



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270-2102

July 21, 2022

CERTIFIED MAIL-RETURN RECEIPT REQUESTED:

Deyma Davila
Dey's RV and Mobile Park
920 Southeast 401
Andrews, TX 79714-6200

Re: PWS ID Number: TX0020015
Administrative Order; Docket Number: SDWA-06-2022-1295

Dear Ms. Davila:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency, Region 6 (EPA) concerning the Dey's RV and Mobile Park Public Water System (PWS). The Order requires Deyma Davila (Respondent) to comply with the provisions set forth in the attached Order. The EPA requests that the Respondent immediately confirm receipt of this Order by a response e-mail to moore.jessica@epa.gov.

This Order is being issued to the Respondent for violation of the Safe Drinking Water Act (Act), 42 U.S.C. § 300f, et seq., and its implementing regulations, 40 C.F.R. Part 141. The EPA finds that the Respondent owns or operates a PWS identified in the Order and is therefore subject to the Revised Total Coliform Rule (RTCR). The Order also requires the Respondent to complete the corrective actions identified through a Level 1 assessment conducted following a trigger event per the RTCR, and submit documentation of the corrective actions to EPA and the Texas Commission on Environmental Quality.

This Order does not assess a monetary penalty; however, it does require compliance with the RTCR as set forth in 40 C.F.R. §§ 141.851-141.861. Please be aware that failure to comply with this Order may subject the PWS to additional enforcement action by EPA, including the initiation of legal proceedings to seek monetary penalties.

If you need assistance, or have questions regarding this Order, please contact Jessica Moore, of my staff, at (214) 665-6495.

Sincerely,

 Digitally signed by CHERYL SEAGER
Date: 2022.07.21 14:45:14 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure

cc: cari-michel.lacaille@tceq.texas.gov
steven.swierenga@tceq.texas.gov
megan.hamilton@tceq.texas.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 6

FINDINGS OF VIOLATION AND COMPLIANCE ORDER

In the Matter of Dey's RV and Mobile Park

Owned/Operated by Deyma Davila

Docket No. SDWA-06-2022-1295, PWS ID # TX0020015

STATUTORY AUTHORITY

The following findings are made, and an Administrative Order issued, under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 1414(g) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3(g). The Administrator delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who delegated such authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. Deyma Davila (Respondent) is a "person," as defined by Section 1401(12) of the Act, 42 U.S.C. § 300f(12).
2. At all times relevant to the violations alleged herein (relevant time period), Respondent owned or operated a public water system (PWS), as defined by Section 1401(4) of the Act, 42 U.S.C. § 300f(4), located in Andrews County, Andrews, Texas (facility), designated as PWS number TX0020015.
3. During the relevant time period, Respondent's PWS served as a "community water system," as defined by Section 1401(16) of the Act, 42 U.S.C. § 300f(16) and is subject to the requirements of the Act, 42 U.S.C. § 300g-1, and its implementing regulations, 40 C.F.R. Part 141.
4. During the relevant time period, Respondent's PWS was subject to the requirements of the Revised Total Coliform Rule (RTCR) as set forth in 40 C.F.R. §§ 141.851-141.861.
5. The Texas Commission on Environmental Quality (TCEQ) administers the Public Water Supply Supervision Program in Texas pursuant to Section 1413 of the Act. TCEQ has not yet obtained primary enforcement responsibility for the RTCR; therefore, EPA has primary responsibility for enforcement of the RTCR.
6. During the October 2020 monitoring period, Respondent's PWS had multiple total coliform positive results, which is a trigger event as specified in 40 C.F.R. § 141.859(a)(1)(i).
7. By having one trigger events under 40 C.F.R. § 141.859(a)(1)(i) within a rolling 12-month period, Respondent is required to conduct a Level 1 assessment within 30 days after exceeding the trigger requiring such assessment as specified in 40 C.F.R. § 141.859(a)(2). The Level 1 assessment is required in order to identify the possible presence of sanitary defects and defects in the distribution system or coliform monitoring practices.
8. Pursuant to 40 C.F.R. § 141.859(c), each owner or operator of a PWS that has had a corrective action identified through a Level 1 assessment completed per 40 C.F.R. § 141.859(b), must address the corrective action(s) identified in compliance with a timetable identified by TCEQ.
9. Respondent violated 40 C.F.R. § 141.859(c) by failing to submit documentation of the type of disinfectant used and four consecutive weeks of the most recent disinfectant residuals above the required minimum in compliance with a timetable identified by TCEQ.

SECTION 1414(g) COMPLIANCE ORDER

Based on these findings and pursuant to the authority of Section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), EPA orders that Respondents immediately take the following actions:

- a) With thirty (30) days of receipt of this Order, Respondent shall submit documentation of the type of disinfectant used and four consecutive weeks of the most recent disinfectant residuals above the required minimum or develop a schedule to complete the corrective action(s) that is acceptable to both TCEQ and EPA.
- b) The reporting required by this Order must be provided by Respondent to EPA at the following address:

Jessica Moore
Water Resources Section (6ECD-WR)
EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
- c) Alternatively, if submitted electronically, all electronic documentation submitted to EPA needs to be transmitted to Jessica Moore at moore.jessica@epa.gov.

- d) The reporting required by this Order must be provided by the Respondent to the TCEQ at the following addresses:

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

and

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

GENERAL PROVISIONS

This Order is effective upon receipt by a representative of the PWS.

Respondents may seek federal judicial review of this Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

This Section 1414(g) Compliance Order does not constitute a waiver, suspension, or modification of the requirements of 40 C.F.R. Part 141 or other applicable federal and state requirements, which remain in full force and effect. Issuance of this Section 1414(g) Compliance Order is not an election by EPA to forego any civil or any criminal action otherwise authorized under the Act.

Violation of any term of this Section 1414(g) Compliance Order may subject Respondents to an administrative civil penalty of up to \$43,678 under Section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), or a civil penalty of not more than \$62,689 per day per violation, assessed by an appropriate United States District Court under Section 1414(g)(3)(A) of the Act, 42 U.S.C. § 300g-3(g)(3)(A).

This Order shall be binding on the PWS cited herein and all its successors and assignees. No change in ownership of the PWS shall alter the responsibility of the PWS under this Order.

July 21, 2022

Date

Digitally signed by
CHERYL SEAGER
Date: 2022.07.21 14:43:19
-05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division