

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel
Greg Merrell, Assistant General Counsel

Thru: JSR Jess Robinson, Senior Attorney
Litigation Division

From: WH William Hogan, Staff Attorney
Litigation Division

Date: October 15, 2025

Subject: **Backup Revision**
October 22, 2025 Commission Agenda
Item No. 26
Docket No. 2022-1676-PWS-E

Enclosed please find the following:

Compliance History Reports:

Updated to include respective Component Appendices, showing a more complete history of final enforcement actions to address violations at the subject site.

Respondent Contacts:

Mike Jakopic, Respondent
1526 Forest Hopson Road
Zavalla, Texas, 75980

Sherri Jakopic, Respondent
1526 Forest Hopson Road
Zavalla, Texas, 75980

Please do not hesitate to call me at (512) 239-3400 if you have any questions regarding this matter.

cc: Ronald Hebert, Beaumont Regional Office
Gill Valls, Office of the General Counsel
Michael Parrish, Enforcement Division
Leslie Gann, Enforcement Division
Stuart Beckley, Enforcement Division



Compliance History Report

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605923408, Mike Jakopic	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN103778247, TRI-LAKES OUTDOORS	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	301 RAYBURN LANE NEAR ZAVALLA, ANGELINA COUNTY, TEXAS				
TCEQ Region:	REGION 10 - BEAUMONT				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	0030104				

Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	February 14, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 14, 2019 to February 14, 2024				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Salas		Phone:	(512) 239-1543	

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? YES
- 3) Who is the current owner/operator? TRI-LAKES OUTDOORS LLC OWNER since 5/12/2023
- 4) Who was/were the prior owner(s)/operator(s)?
JAKOPIC, SHERRI, OWNER, 5/24/2021 to 5/11/2023
JAKOPIC, MIKE, OWNER, 5/24/2021 to 5/11/2023
COMMIATO, JOSH, OWNER, 5/3/2019 to 5/23/2021
DUNCAN, CHRISTOPHER W, OWNER, 9/19/2002 to 5/2/2019
DUNCAN, CHRISTINA, OWNER, 9/19/2002 to 5/2/2019

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

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

- 1 Effective Date: 08/13/2019 ADMINORDER 2018-0269-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Description: Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days. Specifically, there were several instances when the disinfectant residual was not monitored at least once every seven days.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
Description: Failure by Lakeside Water Company to provide the executive director with a written list on an annual basis of all the operators and operating companies that the public water system employs.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(4)
30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failed to meet the conditions for an issued exception. Specifically, the Respondent was granted an exception for sanitary control easement and pressure cementing method and did not follow the conditions by failing

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

to collect one raw water bacteriological sample per month.

Classification: Minor

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

Description: Failed to provide a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not include protocols to be utilized in the event of a natural or manmade catastrophe.

Classification: Minor

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

Description: Failed to conduct the annual inspection of the Facility's old 545-gallon pressure tank.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

5A THSC Chapter 341, SubChapter A 341.0351

Description: Failed to obtain approval of plans and specifications from the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, the Respondent did not obtain approval from the Executive Director prior to the addition of a second 545-gallon pressure tank.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure by Lakeside Water Company to have a complete distribution map.

Classification: Minor

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

Description: Failure by Lakeside Water Company to provide the required language to issue and rescind a Boil Water Notice.

Classification: Minor

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

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

Description: Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, records of the amount of water distributed each week and the dates dead-end mains were flushed were not available.

Classification: Minor

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

Description: Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code. Specifically, wires were not in conduit outside the building that houses the sodium hypochlorite and on the new 545-gallon pressure tank.

Classification: Minor

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

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment. Specifically, the three strands of barbed wire on the fence surrounding the well and pressure tanks were loose and tangled together, and a wooden board was laid across the barbed wires.

Classification: Moderate

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

Description: Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented with a well casing vent that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, the hole where the chlorine injection line used to connect to the wellhead was not properly sealed, and an adequate downward facing casing vent was not provided.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(B)

Description: Failed to provide a day tank for the sodium hypochlorite to minimize the possibility of severely overfeeding liquid chemicals from bulk storage facilities.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)

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

Description: Failed to provide a well capacity of 1.5 gallons per minute ("gpm") per connection. Specifically, the Facility has 18 connections which requires a minimum well capacity of 27 gpm. However, only 25 gpm were provided, indicating a 7.5% deficiency.

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.110(b)(4)
 5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, on December 27, 2017, residuals taken at 462 E. O. Woods Road measured 0.08 mg/L and 0.07 mg/L free chlorine.

Classification: Minor

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

Description: Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account No. 90030104 for Fiscal Years 2005 and 2011 through 2018.

- 2 Effective Date: 07/25/2022 ADMINORDER 2021-0129-PWS-E (1660 Order-Agreed Order With Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(6)
 30 TAC Chapter 290, SubChapter F 290.111(h)
- Description: SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)
- Description: SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)
- Description: SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).

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: 02/09/2024 (1956404)
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)
- Description: Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)
- Description: Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)
- Description: Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I)
 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B) 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 288, SubChapter B 288.20(a)		
Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)		
Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.		

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

Component Appendices**Appendix A****All NOV's Issued During Component Period 2/14/2019 and 2/14/2024**

1	Date:	12/14/2020	(1698342)		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1) 30 TAC Chapter 290, SubChapter F 290.111(a)(2)			
	Description:	SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1) 30 TAC Chapter 290, SubChapter F 290.111(a)(2)			
	Description:	SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).			
2	Date:	12/18/2020	(1698342)		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(e)(2) 30 TAC Chapter 290, SubChapter F 290.110(e)(6) 30 TAC Chapter 290, SubChapter F 290.111(h)			
	Description:	SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).			
3	Date:	05/28/2021	(1712099)		
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)			
	Description:	Failure by Lakeside Water to have an adequate Plant Operations and Maintenance Manual.			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(q)(1)			
	Description:	Failure by Lakeside Water to issue a Boil Water Notice to the customers using the prescribed notification format as specified in 30 TAC 290.47(c).			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I)			
	Description:	Failure by Lakeside Water to maintain records of the amount of chemicals used daily.			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.121(b)			
	Description:	Failure by Lakeside Water to have a complete monitoring plan.			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.44(h)			
	Description:	Failure by Lakeside Water to provide an adequate backflow prevention assembly where one is required.			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)			
	Description:	Failure by Lakeside Water to provide a total well production capacity of 1.5			

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

gallons per minute (gpm) per connection.

	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)		
	Description:	Failure by Lakeside Water to record the volume of water treated and distributed used daily.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
	Description:	Failure by Lakeside Water to collect daily chlorine residuals.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B)		
	Description:	Failure by Lakeside Water to monitor and record the disinfectant residual of the water at entry point at least once per day.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(e)(5)(F)		
	Description:	Failure by Lakeside Water to have at least one Class "C" or higher operator on duty at the plant when it is in operation or the plant must be provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms.		
4	Date:	11/16/2021 (1762517)		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description:	Failure by Mike and Sherri Jakopic - Rayburn Water to monitor and record the disinfectant residual of the water at each entry point.		
5*	Date:	09/07/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	30 TAC Chapter 290, SubChapter F 290.122(f) DBP2 TTHM OEL Reporting PN 2Q2021 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 trihalomethanes operational evaluation level reporting violation at 390 E D Woods RD, Zavalla (DBP2-01). ETT Point Value = 1		
6*	Date:	10/04/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	Description:	SWTR Non-acute TT Violation 08/2022 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at Plant (TP20038). ETT Point Value = 5; Violation Determination Date = 08/31/2022		
7*	Date:	11/16/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	Description:	SWTR Non-acute TT Violation 09/2022 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at Plant (TP20038). ETT Point Value = 5; Violation Determination Date = 09/30/2022		

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

8*	Date: 11/18/2022 (1861407)		
	Self Report? NO	Classification: Moderate	
	Citation:		
		30 TAC Chapter 290, SubChapter F 290.111(d)	
		30 TAC Chapter 290, SubChapter F 290.111(e)(3)	
		30 TAC Chapter 290, SubChapter F 290.111(h)(2)(B)	
		30 TAC Chapter 290, SubChapter F 290.111(h)(9)	
	Description:	SWTR SWMOR Major MR Violation 09/2022 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for PLANT (TP20038). ETT Point Value = 5	
9	Date: 02/09/2024 (1956404)		
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(f)(2)	
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.42(I)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(i)	
	Description:	Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I)	
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)	
	Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B)	
		30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)	
	Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 288, SubChapter B 288.20(a)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(v)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)	
	Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.	

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

All Investigations Conducted During Component Period February 14, 2019 and February 14, 2024

Item 1	January 06, 2021**	(1698342)
Item 2	January 08, 2021**	(1698558)
Item 3	October 14, 2022**	(1846455)
Item 4	December 01, 2022**	(1861407)
Item 5	December 02, 2022**	(1861537)
Item 6	February 07, 2024	(1956404)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

For
Informational
Purposes
Only



Compliance History Report

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605923382, Sherri Jakopic	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN103778247, TRI-LAKES OUTDOORS	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	301 RAYBURN LANE NEAR ZAVALLA, ANGELINA COUNTY, TEXAS				
TCEQ Region:	REGION 10 - BEAUMONT				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	0030104				
Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	February 14, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 14, 2019 to February 14, 2024				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Salas		Phone:	(512) 239-1543	

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? YES
- 3) Who is the current owner/operator? TRI-LAKES OUTDOORS LLC OWNER since 5/12/2023
- 4) Who was/were the prior owner(s)/operator(s)?
JAKOPIC, SHERRI, OWNER, 5/24/2021 to 5/11/2023
JAKOPIC, MIKE, OWNER, 5/24/2021 to 5/11/2023
COMMIATO, JOSH, OWNER, 5/3/2019 to 5/23/2021
DUNCAN, CHRISTOPHER W, OWNER, 9/19/2002 to 5/2/2019
DUNCAN, CHRISTINA, OWNER, 9/19/2002 to 5/2/2019

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

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

- 1 Effective Date: 08/13/2019 ADMINORDER 2018-0269-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Description: Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days. Specifically, there were several instances when the disinfectant residual was not monitored at least once every seven days.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
Description: Failure by Lakeside Water Company to provide the executive director with a written list on an annual basis of all the operators and operating companies that the public water system employs.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(4)
30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failed to meet the conditions for an issued exception. Specifically, the Respondent was granted an exception for sanitary control easement and pressure cementing method and did not follow the conditions by failing

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

to collect one raw water bacteriological sample per month.

Classification: Minor

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

Description: Failed to provide a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not include protocols to be utilized in the event of a natural or manmade catastrophe.

Classification: Minor

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

Description: Failed to conduct the annual inspection of the Facility's old 545-gallon pressure tank.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

5A THSC Chapter 341, SubChapter A 341.0351

Description: Failed to obtain approval of plans and specifications from the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, the Respondent did not obtain approval from the Executive Director prior to the addition of a second 545-gallon pressure tank.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure by Lakeside Water Company to have a complete distribution map.

Classification: Minor

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

Description: Failure by Lakeside Water Company to provide the required language to issue and rescind a Boil Water Notice.

Classification: Minor

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

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

Description: Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, records of the amount of water distributed each week and the dates dead-end mains were flushed were not available.

Classification: Minor

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

Description: Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code. Specifically, wires were not in conduit outside the building that houses the sodium hypochlorite and on the new 545-gallon pressure tank.

Classification: Minor

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

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment. Specifically, the three strands of barbed wire on the fence surrounding the well and pressure tanks were loose and tangled together, and a wooden board was laid across the barbed wires.

Classification: Moderate

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

Description: Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented with a well casing vent that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, the hole where the chlorine injection line used to connect to the wellhead was not properly sealed, and an adequate downward facing casing vent was not provided.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(B)

Description: Failed to provide a day tank for the sodium hypochlorite to minimize the possibility of severely overfeeding liquid chemicals from bulk storage facilities.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)

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

Description: Failed to provide a well capacity of 1.5 gallons per minute ("gpm") per connection. Specifically, the Facility has 18 connections which requires a minimum well capacity of 27 gpm. However, only 25 gpm were provided, indicating a 7.5% deficiency.

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(4)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, on December 27, 2017, residuals taken at 462 E. O. Woods Road measured 0.08 mg/L and 0.07 mg/L free chlorine.

Classification: Minor

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

Description: Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account No. 90030104 for Fiscal Years 2005 and 2011 through 2018.

2 Effective Date: 07/25/2022 ADMINORDER 2021-0129-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(6)
30 TAC Chapter 290, SubChapter F 290.111(h)

Description: SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).

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:	02/09/2024	(1956404)	
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(2) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)		
	Description:	Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)		

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B) 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 288, SubChapter B 288.20(a)		
Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)		
Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.		

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

Component Appendices**Appendix A****All NOV's Issued During Component Period 2/14/2019 and 2/14/2024**

1	Date: 12/14/2020 (1698342)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	30 TAC Chapter 290, SubChapter F 290.111(a)(2)		
	Description: SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	30 TAC Chapter 290, SubChapter F 290.111(a)(2)		
	Description: SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).		
2	Date: 12/18/2020 (1698342)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.110(e)(2)		
	30 TAC Chapter 290, SubChapter F 290.110(e)(6)		
	30 TAC Chapter 290, SubChapter F 290.111(h)		
	Description: SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).		
3	Date: 05/28/2021 (1712099)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.42(l)		
	Description: Failure by Lakeside Water to have an adequate Plant Operations and Maintenance Manual.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(q)(1)		
	Description: Failure by Lakeside Water to issue a Boil Water Notice to the customers using the prescribed notification format as specified in 30 TAC 290.47(c).		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I)		
	Description: Failure by Lakeside Water to maintain records of the amount of chemicals used daily.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter F 290.121(b)		
	Description: Failure by Lakeside Water to have a complete monitoring plan.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.44(h)		
	Description: Failure by Lakeside Water to provide an adequate backflow prevention assembly where one is required.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)		
	Description: Failure by Lakeside Water to provide a total well production capacity of 1.5		

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

gallons per minute (gpm) per connection.

	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)		
	Description:	Failure by Lakeside Water to record the volume of water treated and distributed used daily.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
	Description:	Failure by Lakeside Water to collect daily chlorine residuals.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B)		
	Description:	Failure by Lakeside Water to monitor and record the disinfectant residual of the water at entry point at least once per day.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(e)(5)(F)		
	Description:	Failure by Lakeside Water to have at least one Class "C" or higher operator on duty at the plant when it is in operation or the plant must be provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms.		
4	Date:	11/16/2021 (1762517)		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)		
	Description:	Failure by Mike and Sherri Jakopic - Rayburn Water to monitor and record the disinfectant residual of the water at each entry point.		
5*	Date:	09/07/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)		
	Description:	30 TAC Chapter 290, SubChapter F 290.122(f) DBP2 TTHM OEL Reporting PN 2Q2021 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 trihalomethanes operational evaluation level reporting violation at 390 E D Woods RD, Zavalla (DBP2-01). ETT Point Value = 1		
6*	Date:	10/04/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	Description:	SWTR Non-acute TT Violation 08/2022 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at Plant (TP20038). ETT Point Value = 5; Violation Determination Date = 08/31/2022		
7*	Date:	11/16/2022 (1861407)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(c)(1)		
	Description:	SWTR Non-acute TT Violation 09/2022 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at Plant (TP20038). ETT Point Value = 5; Violation Determination Date = 09/30/2022		

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

8*	Date: 11/18/2022 (1861407)		
	Self Report? NO	Classification: Moderate	
	Citation:		
		30 TAC Chapter 290, SubChapter F 290.111(d)	
		30 TAC Chapter 290, SubChapter F 290.111(e)(3)	
		30 TAC Chapter 290, SubChapter F 290.111(h)(2)(B)	
		30 TAC Chapter 290, SubChapter F 290.111(h)(9)	
	Description:	SWTR SWMOR Major MR Violation 09/2022 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for PLANT (TP20038). ETT Point Value = 5	
9	Date: 02/09/2024 (1956404)		
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(f)(2)	
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.42(I)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(i)	
	Description:	Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I)	
		30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)	
	Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B)	
		30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)	
	Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 288, SubChapter B 288.20(a)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.46(v)	
	Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.	
	Self Report? NO	Classification: Minor	
	Citation:		
		30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)	
	Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.	

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

All Investigations Conducted During Component Period February 14, 2019 and February 14, 2024

Item 1	January 06, 2021**	(1698342)
Item 2	January 08, 2021**	(1698558)
Item 3	October 14, 2022**	(1846455)
Item 4	December 01, 2022**	(1861407)
Item 5	December 02, 2022**	(1861537)
Item 6	February 07, 2024	(1956404)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

For
Informational
Purposes
Only

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 63419
Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water
RN103778247
Docket No. 2022-1676-PWS-E

Page 1 of 2

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions over the prior five year period for the same violations.

Media:

PWS

Small Business:

Yes

Location Where Violations Occurred:

301 Rayburn Lane, near Zavalla, Angelina County

Type of Operation:

public water supply

Other Significant Matters:

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

Texas Register Publication Date:

September 5, 2025

Comments Received:

None

Penalty Information

Total Penalty Assessed: \$26,237

Total Paid to General Revenue: \$757

Total Due to General Revenue: \$25,480

Payment Plan: 35 payments of \$728

Compliance History Classifications:

Person/CN - N/A (CN605923408; CN605923382)

Site/RN - N/A

Major Source:

No

Statutory Limit Adjustment:

None

Applicable Penalty Policy:

January 28, 2021

Investigation Information

Complaint Date:

N/A

Dates of Investigation:

November 14, 2022 through December 2, 2022

Date of NOV:

N/A

Date of NOE:

December 2, 2022

Violation Information

1. Failed to provide a minimum treatment consisting of coagulation with direct filtration and adequate disinfection for groundwater under the influence of surface water (“GUI”) and failed to submit Surface Water Monthly Operating Reports for systems that use a GUI [30 TEX. ADMIN. CODE §§ 290.42(c)(1), 290.110(e)(2) and (e)(6), and 290.111(a)(2) and (h)].
2. Failed to provide public notification, accompanied with a Signed Certificate of Delivery, to the Executive Director regarding the failure to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes for Stage 2 Disinfection Byproducts at Site 1 during the second quarter of 2021 [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action Completed:

Respondents no longer own the Facility as of May 12, 2023.

Technical Requirements:

None

Litigation Information

Date Petition Filed: July 30, 2024
Date of Service: August 7, 2024
Date Answer Filed: August 26, 2024
SOAH Referral Date: March 21, 2025
Hearing Dates:
Preliminary hearing: May 8, 2025
Settlement Date: August 12, 2025

Contact Information

TCEQ Attorneys: William Hogan, Litigation Division, (512) 239-3400
Jessica Anderson, Public Interest Counsel, (512) 239-6363
TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575
TCEQ Enforcement Coordinator: Samantha Salas, Enforcement Division, (512) 239-1543
TCEQ Regional Contact: Ronald Hebert, Beaumont Regional Office, (409) 898-3838
Respondent Contact: Mike and Sherri Jakopic, 1526 Forest Hopson Road Zavalla, Texas 75980
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	5-Dec-2022	PCW	13-Dec-2022	Screening	12-Dec-2022	EPA Due	31-Dec-2021
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RESPONDENT/FACILITY INFORMATION

Respondent	Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water		
Reg. Ent. Ref. No.	RN103778247		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	63419	No. of Violations	2
Docket No.	2022-1676-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Samantha Salas
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$14,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	42.0%	Adjustment	Subtotals 2, 3, & 7	\$6,195
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Notes	Enhancement for one NOV with dissimilar violations and two agreed orders containing a denial of liability.			
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondents do not meet the culpability criteria.			
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$25	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$25	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$20,945
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OTHER FACTORS AS JUSTICE MAY REQUIRE	25.3%	Adjustment	\$5,292
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance for Violation Nos. 1 and 2. Recommended reduction to offset the portion of the Compliance History adjustment caused by the NOV that occurred after the change in ownership.		
	Final Penalty Amount	\$26,237	

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$26,237
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.		
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PAYABLE PENALTY	\$26,237
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Screening Date	12-Dec-2022	Docket No.	2022-1676-PWS-E	PCW
Respondent	Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn			Policy Revision 5 (January 28, 2021)
Case ID No.	63419			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN103778247			
Media	Public Water Supply			
Enf. Coordinator	Samantha Salas			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	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>)	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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%
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) 42%

>> 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 one NOV with dissimilar violations and two agreed orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 42%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 42%

Screening Date	12-Dec-2022	Docket No.	2022-1676-PWS-E	PCW
Respondent	Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water			
Case ID No.	63419	<i>Policy Revision 5 (January 28, 2021)</i>		
Reg. Ent. Reference No.	RN103778247	<i>PCW Revision February 11, 2021</i>		
Media	Public Water Supply			
Enf. Coordinator	Samantha Salas			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 290.42(c)(1), 290.110(e)(2) and (e)(6), and 290.111(a)(2) and (h)			
Violation Description	Failed to provide a minimum treatment consisting of coagulation with direct filtration and adequate disinfection for groundwater under the influence of surface water ("GUI"), and failed to submit Surface Water Monthly Operating Reports ("SWMORs") for systems that use a GUI. Specifically the Facility did not install treatment equipment and provide treatment at the Facility's treatment plant (TP20038) as required by the letter from the Executive Director dated March 25, 2019, and did not submit a SWMOR for the month of September 2022.			
Base Penalty				\$5,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 15.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to provide minimum treatment could result in persons served by the Facility being exposed to contaminants which would exceed levels protective of human health.
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Adjustment \$4,250

\$750

Violation Events

Number of Violation Events	19		567	Number of violation days
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	daily			Violation Base Penalty \$14,250
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			

Nineteen monthly events are recommended, calculated from the May 24, 2021 ownership start date to the December 12, 2022 screening date.

Good Faith Efforts to Comply

	0.0%		Reduction	\$0
	<small>Before NOE/NOV</small>	<small>NOE/NOV to EDPRP/Settlement Offer</small>		
Extraordinary				
Ordinary				
N/A	x			

Notes	The Respondents do not meet the good faith criteria for this violation.
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Violation Subtotal \$14,250

Economic Benefit (EB) for this violation

Estimated EB Amount	\$5,562	Statutory Limit Test	
		Violation Final Penalty Total	\$25,348
This violation Final Assessed Penalty (adjusted for limits)			\$25,348

Economic Benefit Worksheet

Respondent Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water
Case ID No. 63419
Reg. Ent. Reference No. RN103778247
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	Costs Saved	EB Amount
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Delayed Costs

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

Notes for DELAYED costs

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$5,000	24-May-2021	12-Dec-2022	1.55	\$394	\$5,000	\$5,394
ONE-TIME avoided costs	\$22	10-Oct-2022	12-Dec-2022	0.17	\$0	\$22	\$22
Other (as needed)	\$145	14-Nov-2022	12-Dec-2022	0.08	\$1	\$145	\$146

Notes for AVOIDED costs

The equipment avoided cost includes the estimated amount to install minimum treatment equipment consisting of coagulation with direct filtration and adequate disinfection at the Facility's treatment plant (TP200038), calculated from the date when the treatment equipment was required to be installed to the screening date.

The one-time avoided cost includes the estimated amount to submit SWMORs (\$22 per report x one report), calculated from the due date of the report for September 2022 to the screening date.

The other (as needed) avoided costs include the estimated amount 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 SWMORs, calculated from the date of the record review to the screening date.

Approx. Cost of Compliance \$5,167

TOTAL \$5,562

Screening Date 12-Dec-2022 Respondent Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water Case ID No. 63419 Reg. Ent. Reference No. RN103778247 Media Public Water Supply Enf. Coordinator Samantha Salas	Docket No. 2022-1676-PWS-E Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021	PCW
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Violation Number	2		
Rule Cite(s)	30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)		
Violation Description	Failed to provide public notification, accompanied with a Signed Certificate of Delivery, to the Executive Director regarding the failure to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level ("OEL") for total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 during the second quarter of 2021.		

Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

OR		Harm			
	Falsification	Major	Moderate	Minor	
		x			Percent 10.0%

Matrix Notes	100% of the rule requirements were not met.
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Adjustment	\$4,500
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	\$500
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Violation Events

Number of Violation Events	1	103	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		

Violation Base Penalty	\$500
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One single event is recommended.	
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Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes	The Respondents do not meet the good faith criteria for this violation.
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Violation Subtotal	\$500
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$25	Statutory Limit Test
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Violation Final Penalty Total	\$889
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This violation Final Assessed Penalty (adjusted for limits)	\$889
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Economic Benefit Worksheet

Respondent Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water
Case ID No. 63419
Reg. Ent. Reference No. RN103778247
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	Costs Saved	EB Amount
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Delayed Costs

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

Notes for DELAYED costs

Avoided Costs

ANNUALIZE 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$25	31-Aug-2022	12-Dec-2022	0.28	\$0	\$25	\$25
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to ensure that the delinquent public notification (\$25 per notification x one notification) is provided to persons served by the Facility and a copy of each public notification, accompanied with a signed Certificate of Delivery, is submitted to the Executive Director, calculated from the due date of the public notification to the screening date.

Approx. Cost of Compliance

\$25

TOTAL

\$25



Compliance History Report

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605923408, Mike Jakopic	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN103778247, TRI-LAKES OUTDOORS	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	301 RAYBURN LANE NEAR ZAVALLA, ANGELINA COUNTY, TEXAS				
TCEQ Region:	REGION 10 - BEAUMONT				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION 0030104				

Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	February 14, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 14, 2019 to February 14, 2024				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Salas	Phone:	(512) 239-1543		

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? YES
- 3) Who is the current owner/operator? TRI-LAKES OUTDOORS LLC OWNER since 5/12/2023
- 4) Who was/were the prior owner(s)/operator(s)?
JAKOPIC, SHERRI, OWNER, 5/24/2021 to 5/11/2023
JAKOPIC, MIKE, OWNER, 5/24/2021 to 5/11/2023
COMMIATO, JOSH, OWNER, 5/3/2019 to 5/23/2021
DUNCAN, CHRISTOPHER W, OWNER, 9/19/2002 to 5/2/2019
DUNCAN, CHRISTINA, OWNER, 9/19/2002 to 5/2/2019

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

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

- 1 Effective Date: 08/13/2019 ADMINORDER 2018-0269-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Description: Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days. Specifically, there were several instances when the disinfectant residual was not monitored at least once every seven days.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
Description: Failure by Lakeside Water Company to provide the executive director with a written list on an annual basis of all the operators and operating companies that the public water system employs.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(4)
30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failed to meet the conditions for an issued exception. Specifically, the Respondent was granted an exception for sanitary control easement and pressure cementing method and did not follow the conditions by failing

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

to collect one raw water bacteriological sample per month.

Classification: Minor

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

Description: Failed to provide a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not include protocols to be utilized in the event of a natural or manmade catastrophe.

Classification: Minor

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

Description: Failed to conduct the annual inspection of the Facility's old 545-gallon pressure tank.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

5A THSC Chapter 341, SubChapter A 341.0351

Description: Failed to obtain approval of plans and specifications from the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, the Respondent did not obtain approval from the Executive Director prior to the addition of a second 545-gallon pressure tank.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure by Lakeside Water Company to have a complete distribution map.

Classification: Minor

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

Description: Failure by Lakeside Water Company to provide the required language to issue and rescind a Boil Water Notice.

Classification: Minor

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

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

Description: Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, records of the amount of water distributed each week and the dates dead-end mains were flushed were not available.

Classification: Minor

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

Description: Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code. Specifically, wires were not in conduit outside the building that houses the sodium hypochlorite and on the new 545-gallon pressure tank.

Classification: Minor

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

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment. Specifically, the three strands of barbed wire on the fence surrounding the well and pressure tanks were loose and tangled together, and a wooden board was laid across the barbed wires.

Classification: Moderate

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

Description: Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented with a well casing vent that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, the hole where the chlorine injection line used to connect to the wellhead was not properly sealed, and an adequate downward facing casing vent was not provided.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(B)

Description: Failed to provide a day tank for the sodium hypochlorite to minimize the possibility of severely overfeeding liquid chemicals from bulk storage facilities.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)

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

Description: Failed to provide a well capacity of 1.5 gallons per minute ("gpm") per connection. Specifically, the Facility has 18 connections which requires a minimum well capacity of 27 gpm. However, only 25 gpm were provided, indicating a 7.5% deficiency.

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.110(b)(4)
 5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, on December 27, 2017, residuals taken at 462 E. O. Woods Road measured 0.08 mg/L and 0.07 mg/L free chlorine.

Classification: Minor

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

Description: Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account No. 90030104 for Fiscal Years 2005 and 2011 through 2018.

2 Effective Date: 07/25/2022 ADMINORDER 2021-0129-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(6)
 30 TAC Chapter 290, SubChapter F 290.111(h)

Description: SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).

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:	02/09/2024	(1956404)	
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(2) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)		
	Description:	Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)		

Compliance History Report for CN605923408, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B) 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 288, SubChapter B 288.20(a)		
Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)		
Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.		

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



Compliance History Report

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605923382, Sherri Jakopic	Classification:	NOT APPLICABLE	Rating:	N/A
Regulated Entity:	RN103778247, TRI-LAKES OUTDOORS	Classification:	NOT APPLICABLE	Rating:	N/A
Complexity Points:	N/A	Repeat Violator:	N/A		
CH Group:	14 - Other				
Location:	301 RAYBURN LANE NEAR ZAVALLA, ANGELINA COUNTY, TEXAS				
TCEQ Region:	REGION 10 - BEAUMONT				
ID Number(s):					
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION 0030104				

Compliance History Period:	September 01, 2018 to August 31, 2023	Rating Year:	2023	Rating Date:	09/01/2023
Date Compliance History Report Prepared:	February 14, 2024				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	February 14, 2019 to February 14, 2024				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Salas	Phone:	(512) 239-1543		

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? YES
- 3) Who is the current owner/operator? TRI-LAKES OUTDOORS LLC OWNER since 5/12/2023
- 4) Who was/were the prior owner(s)/operator(s)?
JAKOPIC, SHERRI, OWNER, 5/24/2021 to 5/11/2023
JAKOPIC, MIKE, OWNER, 5/24/2021 to 5/11/2023
COMMIATO, JOSH, OWNER, 5/3/2019 to 5/23/2021
DUNCAN, CHRISTOPHER W, OWNER, 9/19/2002 to 5/2/2019
DUNCAN, CHRISTINA, OWNER, 9/19/2002 to 5/2/2019

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

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

- 1 Effective Date: 08/13/2019 ADMINORDER 2018-0269-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Description: Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days. Specifically, there were several instances when the disinfectant residual was not monitored at least once every seven days.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
Description: Failure by Lakeside Water Company to provide the executive director with a written list on an annual basis of all the operators and operating companies that the public water system employs.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.39(l)(4)
30 TAC Chapter 290, SubChapter D 290.39(l)(5)
Description: Failed to meet the conditions for an issued exception. Specifically, the Respondent was granted an exception for sanitary control easement and pressure cementing method and did not follow the conditions by failing

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

to collect one raw water bacteriological sample per month.

Classification: Minor

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

Description: Failed to provide a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not include protocols to be utilized in the event of a natural or manmade catastrophe.

Classification: Minor

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

Description: Failed to conduct the annual inspection of the Facility's old 545-gallon pressure tank.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

5A THSC Chapter 341, SubChapter A 341.0351

Description: Failed to obtain approval of plans and specifications from the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities. Specifically, the Respondent did not obtain approval from the Executive Director prior to the addition of a second 545-gallon pressure tank.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure by Lakeside Water Company to have a complete distribution map.

Classification: Minor

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

Description: Failure by Lakeside Water Company to provide the required language to issue and rescind a Boil Water Notice.

Classification: Minor

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

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

Description: Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, records of the amount of water distributed each week and the dates dead-end mains were flushed were not available.

Classification: Minor

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

Description: Failed to ensure that all electrical wiring at the Facility is securely installed in compliance with a local or national electrical code. Specifically, wires were not in conduit outside the building that houses the sodium hypochlorite and on the new 545-gallon pressure tank.

Classification: Minor

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

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment. Specifically, the three strands of barbed wire on the fence surrounding the well and pressure tanks were loose and tangled together, and a wooden board was laid across the barbed wires.

Classification: Moderate

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

Description: Failed to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented with a well casing vent that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Specifically, the hole where the chlorine injection line used to connect to the wellhead was not properly sealed, and an adequate downward facing casing vent was not provided.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(B)

Description: Failed to provide a day tank for the sodium hypochlorite to minimize the possibility of severely overfeeding liquid chemicals from bulk storage facilities.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)

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

Description: Failed to provide a well capacity of 1.5 gallons per minute ("gpm") per connection. Specifically, the Facility has 18 connections which requires a minimum well capacity of 27 gpm. However, only 25 gpm were provided, indicating a 7.5% deficiency.

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.110(b)(4)
 5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to maintain a disinfectant residual of at least 0.2 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times. Specifically, on December 27, 2017, residuals taken at 462 E. O. Woods Road measured 0.08 mg/L and 0.07 mg/L free chlorine.

Classification: Minor

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

Description: Failed to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account No. 90030104 for Fiscal Years 2005 and 2011 through 2018.

2 Effective Date: 07/25/2022 ADMINORDER 2021-0129-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(6)
 30 TAC Chapter 290, SubChapter F 290.111(h)

Description: SWTR SWMOR Major MR Violation 10/2020 - Failure to submit Surface Water Monthly Operating Report (SWMOR) with the required turbidity and disinfectant residual data by the required deadline for GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Failure to install and properly operate water treatment processes which reliably achieve at least 99 percent (2-log) removal of Cryptosporidium oocysts by 09/25/2020 deadline stated in GUI/enhanced treatment letter at GUITP (TP20038).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(c)(1)
 30 TAC Chapter 290, SubChapter F 290.111(a)(2)

Description: SWTR Non-acute TT Violation 10/2020 - Filtration was required on the system's water source by 09/25/2020 deadline stated in GUI/enhanced treatment letter. The PWS failed to install filtration by this deadline at GUITP (TP20038).

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:	02/09/2024	(1956404)	
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(2) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(iv)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have operating records accessible for review upon request.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
	Description:	Failure by Tri-Lakes Outdoors LLC to have an adequate Plant Operations Manual.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(i)		
	Description:	Failure by Tri-Lakes Outdoors LLC to adopt an adequate plumbing ordinance, regulation, or service agreement.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(I) 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)		

Compliance History Report for CN605923382, RN103778247, Rating Year 2023 which includes Compliance History (CH) components from February 14, 2019, through February 14, 2024.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Description:	Failure by Tri-Lakes Outdoors LLC to record the amount of chemicals used and volume of water treated and distributed each day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)(B) 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(C)		
Description:	Failure by Tri-Lakes Outdoors LLC to monitor the disinfectant residual at representative locations in the distribution system and at entry point at least once per day.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 288, SubChapter B 288.20(a)		
Description:	Failure by Tri-Lakes Outdoors LLC to have a drought contingency plan.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(v)		
Description:	Failure by Tri-Lakes Outdoors LLC to have all electrical wiring securely installed in compliance with a local or national electrical code.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i)		
Description:	Failure by Tri-Lakes Outdoors LLC to provide a total well production capacity of 1.5 gallons per minute (gpm) per connection.		

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT
ACTION CONCERNING
MIKE JAKOPIC DBA RAYBURN WATER
AND SHERRI JAKOPIC DBA RAYBURN
WATER;
RN103778247

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2022-1676-PWS-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water ("Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and 30 TEX. ADMIN. CODE chs. 70 and 290. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondents presented this Order to the Commission.

Respondents understand that they have certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, to request an evidentiary hearing, receive notice of an evidentiary hearing, and a right to appeal. By entering into this Order, Respondents agree to waive all notice and procedural rights which might otherwise be authorized or required in this action.

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

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

FINDINGS OF FACT

1. Respondents owned and operated a public water supply ("PWS") located at 301 Rayburn Lane near Zavalla, Angelina County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 18 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a PWS, as defined in 30 TEX. ADMIN. CODE § 290.38.
2. During a record review conducted on and around November 14, 2022, through December 2, 2022, an investigator documented that Respondents:
 - a. Failed to provide a minimum treatment consisting of coagulation with direct filtration and adequate disinfection for groundwater under the influence of surface water ("GUI"), and failed to submit Surface Water Monthly Operating Reports ("SWMORs") for systems that use a GUI. Specifically, the Facility did not install treatment equipment and provide treatment at the Facility's treatment plant (TP20038), as required by a letter from the Executive Director dated March 25, 2019, and did not submit a SWMOR for the month of September 2022; and
 - b. Failed to provide public notification, accompanied with a Signed Certificate of Delivery, to the Executive Director regarding the failure to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an

exceedance of the operational evaluation level ("OEL") for total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 during the second quarter of 2021.

3. The Executive Director recognizes that Respondents no longer own the Facility as of May 12, 2023.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and 30 TEX. ADMIN. CODE chs. 70 and 290 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a., Respondents failed to provide a minimum treatment consisting of coagulation with direct filtration and adequate disinfection for GUI, and failed to submit SWMORs for systems that use a GUI, in violation of 30 TEX. ADMIN. CODE §§ 290.42(c)(1), 290.110(e)(2) and (e)(6), and 290.111(a)(2) and (h).
3. As evidenced by Finding of Fact No. 2.b., Respondents failed to provide public notification, accompanied with a Signed Certificate of Delivery, to the Executive Director regarding the failure to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the OEL for TTHM for DBP2 at Site 1 during the second quarter of 2021, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
4. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), TCEQ has the authority to assess an administrative penalty against Respondents for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$26,237 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). Respondents paid \$757 of the penalty. The remaining amount of \$25,480 shall be paid in 35 monthly payments of \$728 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If Respondents fail to timely and satisfactorily comply with the payment requirements of this Order, including the payment schedule, the Executive Director may, at her option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by Respondents to timely and satisfactorily comply with all the terms of this Order.

ORDERING PROVISIONS

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

1. Respondents are assessed an administrative penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here. Penalty payments shall be made payable to TCEQ and shall be sent with the notation "Re: Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, Docket No. 2022-1676-PWS-E" to:

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

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondents shall be made in writing to the Executive Director. Extensions are not effective until Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against Respondents in a civil proceeding, unless the proceeding is brought by the Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order, or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondents have not complied with one or more of the terms or conditions in this Order.
6. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



For the Executive Director

September 22, 2025

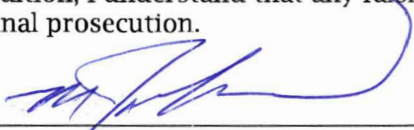
Date

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

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

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

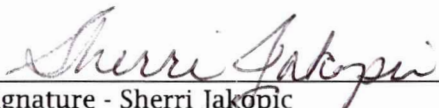
In addition, I understand that any falsification of any compliance documents may result in criminal prosecution.



Signature - Mike Jakopic
1526 Forest Hopson Road
Zavalla, Texas 75980

8/12/2025

Date



Signature - Sherri Jakopic
1526 Forest Hopson Road
Zavalla, Texas 75980

8/12/2025

Date

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