

**Executive Summary – Enforcement Matter – Case No. 50341**  
**Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All**  
**Star Daycare**  
**RN107140428**  
**Docket No. 2015-0533-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:**

Little All Star Daycare, 1568 South US Highway 87, Fredericksburg, Gillespie 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:** October 23, 2015

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$3,099

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

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

**Total Paid to General Revenue:** \$3,099

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

Payment Plan: N/A

**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:** N/A

**Applicable Penalty Policy:** April 2014

**Executive Summary – Enforcement Matter – Case No. 50341  
Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All  
Star Daycare  
RN107140428  
Docket No. 2015-0533-PWS-E**

***Investigation Information***

**Complaint Date(s):** N/A  
**Complaint Information:** N/A  
**Date(s) of Investigation:** February 16, 2015  
**Date(s) of NOE(s):** March 6, 2015

***Violation Information***

1. Failed to collect routine distribution water samples for coliform analysis and failed to post public notification and submit a copy of the public notification to the Executive Director (“ED”) regarding the failure to collect routine samples [30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(i) and 290.122(c)(2)(A) and (f) and TEX. HEALTH & SAFETY CODE § 341.033(d)].
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 ED [30 TEX. ADMIN. CODE § 290.117(c)(2)(A) and (i)(1)].
3. Failed to submit a Disinfectant Level Quarterly Operating Report to the ED each quarter by the tenth day of the month following the end of the quarter and failed to post public notification and submit a copy of the public notification to the ED regarding the failure to submit the DLQOR [30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondents inactivated the public water supply on December 16, 2014.

**Technical Requirements:**

N/A

***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

**Executive Summary – Enforcement Matter – Case No. 50341**  
**Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All**  
**Star Daycare**  
**RN107140428**  
**Docket No. 2015-0533-PWS-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Michaelle Garza, Enforcement Division,  
Enforcement Team 2, MC R-13, (210) 403-4076; Candy Garrett, Enforcement Division,  
MC 219, (512) 239-1456

**TCEQ SEP Coordinator:** N/A

**Respondent:** Mayolo Albiter, Owner, Little All Star Daycare, 614 Deerview Drive,  
Fredericksburg, Texas 78624

Telle A. Albiter, Owner, Little All Star Daycare, 614 Deerview Drive, Fredericksburg,  
Texas 78624

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned</b>	29-Mar-2015	<b>Screening</b>	7-Apr-2015	<b>EPA Due</b>	31-Mar-2015
	<b>PCW</b>	7-Apr-2015				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare
<b>Reg. Ent. Ref. No.</b>	RN107140428
<b>Facility/Site Region</b>	13-San Antonio
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	50341	<b>No. of Violations</b>	3
<b>Docket No.</b>	2015-0533-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>	Katie Hargrove
		<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>\$1,450</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	82.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$1,189</b>
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Notes: Enhancement for 16 NOVs with the same/similar violations and one NOV with a dissimilar violation.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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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>	<b>\$0</b>
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts	\$460	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$429	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$2,639</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	17.4%	<b>Adjustment</b>	<b>\$460</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement for avoided costs included for Violation Nos. 1 through 3.

<b>Final Penalty Amount</b>	<b>\$3,099</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$3,099</b>
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	<b>\$0</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	<b>\$3,099</b>
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**Screening Date** 7-Apr-2015

**Docket No.** 2015-0533-PWS-E

**PCW**

**Respondent** Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare

Policy Revision 4 (April 2014)

**Case ID No.** 50341

PCW Revision March 26, 2014

**Reg. Ent. Reference No.** RN107140428

**Media [Statute]** Public Water Supply

**Enf. Coordinator** Katie Hargrove

### 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> )	16	80%
	Other written NOVs	1	2%
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	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)** 82%

>> **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 16 NOVs with the same/similar violations and one NOV with a dissimilar violation.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 82%

>> **Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 82%

Screening Date 7-Apr-2015

Docket No. 2015-0533-PWS-E

PCW

Respondent Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare

Policy Revision 4 (April 2014)

Case ID No. 50341

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107140428

Media [Statute] Public Water Supply

Enf. Coordinator Katie Hargrove

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.109(c)(2)(A)(i) and 290.122(c)(2)(A) and (f) and Tex. Health & Safety Code § 341.033(d)

Violation Description Failed to collect routine distribution water samples for coliform analysis for the months of April through November 2014 and failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect routine samples for the months of April through September 2014.

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 conduct routine coliform monitoring and provide public notification could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 8 Number of violation days 214

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,200

Eight monthly 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 \$1,200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$248

Violation Final Penalty Total \$2,565

This violation Final Assessed Penalty (adjusted for limits) \$2,565

## Economic Benefit Worksheet

**Respondent** Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare  
**Case ID No.** 50341  
**Reg. Ent. Reference No.** RN107140428  
**Media** Public Water Supply  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$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]	\$200	1-Apr-2014	30-Nov-2014	1.58	\$16	\$200	\$216
Other (as needed)	\$30	31-Jul-2014	16-Dec-2014	1.30	\$2	\$30	\$32

Notes for AVOIDED costs

The one-time avoided cost includes the estimated amount (\$25 x eight samples) to conduct routine coliform sampling, calculated for the months sampling was not conducted. The other avoided cost includes the estimated amount to ensure that all delinquent public notifications (\$5 per notification x six notifications) are provided to persons served by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the earliest public notification to the date the system was inactivated.

Approx. Cost of Compliance

\$230

**TOTAL**

\$248

Screening Date 7-Apr-2015

Docket No. 2015-0533-PWS-E

PCW

Respondent Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Case ID No. 50341

Reg. Ent. Reference No. RN107140428

Media [Statute] Public Water Supply

Enf. Coordinator Katie Hargrove

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(A) 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 July 1, 2014 through December 31, 2014 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

183 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty \$150

One semi-annual event is recommended.

Good Faith Efforts to Comply

0.0%

Reduct. \$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 \$160

Violation Final Penalty Total \$321

This violation Final Assessed Penalty (adjusted for limits) \$321

## Economic Benefit Worksheet

**Respondent** Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare  
**Case ID No.** 50341  
**Reg. Ent. Reference No.** RN107140428  
**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				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]	\$150	1-Jul-2014	16-Dec-2014	1.38	\$10	\$150	\$160
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have all lead and copper samples analyzed (\$30 per sample x five missed samples x one monitoring period), calculated from the beginning of the monitoring period to the date the system was inactivated.

Approx. Cost of Compliance

\$150

**TOTAL**

\$160

Screening Date 7-Apr-2015

Docket No. 2015-0533-PWS-E

PCW

Respondent Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter  
Case ID No. dba Little All Star Daycare

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107140428

Media [Statute] Public Water Supply

Enf. Coordinator Katie Hargrove

Violation Number 3

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 and third quarters of 2014 and failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the DLQOR for the second quarter of 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 5.0%

Matrix Notes

100% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 2 Number of violation days 180

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$100

Two single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDRP/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 \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$52

Violation Final Penalty Total \$214

This violation Final Assessed Penalty (adjusted for limits) \$214

## Economic Benefit Worksheet

**Respondent** Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare  
**Case ID No.** 50341  
**Reg. Ent. Reference No.** RN107140428  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

### 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]	\$44	10-Jul-2014	10-Oct-2014	1.17	\$3	\$44	\$47
Other (as needed)	\$5	10-Oct-2014	16-Dec-2014	1.10	\$0	\$5	\$5

Notes for AVOIDED costs

The one-time avoided cost includes the estimated amount to prepare and submit DLQORs (\$22 per report x two missed reports), calculated for the time-frame the reports were due. The other avoided cost includes the estimated amount to ensure that all delinquent public notifications (\$5 per notification x one notification) are provided to persons served by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the public notification to the date the system was inactivated.

Approx. Cost of Compliance

\$49

**TOTAL**

\$52

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 CN604534115, RN107140428, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

**Customer, Respondent, or Owner/Operator:** CN604534115, Telle A. Albiter **Classification:** NOT APPLICABLE **Rating:** N/A  
**Regulated Entity:** RN107140428, LITTLE ALL STAR DAYCARE **Classification:** NOT APPLICABLE **Rating:** N/A  
**Complexity Points:** N/A **Repeat Violator:** N/A  
**CH Group:** 14 - Other  
**Location:** 1568 S US HIGHWAY 87 IN FREDERICKSBURG, GILLESPIE COUNTY, TEXAS  
**TCEQ Region:** REGION 13 - SAN ANTONIO  
**ID Number(s):**

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

**Date Compliance History Report Prepared:** May 14, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** April 06, 2010 to April 06, 2015

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

**Name:** Katie Hargrove

**Phone:** (512) 239-2569

## **Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 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:**

N/A

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

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

Item 1 February 17, 2015 (1217369)

### **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: 04/08/2014 (1158875) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.39(e)

30 TAC Chapter 290, SubChapter D 290.39(h)(1)

30 TAC Chapter 290, SubChapter D 290.46(n)(1)

Description: Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.

- 2 Date: 06/06/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 4/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 3 Date: 07/17/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 5/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 4 Date: 08/26/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 6/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: APR/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 4/2014.
- 5 Date: 09/22/2014 (1227966) CN604534115  
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: MAY/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 5/2014.
- 6 Date: 09/26/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 7/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 7 Date: 10/17/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 8/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: JUN/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 6/2014.

- 8 Date: 10/23/2014 (1227966) CN604534115  
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 2nd quarter of 2014 within the required  
timeline.
- 9 Date: 11/18/2014 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 9/2014 - Failure to collect and/or submit any routine  
monitoring sample(s) within the required timeline.
- 10 Date: 12/03/2014 (1227966) CN604534115  
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: JUL/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 7/2014.
- 11 Date: 01/07/2015 (1227966) CN604534115  
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: AUG/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 8/2014.
- 12 Date: 01/13/2015 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 10/2014 - Failure to collect and/or submit any routine  
monitoring sample(s) within the required timeline.
- 13 Date: 01/14/2015 (1227966) CN604534115  
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 3Q2014 - The system failed to monitor and/or report distribution  
disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required  
timeline.
- 14 Date: 01/28/2015 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
Description: LCR IN MR 2nd 6M2014 - The system failed to monitor and/or report distribution  
lead and copper levels to the TCEQ for the initial six-month monitoring period  
from 07/01/2014 to 12/31/2014 within the required timeline.
- 15 Date: 01/30/2015 (1227966) CN604534115

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: SEP/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 09/2014.

16 Date: 02/05/2015 (1227966) CN604534115  
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 2Q2014 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 2014.

17 Date: 02/06/2015 (1227966) CN604534115  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 11/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

**F. Environmental audits:**

N/A

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



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 5/2014.

- 7 Date: 09/26/2014 (1227966) CN604534115  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 7/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 8 Date: 10/17/2014 (1227966) CN604534115  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 8/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: JUN/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 6/2014.
- 9 Date: 10/23/2014 (1227966) CN604534115  
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 2nd quarter of 2014 within the required timeline.
- 10 Date: 11/18/2014 (1227966) CN604534115  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 9/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 11 Date: 12/03/2014 (1227966) CN604534115  
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: JUL/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 7/2014.
- 12 Date: 01/07/2015 (1227966) CN604534115  
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: AUG/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 8/2014.

13 Date: 01/13/2015 (1227966) CN604534115  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 10/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

14 Date: 01/14/2015 (1227966) CN604534115  
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 3Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required timeline.

15 Date: 01/28/2015 (1227966) CN604534115  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
Description: LCR IN MR 2nd 6M2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the initial six-month monitoring period from 07/01/2014 to 12/31/2014 within the required timeline.

16 Date: 01/30/2015 (1227966) CN604534115  
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: SEP/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 09/2014.

17 Date: 02/05/2015 (1227966) CN604534115  
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: DLQOR MR PN 2Q2014 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 2014.

18 Date: 02/06/2015 (1227966) CN604534115  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)

30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 11/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

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

**Appendix B**

**All Investigations Conducted During Component Period April 06, 2010 and April 06, 2015**

Item 1	April 19, 2014**	(1158875) For Informational Purposes Only
Item 2*	February 17, 2015	(1217369) For Informational Purposes Only
Item 3	March 06, 2015	(1227966) 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 CN604534099, RN107140428, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

**Customer, Respondent, or Owner/Operator:** CN604534099, Mayolo Albiter **Classification:** NOT APPLICABLE **Rating:** N/A  
**Regulated Entity:** RN107140428, LITTLE ALL STAR DAYCARE **Classification:** NOT APPLICABLE **Rating:** N/A  
**Complexity Points:** N/A **Repeat Violator:** N/A  
**CH Group:** 14 - Other  
**Location:** 1568 S US HIGHWAY 87 IN FREDERICKSBURG, GILLESPIE COUNTY, TEXAS  
**TCEQ Region:** REGION 13 - SAN ANTONIO  
**ID Number(s):**

**Compliance History Period:** September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014  
**Date Compliance History Report Prepared:** May 14, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** April 06, 2010 to April 06, 2015

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

**Name:** Katie Hargrove

**Phone:** (512) 239-2569

### **Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 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:**

N/A

#### **B. Criminal convictions:**

N/A

#### **C. Chronic excessive emissions events:**

N/A

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

Item 1 February 17, 2015 (1217369)

#### **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:	04/08/2014 (1158875)	CN604534099
	Self Report?	NO	Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.39(e) 30 TAC Chapter 290, SubChapter D 290.39(h)(1)	

- Description: 30 TAC Chapter 290, SubChapter D 290.46(n)(1)  
Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.
- 2 Date: 06/06/2014 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 4/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 3 Date: 07/17/2014 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 5/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 4 Date: 08/26/2014 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 6/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: APR/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 4/2014.
- 5 Date: 09/22/2014 (1227966) CN604534099  
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: MAY/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 5/2014.
- 6 Date: 09/26/2014 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 7/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 7 Date: 10/17/2014 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 8/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: JUN/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 6/2014.

- 8 Date: 10/23/2014 (1227966) CN604534099  
 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 2nd quarter of 2014 within the required  
 timeline.
- 9 Date: 11/18/2014 (1227966) CN604534099  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
 30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
 30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
 Description: TCR Routine MR Violation 9/2014 - Failure to collect and/or submit any routine  
 monitoring sample(s) within the required timeline.
- 10 Date: 12/03/2014 (1227966) CN604534099  
 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: JUL/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 7/2014.
- 11 Date: 01/07/2015 (1227966) CN604534099  
 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: AUG/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 8/2014.
- 12 Date: 01/13/2015 (1227966) CN604534099  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
 30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
 30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
 Description: TCR Routine MR Violation 10/2014 - Failure to collect and/or submit any routine  
 monitoring sample(s) within the required timeline.
- 13 Date: 01/14/2015 (1227966) CN604534099  
 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 3Q2014 - The system failed to monitor and/or report distribution  
 disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required  
 timeline.
- 14 Date: 01/28/2015 (1227966) CN604534099  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)(i)  
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
 Description: LCR IN MR 2nd 6M2014 - The system failed to monitor and/or report distribution  
 lead and copper levels to the TCEQ for the initial six-month monitoring period  
 from 07/01/2014 to 12/31/2014 within the required timeline.
- 15 Date: 01/30/2015 (1227966) CN604534099  
 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: SEP/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 09/2014.

16 Date: 02/05/2015 (1227966) CN604534099  
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 2Q2014 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 2014.

17 Date: 02/06/2015 (1227966) CN604534099  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 11/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

**F. Environmental audits:**

N/A

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



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 5/2014.

- 7 Date: 09/26/2014 (1227966) CN604534099  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 7/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 8 Date: 10/17/2014 (1227966) CN604534099  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 8/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.  
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: JUN/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 6/2014.
- 9 Date: 10/23/2014 (1227966) CN604534099  
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 2nd quarter of 2014 within the required timeline.
- 10 Date: 11/18/2014 (1227966) CN604534099  
Classification: Moderate  
Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 9/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.
- 11 Date: 12/03/2014 (1227966) CN604534099  
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: JUL/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 7/2014.
- 12 Date: 01/07/2015 (1227966) CN604534099  
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: AUG/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 8/2014.

13 Date: 01/13/2015 (1227966) CN604534099  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 10/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

14 Date: 01/14/2015 (1227966) CN604534099  
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 3Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required timeline.

15 Date: 01/28/2015 (1227966) CN604534099  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A)(i)  
30 TAC Chapter 290, SubChapter F 290.117(i)(1)  
Description: LCR IN MR 2nd 6M2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the initial six-month monitoring period from 07/01/2014 to 12/31/2014 within the required timeline.

16 Date: 01/30/2015 (1227966) CN604534099  
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: SEP/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 09/2014.

17 Date: 02/05/2015 (1227966) CN604534099  
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: DLQOR MR PN 2Q2014 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 2014.

18 Date: 02/06/2015 (1227966) CN604534099  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(i)

30 TAC Chapter 290, SubChapter F 290.109(f)(5)  
30 TAC Chapter 290, SubChapter F 290.109(f)(7)  
Description: TCR Routine MR Violation 11/2014 - Failure to collect and/or submit any routine monitoring sample(s) within the required timeline.

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

**Appendix B**

**All Investigations Conducted During Component Period April 06, 2010 and April 06, 2015**

Item 1	April 19, 2014**	(1158875) For Informational Purposes Only
Item 2*	February 17, 2015	(1217369) For Informational Purposes Only
Item 3	March 06, 2015	(1227966) 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.

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>TELLE A. ALBITER DBA LITTLE ALL</b>	<b>§</b>	<b>TEXAS COMMISSION ON</b>
<b>STAR DAYCARE AND MAYOLO</b>	<b>§</b>	
<b>ALBITER DBA LITTLE ALL STAR</b>	<b>§</b>	
<b>DAYCARE</b>	<b>§</b>	
<b>RN107140428</b>	<b>§</b>	<b>ENVIRONMENTAL QUALITY</b>

**AGREED ORDER**  
**DOCKET NO. 2015-0533-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 Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare (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 owned and operated a public water supply located at 1568 South United States Highway 87 in Fredericksburg, Gillespie County, Texas (the "Facility") that has approximately six service connections and serves at least 25 people per day for at least 60 days per year.
2. During a record review conducted from December 1, 2014 through March 6, 2015, TCEQ staff documented that the Respondents did not collect routine distribution water samples for coliform analysis for the months of April through November 2014 and did not post public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect routine samples for the months of April through September 2014.
3. During a record review conducted from December 1, 2014 through March 6, 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 July 1, 2014 through December 31, 2014 monitoring period.
4. During a record review conducted from December 1, 2014 through March 6, 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 the quarter for the second and third quarters of 2014 and failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the DLQOR for the second quarter of 2014.
5. The Respondents received notice of the violations on March 11, 2015.
6. The Executive Director recognizes that the Respondents inactivated the public water supply on December 16, 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 routine distribution water samples for coliform analysis and failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect routine samples, in violation of 30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(i) and 290.122(c)(2)(A) and (f) and TEX. HEALTH & SAFETY CODE § 341.033(d).

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)(A) 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 the quarter and failed to post public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the DLQOR, in violation of 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f).
5. 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.
6. An administrative penalty in the amount of Three Thousand Ninety-Nine Dollars (\$3,099) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondents have paid the Three Thousand Ninety-Nine Dollar (\$3,099) administrative penalty.

### **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 Three Thousand Ninety-Nine Dollars (\$3,099) as set forth in Section II, Paragraph 6 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: Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare, Docket No. 2015-0533-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 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.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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

Romm Moulis  
For the Executive Director

1/8/16  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare. I am authorized to agree to the attached Agreed Order on behalf of Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare, 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, Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare waives 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.

Joelle A. Albiter

Signature

8-18-15

Date

Telle A. Albiter

Name (Printed or typed)

Authorized Representative of

Telle A. Albiter dba Little All Star Daycare

8-18-15 Owner

Title

**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

Pamela Murray  
For the Executive Director

1/8/16  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare. I am authorized to agree to the attached Agreed Order on behalf of Telle A. Albiter dba Little All Star Daycare and Mayolo Albiter dba Little All Star Daycare, 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.

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- 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.

Mayolo Albiter  
Signature

8-18-15  
Date

Mayolo Albiter  
Name (Printed or typed)  
Authorized Representative of  
Mayolo Albiter dba Little All Star Daycare

Owner  
Title

**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.