

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: *MH* Megan Hamilton, Acting Assistant Deputy Director
Enforcement Division

From: *MP* Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: October 3, 2025

Subject: **Backup Revision**
October 8, 2025, Commission Agenda
Item No. 16 – Wildwood Estates of Lubbock, LLC
Docket No. 2023-1417-PWS-E

Enclosed please find the following:

Penalty Calculation Worksheet:

- Page 1, Penalty Calculation Section, Other Factors as Justice May Require: Correct Adjustment from \$36 to \$31 and Final Penalty Amount from \$15,333 to \$15,328
- Page 1, Penalty Calculation Section, Statutory Limit Adjustment: Correct Final Assessed Penalty from \$15,333 to \$15,328
- Page 1, Penalty Calculation Section, Deferral: Correct Adjustment from \$3,066 to \$3,065
- Page 1, Penalty Calculation Section, Payable Penalty: Correct amount from \$12,267 to \$12,263

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: Garrett Arthur, Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Acting Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Steven Hall, Acting Manager, Drinking Water, Enforcement Division
Ronica Rodriguez Scott, Enforcement Coordinator, Drinking Water,
Enforcement Division



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	31-Jul-2023	Screening	14-Aug-2023	EPA Due	
	PCW	20-Oct-2023				

RESPONDENT/FACILITY INFORMATION			
Respondent	Wildwood Estates of Lubbock, LLC		
Reg. Ent. Ref. No.	RN101193357		
Facility/Site Region	2-Lubbock	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	64471	No. of Violations	6
Docket No.	2023-1417-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Ronica Rodriguez Scott
		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	\$10,550
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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	45.0 %	Adjustment	Subtotals 2, 3, & 7	\$4,747
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Notes	Enhancement for one agreed order containing a denial of liability and one default order without a denial of liability.			
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Culpability	No	0.0 %	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does 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 \$3,938
Estimated Cost of Compliance \$24,166
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$15,297
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.2 %	Adjustment	\$31
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance associated with Violation No. 5.		
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Final Penalty Amount	\$15,328
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$15,328
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DEFERRAL	20.0 %	Reduction	Adjustment	-\$3,065
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.			
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PAYABLE PENALTY	\$12,263
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Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	31-Jul-2023	Screening	14-Aug-2023	EPA Due	
	PCW	20-Oct-2023				

RESPONDENT/FACILITY INFORMATION			
Respondent	Wildwood Estates of Lubbock, LLC		
Reg. Ent. Ref. No.	RN101193357		
Facility/Site Region	2-Lubbock	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	64471	No. of Violations	6
Docket No.	2023-1417-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Ronica Rodriguez Scott
		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	\$10,550
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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	45.0 %	Adjustment	Subtotals 2, 3, & 7	\$4,747
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Notes	Enhancement for one agreed order containing a denial of liability and one default order without a denial of liability.			
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Culpability	No	0.0 %	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does 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	\$3,938	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$24,166	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$15,297
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.2 %	Adjustment	\$31
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance associated with Violation No. 5.			
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Final Penalty Amount	\$15,328
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$15,328
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DEFERRAL	20.0 %	Reduction	Adjustment	-\$3,065
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.			
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PAYABLE PENALTY	\$12,263
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Executive Summary – Enforcement Matter – Case No. 64471
Wildwood Estates of Lubbock, LLC
RN101193357
Docket No. 2023-1417-PWS-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Wildwood Mobile Home Village, 5501 East Farm-to-Market Road 40 near Lubbock,
Lubbock County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 6, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,328

Amount Deferred for Expedited Settlement: \$3,065

Total Paid to General Revenue: \$12,263

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: May 18, 2023

Date(s) of NOE(s): July 25, 2023

Executive Summary – Enforcement Matter – Case No. 64471
Wildwood Estates of Lubbock, LLC
RN101193357
Docket No. 2023-1417-PWS-E

Violation Information

1. Failed to provide the Facility's pressure tanks with a pressure release device. Specifically, the two pressure tanks at Well No. 2 and the 1,500-gallon pressure tank at Well No. 1 were not provided with a pressure release device [30 TEX. ADMIN. CODE § 290.43(d)(2)].
2. Failed to provide a total storage capacity of 200 gallons per connection. Specifically, the Facility had 236 connections requiring a storage capacity of 47,200 gallons. However, only 42,268 gallons were provided, indicating a 10% deficiency [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
3. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the Facility had 236 connections requiring 472 gpm of total service pump capacity. However, only 400 gpm were provided, indicating a 15% deficiency [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
4. Failed to provide pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 236 connections requiring 4,720 gallons of pressure tank capacity. However, only 1,500 gallons were provided, indicating a 68% deficiency [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
5. Failed to calibrate the Facility's Well No. 2 meter at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].
6. Failed to notify the Executive Director ("ED") 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 notify the ED prior to rerouting the distribution lines from Well No. 2 to pump to a blended line that serves the ground storage tanks ("GSTs"). Additionally, a previously disconnected 10,500-gallon GST was moved and reconnected to the Well No. 1 pump station [30 TEX. ADMIN. CODE § 290.39(j) and TEX. HEALTH & SAFETY CODE § 341.0351].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:

Executive Summary – Enforcement Matter – Case No. 64471
Wildwood Estates of Lubbock, LLC
RN101193357
Docket No. 2023-1417-PWS-E

- i. Provide all pressure tanks with a pressure release device; and
- ii. Calibrate the Facility's Well No. 2 meter.
- b. Within 45 days, submit written certification to demonstrate compliance with a.
- c. Within 180 days:
 - i. Provide a total storage capacity of at least 200 gallons per connection;
 - ii. Provide two service pumps with a total capacity of at least 2.0 gpm per connection;
 - iii. Provide a pressure tank capacity of at least 20 gallons per connection; and
 - iv. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the distribution lines from Well No. 2 that were rerouted to pump to a blended line that serves the GSTs and a previously disconnected 10,500-gallon GST that was moved and reconnected to the Well No. 1 pump station.
- d. Within 195 days, submit written certification to demonstrate compliance with c.
- e. Within 270 days, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the ED.
- f. Within 285 days, submit written certification to demonstrate compliance with e.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Ronica Rodriguez Scott, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2510; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Bryant A. Fitts, Manager, Wildwood Estates of Lubbock, LLC, 4801 Richmond Avenue, Houston, Texas 77027

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	31-Jul-2023	Screening	14-Aug-2023	EPA Due	
	PCW	20-Oct-2023				

RESPONDENT/FACILITY INFORMATION

Respondent	Wildwood Estates of Lubbock, LLC
Reg. Ent. Ref. No.	RN101193357
Facility/Site Region	2-Lubbock
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	64471	No. of Violations	6
Docket No.	2023-1417-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Ronica Rodriguez Scott
		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	\$10,550
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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	45.0%	Adjustment	Subtotals 2, 3, & 7	\$4,747
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Notes	Enhancement for one agreed order containing a denial of liability and one agreed order without a denial of liability.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does 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	\$3,938	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$24,166	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$15,297
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.2%	Adjustment	\$36
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance associated with Violation No. 5.
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Final Penalty Amount	\$15,333
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$15,333
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,066
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$12,267
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Screening Date	14-Aug-2023	Docket No.	2023-1417-PWS-E	PCW
Respondent	Wildwood Estates of Lubbock, LLC			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64471			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101193357			
Media	Public Water Supply			
Enf. Coordinator	Ronica Rodriguez Scott			

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	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
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) 45%

>> 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 agreed order containing a denial of liability and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 45%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 45%

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1		
Rule Cite(s)	30 Tex. Admin. Code § 290.43(d)(2)		
Violation Description	Failed to provide the Facility's pressure tanks with a pressure release device. Specifically, the two pressure tanks at Well No. 2 and the 1,500-gallon pressure tank at Well No. 1 were not provided with a pressure release device.		

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

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to provide a pressure release device on all pressure tanks could result in excess pressurization and expose persons served by the Facility to contaminants which would exceed levels protective of human health.
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Adjustment	\$4,250
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	\$750
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Violation Events

Number of Violation Events	9	88	Number of violation days
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	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			

Violation Base Penalty	\$6,750
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Nine monthly events are recommended, (three pressure tanks x three months), calculated from the May 18, 2023 investigation date to the August 14, 2023 screening date.
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Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal	\$6,750
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$90
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Statutory Limit Test

Violation Final Penalty Total	\$9,811
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This violation Final Assessed Penalty (adjusted for limits)	\$9,811
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Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
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	\$600	18-May-2023	9-Jul-2025	2.15	\$4	\$86	\$90
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide each pressure tank with a pressure release device (\$200 per tank x three pressure tanks), calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$600

TOTAL

\$90

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E Violation Number 2 Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(F)(ii) and Tex. Health & Safety Code § 341.0315(c) Violation Description Failed to provide a total storage capacity of 200 gallons per connection. Specifically, the Facility had 236 connections requiring a storage capacity of 47,200 gallons. However, only 42,268 gallons were provided, indicating a 10% deficiency.	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>														
Base Penalty \$5,000																
>> Environmental, Property and Human Health Matrix																
OR	Release	Harm														
		Major Moderate Minor														
	Actual Potential	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td></tr> <tr><td style="height: 20px;"></td><td style="height: 20px;"></td><td style="text-align: center;">x</td></tr> </table>						x	Percent 3.0%							
		x														
>> Programmatic Matrix																
	Falsification	Major Moderate Minor														
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td></tr> </table>				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td><td style="width:33%; height: 20px;"></td></tr> </table>				Percent 0.0%							
Matrix Notes	Failure to provide adequate storage capacity could expose persons served by the Facility to a insignificant amount of contaminants which would not exceed levels protective of human health.															
Adjustment \$4,850																
		\$150														
Violation Events																
Number of Violation Events 1		88 Number of violation days														
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:30%;">daily</td><td style="width:70%; height: 20px;"></td></tr> <tr><td>weekly</td><td style="height: 20px;"></td></tr> <tr><td>monthly</td><td style="height: 20px;"></td></tr> <tr><td>quarterly</td><td style="height: 20px;"></td></tr> <tr><td>semiannual</td><td style="height: 20px;"></td></tr> <tr><td>annual</td><td style="height: 20px;"></td></tr> <tr><td>single event</td><td style="text-align: center;">x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x	Violation Base Penalty \$150
daily																
weekly																
monthly																
quarterly																
semiannual																
annual																
single event	x															
One single event is recommended.																
Good Faith Efforts to Comply		0.0%														
		Reduction \$0														
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																
Extraordinary	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50%; height: 20px;"></td><td style="width:50%; height: 20px;"></td></tr> </table>															
Ordinary	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50%; height: 20px;"></td><td style="width:50%; height: 20px;"></td></tr> </table>															
N/A	x															
Notes	The Respondent does not meet the good faith criteria for this violation.															
Violation Subtotal		\$150														
Economic Benefit (EB) for this violation																
Estimated EB Amount \$1,897		Statutory Limit Test														
		Violation Final Penalty Total \$218														
This violation Final Assessed Penalty (adjusted for limits)		\$218														

Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
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	\$10,604	18-May-2023	6-Dec-2025	2.56	\$90	\$1,807	\$1,897
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a total storage capacity of at least 200 gallons per connection (\$2.15 x 4,932 gallons), calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,604

TOTAL

\$1,897

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(F)(iii) and Tex. Health & Safety Code § 341.0315(c) Violation Description Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, the Facility had 236 connections requiring 472 gpm of total service pump capacity. However, only 400 gpm were provided, indicating a 15% deficiency.	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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	Base Penalty \$5,000
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>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to provide adequate service pump capacity could result in water outages and low pressure problems, exposing persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.
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Adjustment	\$4,750
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	\$250
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Violation Events

Number of Violation Events	1	88	Number of violation days
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	daily					
	weekly					
	monthly					
	quarterly	x				
	semiannual					
	annual					
	single event					

Violation Base Penalty	\$250
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One quarterly event is recommended, calculated from the May 18, 2023 investigation date to the August 14, 2023 screening date.	
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Good Faith Efforts to Comply

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

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$895	Statutory Limit Test
		Violation Final Penalty Total \$363
This violation Final Assessed Penalty (adjusted for limits)		\$363

Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment	\$5,000	18-May-2023	6-Dec-2025	2.56	\$43	\$852	\$895
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide two or more service pumps with a total capacity of at least 2.0 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$895

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E Base Penalty \$5,000	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	4	Rule Cite(s)	
		30 Tex. Admin. Code § 290.45(b)(1)(F)(iv) and Tex. Health & Safety Code § 341.0315(c)	
Violation Description	Failed to provide pressure tank capacity of 20 gallons per connection. Specifically, the Facility had 236 connections requiring 4,720 gallons of pressure tank capacity. However, only 1,500 gallons were provided, indicating a 68% deficiency.		

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Failure to provide adequate pressure tank capacity could expose persons served by the Facility to contaminants which would exceed levels protective of human health.				

Adjustment

Violation Events

Number of Violation Events	3	88	Number of violation days
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	daily		Violation Base Penalty \$2,250
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		

Three monthly events are recommended, calculated from the May 18, 2023 investigation date to the August 14, 2023 screening date.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal

Economic Benefit (EB) for this violation
Statutory Limit Test

Estimated EB Amount	\$882	Violation Final Penalty Total	\$3,270
This violation Final Assessed Penalty (adjusted for limits)			\$3,270

Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
Media Public Water Supply
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	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)	\$6,900	18-May-2023	6-Dec-2025	2.56	\$882	n/a	\$882

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a pressure tank capacity of at least 20 gallons per connection, calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$6,900

TOTAL

\$882

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E Violation Number 5 Rule Cite(s) 30 Tex. Admin. Code § 290.46(s)(1) Violation Description Failed to calibrate the Facility's Well No. 2 meter at least once every three years.	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Base Penalty	\$5,000
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>> Environmental, Property and Human Health Matrix

OR	Release	Harm			
		Major	Moderate	Minor	
	Actual				
	Potential			x	
				Percent	3.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Failure to calibrate the Facility's well meters could result in inaccurate or unavailable water usage and production data, resulting in persons served by the Facility being exposed to an insignificant amount of contaminants which would not exceed levels protective of human health.
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Adjustment	\$4,850
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	\$150
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Violation Events

Number of Violation Events	1	88	Number of violation days
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	daily					
	weekly					
	monthly					
	quarterly					
	semiannual					
	annual					
	single event	x				

One single event is recommended.	
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Good Faith Efforts to Comply

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

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal	\$150
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Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount	\$34				
		Violation Final Penalty Total			\$218
This violation Final Assessed Penalty (adjusted for limits)					\$218

Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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)	\$31	18-May-2023	9-Jul-2025	2.15	\$3	n/a	\$3

Notes for DELAYED costs

The delayed cost includes the estimated amount to calibrate the Facility's Well No. 2 meter (\$31 per well meter x one meter), calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)	\$31	18-May-2023	14-Aug-2023	0.24	\$0	\$31	\$31

Notes for AVOIDED costs

The avoided cost includes the estimated amount to calibrate the Facility's Well No. 2 meter (\$31 per well meter x one meter), calculated from the date of the investigation to the screening date.

Approx. Cost of Compliance

\$62

TOTAL

\$34

Screening Date 14-Aug-2023 Respondent Wildwood Estates of Lubbock, LLC Case ID No. 64471 Reg. Ent. Reference No. RN101193357 Media Public Water Supply Enf. Coordinator Ronica Rodriguez Scott	Docket No. 2023-1417-PWS-E PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code § 290.39(j) and Tex. Health & Safety Code § 341.0351	
Violation Description	Failed to notify 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 notify the Executive Director prior to rerouting the distribution lines from Well No. 2 to pump to a blended line that serves the ground storage tanks ("GSTs"). Additionally, a previously disconnected 10,500-gallon GST was moved and reconnected to the Well No. 1 pump station.	

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

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential				
					Percent 0.0%

>> Programmatic Matrix

	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	2	88	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		

	Violation Base Penalty \$1,000
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	Two single events are recommended, one for each unapproved change.
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Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal	\$1,000
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$140
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Statutory Limit Test

Violation Final Penalty Total	\$1,453
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This violation Final Assessed Penalty (adjusted for limits)	\$1,453
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Economic Benefit Worksheet

Respondent Wildwood Estates of Lubbock, LLC
Case ID No. 64471
Reg. Ent. Reference No. RN101193357
Media Public Water Supply
Violation No. 6

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)	\$1,000	18-May-2023	5-Mar-2026	2.80	\$140	n/a	\$140

Notes for DELAYED costs

The delayed cost includes the estimated amount to notify and receive approval from the Executive Director for the significant changes to the water system, calculated from the date of the investigation to the estimated date of compliance.

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				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$140



Compliance History Report

Compliance History Report for CN605639996, RN101193357, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN605639996, Wildwood Estates of Lubbock, LLC
Classification: NOT APPLICABLE
Rating: N/A

Regulated Entity: RN101193357, WILDWOOD MOBILE HOME VILLAGE
Classification: NOT APPLICABLE
Rating: N/A

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

CH Group: 14 - Other

Location: 5501 EAST FARM-TO-MARKET ROAD 40 NEAR LUBBOCK, LUBBOCK COUNTY, TEXAS

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1520046

Compliance History Period: September 01, 2019 to August 31, 2024
Rating Year: 2024
Rating Date: 09/01/2024

Date Compliance History Report Prepared: January 27, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 27, 2020 to January 27, 2025

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

Name: Ronica Rodriguez Scott
Phone: (512) 239-2510

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

- 1 Effective Date: 05/12/2020 ADMINORDER 2019-0198-PWS-E (Findings Order-Default)
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2017 - The system failed to provide the Consumer Confidence Report (CCR) for 2017 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
Classification: Major
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
5A THSC Chapter 341, SubChapter A 341.031(a)
Description: NO3 AMCL 4Q2018 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 13 mg/L collected on 10/17/2018.
- 2 Effective Date: 05/03/2022 ADMINORDER 2021-0704-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(ii)
5A THSC Chapter 341, SubChapter A 341.0315(c)
Description: Failure to provide a total storage capacity of 200 gallons per connection. Specifically, the Facility had 199 connections requiring a storage capacity of 39,800 gallons. However, only 21,000 gallons were provided, indicating a 47% deficiency.
Classification: Minor
Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 290, SubChapter D 290.51(a)(6)

Description: Failed to pay Public Health Service fees and/or associated late fees for TCEQ Financial Administration Account No. 91520046 for Fiscal Years 2015 through 2021.

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.

N/A

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
WILDWOOD ESTATES OF LUBBOCK,
LLC
RN101193357

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2023-1417-PWS-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Wildwood Estates of Lubbock, LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 5501 East Farm-to-Market Road 40 near Lubbock, Lubbock County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 236 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(73).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE § 7.002 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$15,328 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,263 of the penalty and \$3,065 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. 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.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During an investigation at the Facility conducted on May 18, 2023, an investigator documented that the Respondent:

1. Failed to provide the Facility's pressure tanks with a pressure release device, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(2). Specifically, the two pressure tanks at Well No. 2 and the 1,500-gallon pressure tank at Well No. 1 were not provided with a pressure release device.
2. Failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the Facility had 236 connections requiring a storage capacity of 47,200 gallons. However, only 42,268 gallons were provided, indicating a 10% deficiency.
3. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the Facility had 236 connections requiring 472 gpm of total service pump capacity. However, only 400 gpm were provided, indicating a 15% deficiency.
4. Failed to provide pressure tank capacity of 20 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iv) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the Facility had 236 connections requiring 4,720 gallons of pressure tank capacity. However, only 1,500 gallons were provided, indicating a 68% deficiency.
5. Failed to calibrate the Facility's Well No. 2 meter at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
6. Failed to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities, in violation of 30 TEX. ADMIN. CODE § 290.39(j) and TEX. HEALTH & SAFETY CODE § 341.0351. Specifically, the Respondent did not notify the Executive Director prior to rerouting the distribution lines from Well No. 2 to pump to a blended line that serves the ground storage tanks ("GSTs"). Additionally, a previously

disconnected 10,500-gallon GST was moved and reconnected to the Well No. 1 pump station.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action 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: Wildwood Estates of Lubbock, LLC, Docket No. 2023-1417-PWS-E" to:

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

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Provide all pressure tanks with a pressure release device, in accordance with 30 TEX. ADMIN. CODE § 290.43; and
 - ii. Calibrate the Facility's Well No. 2 meter, in accordance with 30 TEX. ADMIN. CODE § 290.46.
 - b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i and 2.a.ii.
 - c. Within 180 days after the effective date of this Order:
 - i. Provide a total storage capacity of at least 200 gallons per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45;
 - ii. Provide two service pumps with a total capacity of at least 2.0 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45;
 - iii. Provide a pressure tank capacity of at least 20 gallons per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45; and

- iv. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the distribution lines from Well No. 2 that were rerouted to pump to a blended line that serves the GSTs and a previously disconnected 10,500-gallon GST that was moved and reconnected to the Well No. 1 pump station, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team
Water Supply Division, MC 159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specification within 15 days after the date of such requests, or by any other deadline specified in writing.

- d. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.i through 2.c.iv.
- e. Within 270 days after the effective date of this Order, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39.
- f. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Lubbock Regional Office
Texas Commission on Environmental Quality
5012 50th Street, Suite 100
Lubbock, Texas 79414-3426

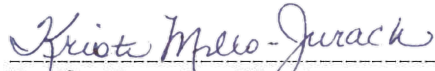
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This 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.
8. 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



08/24/2025

For the Executive Director

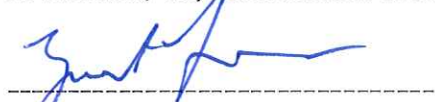
Date

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, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG 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 OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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



Signature

Date

7/28/25

Bryant Fitts

Name (Printed or typed)

Title

Member

Authorized Representative of
Wildwood Estates of Lubbock, LLC

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

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