facts recited in this Agreed Order, and considered in

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<sup>1</sup> Effective May 15, 2011, 30 TEX. ADMIN. CODE § 290.117 was amended and the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2)(B), (c)(2)(D) and (i)(1) were added (36 TEX. REG. 2860). Previously, the requirements in 30 TEX. ADMIN. CODE § 290.117(c)(2)(B), (c)(2)(D) and (i)(1) were required under 30 TEX. ADMIN. CODE § 290.117(a)(2)(A) and (m)(1)(B) (effective Jan. 9, 2008) and 40 C.F.R. § 141.86(c), (d)(ii), and (f)(2) (2007).

light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondents have paid One Hundred Eighty-One Dollars (\$181) of the administrative penalty. The remaining amount of Two Thousand One Hundred Dollars (\$2,100) of the administrative penalty shall be payable in 21 monthly payments of One Hundred Dollars (\$100) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondents fail to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondents to meet the payment schedule of this Agreed Order constitutes the failure by the Respondents to timely and satisfactorily comply with all the terms of this Agreed Order.

### **III. ORDERING PROVISIONS**

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

1. The Respondents are assessed an administrative penalty in the amount of Two Thousand Two Hundred Eighty-One Dollars (\$2,281) as set forth in Section II, Paragraph 8 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park, Docket No. 2015-0214-PWS-E" to:

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

2. The Respondents are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
3. The Respondents shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:

- i. Develop and implement procedures to ensure all necessary public notifications are provided in a timely manner to persons served by the Facility, in accordance with 30 TEX. ADMIN. CODE § 290.122;
  - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 or for the most current calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE § 290.274;
  - iii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory and the results reported to the Executive Director within ten days following the end of each monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117; and
  - iv. 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.
- b. Within 45 days after the effective date of this Agreed Order:
- i. Submit written certification as described in Ordering Provision No. 3.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.iv.; and
  - ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:

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

- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.f. below, and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.b.ii.;

- d. Within 90 days after the effective date of this Agreed Order:
- i. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one annual compliant monitoring period; and
  - ii. 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. 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 Agreed Order, submit written certification as described in Ordering Provision No. 3.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.d.ii.;
- f. Within 470 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.d.i. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondents if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or

otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

*Ramon Mauer*  
For the Executive Director

10/7/15  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park. I am authorized to agree to the attached Agreed Order on behalf of James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, James Adamoli, Jr. dba Northwoods Mobile Home Park and Mark Adamoli dba Northwoods Mobile Home Park waive certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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

*Ramon Mauer*  
Signature

7/16/15  
Date

JR Adamoli  
Name (Printed or typed)

Co-Owner  
Title

Authorized Representative of  
James Adamoli, Jr. dba Northwoods Mobile Home Park

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director

10/7/15  
Date

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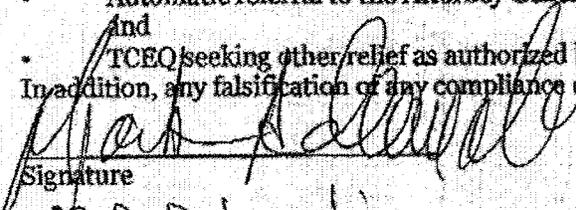
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- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;

And  
• TCEQ seeking other relief as authorized by law.

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

  
Signature

7/16/17  
Date

Mark Adamoli  
Name (Printed or typed)

Co-Owner  
Title

Authorized Representative of

Mark Adamoli dba Northwoods Mobile Home Park

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.