

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2006-0800-PWS-E    **TCEQ ID:** RN101256667    **CASE NO.:** 30064  
**RESPONDENT NAME:** Don French dba Riviera Mobile Home Park

**ORDER TYPE:**

|  |   |  |  |
|--|---|--|--|
| <input type="checkbox"/> 1660 AGREED ORDER | <input checked="" type="checkbox"/> FINDINGS AGREED ORDER | <input type="checkbox"/> AMENDED ORDER   | <input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
| <input type="checkbox"/> SHUTDOWN ORDER    | <input type="checkbox"/> FINDINGS DEFAULT ORDER           | <input type="checkbox"/> EMERGENCY ORDER |  |

**CASE TYPE:**

|   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> AGRICULTURE                        | <input type="checkbox"/> AIR                     | <input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE | <input type="checkbox"/> MUNICIPAL SOLID WASTE |
| <input type="checkbox"/> OCCUPATIONAL CERTIFICATION         | <input type="checkbox"/> PETROLEUM STORAGE TANKS | <input checked="" type="checkbox"/> PUBLIC WATER SUPPLY | <input type="checkbox"/> RADIOACTIVE WASTE     |
| <input type="checkbox"/> MULTI-MEDIA (check all that apply) | <input type="checkbox"/> SEWAGE SLUDGE           | <input type="checkbox"/> UNDERGROUND INJECTION CONTROL  | <input type="checkbox"/> USED OIL              |
| <input type="checkbox"/> USED OIL FILTER                    | <input type="checkbox"/> WATER QUALITY           |   |  |

**SITE WHERE VIOLATION(S) OCCURRED:** Riviera MHP, 5505 Fishtrap Road, Denton, Denton County

**TYPE OF OPERATION:** Mobile home park with a public water supply

**SMALL BUSINESS:**     Yes     No

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There is one pending enforcement action, Docket No. 2006-0800-PWS-E, regarding this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent has expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on November 15, 2006. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None

**TCEQ Enforcement Coordinator:** Ms. Lindsey Jones, Enforcement Division, Enforcement Section III, MC 149, (512) 239-4930; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

**Central Office Investigator:** Ms. Sally Paramo, Water Supply Division, Public Drinking Water Section, MC 155, (512) 239-6675

**Respondent:** Mr. Don French, Owner, Riviera Mobile Home Park, 3939 Teasley Lane, Lot 100, Denton, Texas 76210

**Respondent's Attorney:** Not represented by counsel on this enforcement matter

**VIOLATION SUMMARY CHART:**

| VIOLATION INFORMATION  | PENALTY CONSIDERATIONS   | CORRECTIVE ACTIONS TAKEN/REQUIRED   |
|--|--|---|
| <p><b>Type of Investigation:</b> <input type="checkbox"/> Complaint <input type="checkbox"/> Routine<br/> <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> May 1, 2006</p> <p><b>Dates of NOV(s)/NOE(s) Relating to this Case:</b> January 23, May 26, November 26, December 16, 2005 and January 20, February 18, March 17, April 23, April 26, and May 21, 2006 (NOVs); May 22, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine record review. One violation was documented.</p> <p><b>WATER</b></p> <p>Failed to conduct routine monthly bacteriological sampling of the public water supply and failed to provide public notification of the failure to conduct routine monthly bacteriological sampling [30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(ii) and 290.122(c)(2)(A), and TEX. HEALTH &amp; SAFETY CODE § 341.033(d)].</p> | <p><b>Total Assessed:</b> \$4,320</p> <p><b>Total Deferred:</b> \$0<br/> <input type="checkbox"/> Expedited Settlement<br/> <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$360 (remaining \$3,960 due in 11 monthly payments of \$360 each)</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b> <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Order Justification:</b> The Respondent received three previous NOV's for the same violation in the prior five year period.</p> | <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 10 days after the effective of this Agreed Order, begin conducting all required routine monthly bacteriological sampling of the public water supply; and</p> <p>b. Within 25 days after the effective date of this Agreed Order, submit certification of compliance with Ordering Provision a. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance.</p> |



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

|              |                 |             |                  |             |                |             |
|--------------|-----------------|-------------|------------------|-------------|----------------|-------------|
| <b>DATES</b> | <b>Assigned</b> | 20-Jun-2006 | <b>Screening</b> | 30-Jun-2006 | <b>EPA Due</b> | 01-Mar-2006 |
|              | <b>PCW</b>      | 26-Jun-2006 |                  |             |                |             |

|  |   |
|--|---|
| <b>RESPONDENT/FACILITY INFORMATION</b> |   |
| <b>Respondent</b>                      | Don French dba Riviera Mobile Home Park |
| <b>Reg. Ent. Ref. No.</b>              | RN101256667                             |
| <b>Facility/Site Region</b>            | 4-Dallas/Fort Worth                     |
| <b>Major/Minor Source</b>              | Minor Source                            |

|  |                     |                          |                    |
|--|---------------------|--------------------------|--------------------|
| <b>CASE INFORMATION</b>                |                     |                          |                    |
| <b>Enf./Case ID No.</b>                | 30064               | <b>No. of Violations</b> | 1                  |
| <b>Docket No.</b>                      | 2006-0800-PWS-E     | <b>Order Type</b>        | Findings           |
| <b>Media Program(s)</b>                | Public Water Supply | <b>Enf. Coordinator</b>  | Carolyn V. Lind    |
| <b>Multi-Media</b>                     |                     | <b>EC's Team</b>         | Enforcement Team 1 |
| <b>Admin. Penalty \$ Limit Minimum</b> | \$50                | <b>Maximum</b>           | \$1,000            |

## Penalty Calculation Section

|   |                   |         |
|---|-------------------|---------|
| <b>TOTAL BASE PENALTY (Sum of violation base penalties)</b> | <b>Subtotal 1</b> | \$2,250 |
|---|-------------------|---------|

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

|                           |                 |                                |         |
|---------------------------|-----------------|--------------------------------|---------|
| <b>Compliance History</b> | 92% Enhancement | <b>Subtotals 2, 3, &amp; 7</b> | \$2,070 |
|---------------------------|-----------------|--------------------------------|---------|

**Notes**  
The Respondent received an enhancement due to nine NOV for the same violation, one NOV for other violations, one Agreed Order with denial language, and one Agreed Order without denial language.

|                    |    |                |                   |     |
|--------------------|----|----------------|-------------------|-----|
| <b>Culpability</b> | No | 0% Enhancement | <b>Subtotal 4</b> | \$0 |
|--------------------|----|----------------|-------------------|-----|

**Notes**  
The Respondent does not meet the culpability criteria.

|                                    |              |                   |     |
|------------------------------------|--------------|-------------------|-----|
| <b>Good Faith Effort to Comply</b> | 0% Reduction | <b>Subtotal 5</b> | \$0 |
|------------------------------------|--------------|-------------------|-----|

|               |            |                               |
|---------------|------------|-------------------------------|
|               | Before NOV | NOV to EDPRP/Settlement Offer |
| Extraordinary |            |                               |
| Ordinary      |            |                               |
| N/A           | X          | (mark with a small x)         |

**Notes**  
The Respondent does not meet the good faith criteria.

|                         |                 |                   |     |
|-------------------------|-----------------|-------------------|-----|
| <b>Economic Benefit</b> | 0% Enhancement* | <b>Subtotal 6</b> | \$0 |
|-------------------------|-----------------|-------------------|-----|

|                            |       |                                   |
|----------------------------|-------|-----------------------------------|
| Total EB Amounts           | \$297 | *Capped at the Total EB \$ Amount |
| Approx. Cost of Compliance | \$270 |                                   |

|                             |                       |         |
|-----------------------------|-----------------------|---------|
| <b>SUM OF SUBTOTALS 1-7</b> | <b>Final Subtotal</b> | \$4,320 |
|-----------------------------|-----------------------|---------|

|   |                   |     |
|---|-------------------|-----|
| <b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b> | <b>Adjustment</b> | \$0 |
|---|-------------------|-----|

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes**

|                             |         |
|-----------------------------|---------|
| <b>Final Penalty Amount</b> | \$4,320 |
|-----------------------------|---------|

|                                   |                               |         |
|-----------------------------------|-------------------------------|---------|
| <b>STATUTORY LIMIT ADJUSTMENT</b> | <b>Final Assessed Penalty</b> | \$4,320 |
|-----------------------------------|-------------------------------|---------|

|                 |              |                   |     |
|-----------------|--------------|-------------------|-----|
| <b>DEFERRAL</b> | 0% Reduction | <b>Adjustment</b> | \$0 |
|-----------------|--------------|-------------------|-----|

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes**  
No deferral offered with a Findings Order.

|                        |         |
|------------------------|---------|
| <b>PAYABLE PENALTY</b> | \$4,320 |
|------------------------|---------|

|                         |   |                           |                                    |     |
|-------------------------|---|---------------------------|------------------------------------|-----|
| Screening Date          | 30-Jun-2006                             | Docket No.                | 2006-0800-PWS-E                    | PCW |
| Respondent              | Don French dba Riviera Mobile Home Park |                           | Policy Revision 2 (September 2002) |     |
| Case ID No.             | 30064                                   | PCW Revision May 19, 2005 |                                    |     |
| Reg. Ent. Reference No. | RN101256667                             |                           |                                    |     |
| Media [Statute]         | Public Water Supply                     |                           |                                    |     |
| Enf. Coordinator        | Carolyn V. Lind                         |                           |                                    |     |

### Compliance History Worksheet

#### >> Compliance History Site Enhancement (Subtotal 2)

| Component                     | Number of...   | Enter Number Here | Adjust. |
|-------------------------------|--|-------------------|---------|
| NOVs                          | Written NOVs with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )   | 9                 | 45%     |
|                               | Other written NOVs   | 1                 | 2%      |
| Orders                        | Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )  | 1                 | 20%     |
|                               | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 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 judgements 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</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%      |

Please Enter Yes or No

**Adjustment Percentage (Subtotal 2) 92%**

#### >> 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

The Respondent received an enhancement due to nine NOVs for the same violation, one NOV for other violations, one Agreed Order with denial language, and one Agreed Order without denial language.

**Total Adjustment Percentage (Subtotals 2, 3, & 7) 92%**

|                                |  |                                  |   |            |
|--------------------------------|--|----------------------------------|---|------------|
| <b>Screening Date</b>          | 30-Jun-2006  | <b>Docket No.</b>                | 2006-0800-PWS-E                           | <b>PCW</b> |
| <b>Respondent</b>              | Don French dba Riviera Mobile Home Park  |                                  | <i>Policy Revision 2 (September 2002)</i> |            |
| <b>Case ID No.</b>             | 30064  | <i>PCW Revision May 19, 2005</i> |   |            |
| <b>Reg. Ent. Reference No.</b> | RN101256667  |                                  |   |            |
| <b>Media [Statute]</b>         | Public Water Supply  |                                  |   |            |
| <b>Enf. Coordinator</b>        | Carolyn V. Lind  |                                  |   |            |
| <b>Violation Number</b>        | 1  |                                  |   |            |
| <b>Primary Rule Cite(s)</b>    | 30 Tex. Admin. Code §§ 290.109(c)(2)(A)(ii) and 290.122(c)(2)(A)   |                                  |   |            |
| <b>Secondary Rule Cite(s)</b>  | Tex. Health & Safety Code § 341.033(d)   |                                  |   |            |
| <b>Violation Description</b>   | Failure to conduct routine monthly bacteriological sampling of the public water supply and failed to provide public notification of the failure to conduct routine monthly bacteriological sampling during the months of December 2004, April 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, and April 2006, as documented during the record review conducted May 1, 2006. |                                  |   |            |
| <b>Base Penalty</b>            |  |                                  |   | \$1,000    |

>> **Environmental, Property and Human Health Matrix**

|    |                |             |          |       |  |
|----|----------------|-------------|----------|-------|--|
|    |                | <b>Harm</b> |          |       |  |
|    | <b>Release</b> | Major       | Moderate | Minor |  |
| OR | Actual         |             |          |       | Percent <input type="text" value="25%"/> |
|    | Potential      | X           |          |       |  |

>> **Programmatic Matrix**

|  |  |               |       |          |       |                              |
|--|--|---------------|-------|----------|-------|------------------------------|
|  |  | Falsification | Major | Moderate | Minor |                              |
|  |  |               |       |          |       | Percent <input type="text"/> |

**Matrix Notes**

Failure to perform routine bacteriological sampling of the public water supply and failure to provide public notification could result in customers of the water supply being exposed to significant amounts of bacteriological contamination which would exceed levels that are protective of human health.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

mark only one use a small x

|              |                      |
|--------------|----------------------|
| daily        | <input type="text"/> |
| monthly      | X                    |
| quarterly    | <input type="text"/> |
| semiannual   | <input type="text"/> |
| annual       | <input type="text"/> |
| single event | <input type="text"/> |

**Violation Base Penalty**

Nine monthly events are recommended.

|   |  |
|---|--|
| <b>Economic Benefit (EB) for this violation</b>   | <b>Statutory Limit Test</b>  |
| Estimated EB Amount <input type="text" value="\$297"/>  | Violation Final Penalty Total <input type="text" value="\$4,320"/> |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$4,320"/> |  |

### Economic Benefit Worksheet

Respondent: Don French dba Riviera Mobile Home Park  
 Case ID No: 30064  
 Reg. Ent. Reference No: RN101256667  
 Media [Statute]: Public Water Supply  
 Violation No: 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

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

**Delayed Costs**

|                          |  |  |  |     |     |     |     |
|--------------------------|--|--|--|-----|-----|-----|-----|
| Equipment                |  |  |  | 0.0 | \$0 | \$0 | \$0 |
| Buildings                |  |  |  | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed)        |  |  |  | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction |  |  |  | 0.0 | \$0 | \$0 | \$0 |
| Land                     |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System    |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling        |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal     |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Permit Costs             |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Other (as needed)        |  |  |  | 0.0 | \$0 | n/a | \$0 |
| Notes for DELAYED costs  |  |  |  |     |     |     |     |

**Avoided Costs**

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

|                               |   |             |             |     |      |       |       |
|-------------------------------|---|-------------|-------------|-----|------|-------|-------|
| Disposal                      |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| Personnel                     |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| Inspection/Reporting/Sampling |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| Supplies/equipment            |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| Financial Assurance [2]       |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| ONE-TIME avoided costs [3]    | \$270   | 30-Dec-2004 | 30-Apr-2006 | 2.0 | \$27 | \$270 | \$297 |
| Other (as needed)             |   |             |             | 0.0 | \$0  | \$0   | \$0   |
| Notes for AVOIDED costs       | The avoided costs include the amount to perform routine bacteriological monitoring and provide public notice for December 2004, April 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, and April 2006 in which monitoring and notices were not performed. |             |             |     |      |       |       |

Approx. Cost of Compliance

**TOTAL**

# Compliance History

|   |                                      |                          |                 |         |
|---|--------------------------------------|--------------------------|-----------------|---------|
| Customer/Respondent/Owner-Operator:           | CN602443715                          | FRENCH, DON              | Classification: | Rating: |
| Regulated Entity:                             | RN101256667                          | RIVIERA MOBILE HOME PARK | Classification: | Rating: |
| ID Numbers(s):                                | PUBLIC WATER SYSTEM/SUPPLY           |                          | REGISTRATION    | 0610090 |
|   | WATER LICENSING                      |                          | LICENSE         | 0610090 |
| Location:                                     | 5505 FISHTRAP RD, DENTON, DENTON CO. |                          |                 |         |
| TCEQ Region:                                  | REGION 04 - DFW METROPLEX            |                          |                 |         |
| Date Compliance History Prepared:             | June 26, 2006                        |                          |                 |         |
| Agency Decision Requiring Compliance History: | Enforcement                          |                          |                 |         |
| Compliance Period:                            | June 26, 2001 to June 26, 2006       |                          |                 |         |

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Carolyn V. Lind Phone: (903) 535-5145

### Site Compliance History Components

- |  |                         |
|--|-------------------------|
| 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 of the site during the compliance period?    | Yes                     |
| 3. If Yes, who is the current owner?   | <u>French, Don</u>      |
| 4. If Yes, who was/were the prior owner(s)?  | <u>Clemente, Philip</u> |
| 5. When did the change(s) in ownership occur?  | <u>09/18/2003</u>       |

### Components (Multimedia) for the Site:

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- |                            |  |
|----------------------------|--|
| Effective Date: 08/02/2002 | ADMINORDER 2001-1473-PWS-E   |
| Classification:            | Moderate   |
| Citation:                  | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)[G]<br>4G THC Chapter 321, SubChapter D 341.033(d)                                   |
| Description:               | Failure to collect and submit routine monthly bacteriological samples for the months of 12/00, Jan thru June 2001.                 |
| Classification:            | Moderate   |
| Citation:                  | 30 TAC Chapter 290, SubChapter F 290.109(g)[G]   |
| Description:               | Failure to provide public notice of the sampling deficiencies for the months of 12/00, and Jan thru June 2001.                     |
| Effective Date: 04/06/2002 | ADMINORDER 2001-0314-PWS-E   |
| Classification:            | Moderate   |
| Citation:                  | 4G THC Chapter 321, SubChapter D 341.0315(c)<br>Rqmt Prov: 2.a.2. ORDER  |
| Description:               | Failure to provide a free chlorine residual of 0.5 mg/L.   |
| Classification:            | Moderate   |
| Citation:                  | 30 TAC Chapter 290, SubChapter F 290.121(a)<br>Rqmt Prov: 2.b.1. ORDER   |
| Description:               | Failure to provide a sample siting plan.   |
| Classification:            | Moderate   |
| Citation:                  | 30 TAC Chapter 290, SubChapter F 290.110(d)(3)(C)(ii)<br>Rqmt Prov: 2.b.2. ORDER   |
| Description:               | Failure to provide a chlorine test kit which uses the diethyl-p-phenylenediamine (DPD) method to determine free chlorine residual. |
| Classification:            | Moderate   |
| Citation:                  | 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(B)<br>Rqmt Prov: 2.b.2. ORDER   |
| Description:               | Failure to monitor chlorine residuals.   |

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(h)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Rqmt Prov: 2.b.4. ORDER  
Description: Failure to provide on hand supplies of calcium hypochlorite disinfectant.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Rqmt Prov: 2.b.8. ORDER  
Description: Failure to maintain a minimum pressure of 35 psi in the distribution system.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(i)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Rqmt Prov: 2.b.9. ORDER  
Description: Failure to flush all dead end mains monthly, or more often if required to maintain water quality.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(l)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Rqmt Prov: 2.c.1. ORDER  
Description: Failure to provide a well site which is free of depressions and reverse grades to assure that water will drain away from the well.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)  
Rqmt Prov: 2.c.3. ORDER  
Description: Failure to inspect the ground storage tank and pressure tank annually.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)  
Rqmt Prov: 2.c.5. ORDER  
Description: Failure to maintain system facilities and grounds to facilitate cleanliness.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)  
Rqmt Prov: 2.c.6. ORDER  
Description: Failure to provide a legible sign in plain public view.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)(A)  
4G THC Chapter 321, SubChapter D 341.033[G]  
Rqmt Prov: 2.d.4. ORDER  
Description: Failure to provide a competent water works operator holding at least a Class D certificate.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)  
Rqmt Prov: 2.d.4. ORDER  
Description: Failure to provide a properly designed hinged flap valve on the ground storage tank overflow pipe.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)  
Rqmt Prov: 2.d.6. ORDER  
Description: Failure to adopt adequate plumbing regulations or provide a service agreement with each customer.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)  
4G THC Chapter 321, SubChapter D 341.036[G]  
Description: Failure to provide a sanitary control easement for all property located within 150 feet of the well.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)  
Rqmt Prov: 2.d.8. ORDER  
Description: Failure to provide a distribution map.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)  
Rqmt Prov: 2.e. ORDER  
Description: Failure to provide an intruder-resistant fence about the facilities.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.110(a)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide disinfection for the public drinking water.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(i)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide American National Standards Institute/National Sanitation Foundation Standard 60 certified bleach.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)  
Description: Failure to provide customer service inspections.

Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(7)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide properly covered disinfection storage containers.

Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(v)  
Description: Failure to provide electrical wiring in a securely mounted conduit.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(i)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide a 0.6 gpm per connection well capacity.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(iii)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide a 2.0 gpm per connection service pump capacity.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(ii)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide a 200 gallon per connection ground storage tank capacity.

Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(P)  
Description: Failure to provide an all weather road to the well site.

Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to provide an adequate concrete sealing block.

Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(1)  
4G THC Chapter 321, SubChapter D 341.0315(c)  
Description: Failure to issue a boil water notice for inadequate chlorine residual and inadequate pressure.

Classification: Minor  
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)[G]  
Description: Failure to provide an adequate inspection ladder for the ground storage tank.

B. Any criminal convictions of the state of Texas and the federal government.  
N/A

C. Chronic excessive emissions events.  
N/A

D. The dates of investigations.

|    |            |                   |
|----|------------|-------------------|
| 1  | 05/31/2005 | (481220)          |
| 2  | 01/28/2005 | (480956)          |
| 3  | 02/23/2006 | (481423)          |
| 4  | 12/21/2005 | (481292)          |
| 5  | 09/30/2003 | (249469)          |
| 6  | 10/30/2001 | (IE0006280003001) |
| 7  | 05/26/2006 | (481258)          |
| 8  | 06/15/2006 | (481982)          |
| 9  | 04/28/2006 | (481446)          |
| 10 | 03/22/2006 | (481440)          |
| 11 | 12/01/2005 | (481290)          |
| 12 | 01/25/2006 | (481409)          |

E. Written notices of violations (NOV).

|                  |  |                 |          |
|------------------|--|-----------------|----------|
| Date: 01/28/2005 | (480956)   | Classification: | Moderate |
| Self Report? NO  |  |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)                              |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 12/2004.                      |                 |          |
| Self Report? NO  |  | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)                                  |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 12/2004. |                 |          |
| Date: 12/01/2005 | (481290)   | Classification: | Moderate |
| Self Report? NO  |  |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)                              |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 10/2005.                      |                 |          |
| Self Report? NO  |  | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)                                  |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 10/2005. |                 |          |
| Date: 12/21/2005 | (481292)   | Classification: | Moderate |
| Self Report? NO  |  |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)                              |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 11/2005.                      |                 |          |
| Self Report? NO  |  | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)                                  |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 11/2005. |                 |          |
| Date: 02/23/2006 | (481423)   | Classification: | Moderate |
| Self Report? NO  |  |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)                              |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 01/2006.                      |                 |          |
| Self Report? NO  |  | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)                                  |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 01/2006. |                 |          |
| Date: 05/31/2005 | (481220)   | Classification: | Moderate |
| Self Report? NO  |  |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)                              |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 04/2005.                      |                 |          |
| Self Report? NO  |  | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)                                  |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 04/2005. |                 |          |

|                  |   |                 |          |
|------------------|---|-----------------|----------|
| Date: 05/1/2006  | (481258)  | Classification: | Moderate |
| Self Report? NO  |   |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)   |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 04/2006.   |                 |          |
| Self Report? NO  |   | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)   |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 04/2006.  |                 |          |
| Date: 04/28/2006 | (481446)  | Classification: | Moderate |
| Self Report? NO  |   |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)   |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 03/2006.   |                 |          |
| Self Report? NO  |   | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)   |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 03/2006.  |                 |          |
| Date: 03/22/2006 | (481440)  | Classification: | Moderate |
| Self Report? NO  |   |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)   |                 |          |
| Description:     | Failure to collect any routine monitoring samples in 02/2006.   |                 |          |
| Self Report? NO  |   | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)   |                 |          |
| Description:     | Failure to post a PN for not collecting any routine monitoring samples in 02/2006.  |                 |          |
| Date: 09/26/2003 | (249469)  | Classification: | Minor    |
| Self Report? NO  |   |                 |          |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)  |                 |          |
| Description:     | Failure to make available sanitary control easements for well # 1[G0610090A] at the time of inspection.   |                 |          |
| Self Report? NO  |   | Classification: | Minor    |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.46(n)(3)   |                 |          |
| Description:     | Failure to obtain and keep on file for future reference, accurate information pertaining to the well (Well # 1 [G0610090A]).  |                 |          |
| Self Report? NO  |   | Classification: | Minor    |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.42(k)  |                 |          |
| Description:     | Failure to compile and maintain current a thorough plant operations manual for operator review and reference.   |                 |          |
| Self Report? NO  |   | Classification: | Minor    |
| Citation:        | 30 TAC Chapter 290, SubChapter F 290.110(b)(4)  |                 |          |
| Description:     | Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/L free chlorine as per agency regulations.                                   |                 |          |
| Self Report? NO  |   | Classification: | Minor    |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.46(m)(4)   |                 |          |
| Description:     | Failure to maintain all water elated appurtenances in a watertight condition. In this connection, the leaking hypochlorination container located in the pump house must be repaired or replaced as necessary. |                 |          |
| Self Report? NO  |   | Classification: | Moderate |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(i)   |                 |          |
| Description:     | Failure to provide 0.6 Gallons per minute per connection well capacity.   |                 |          |
| Self Report? NO  |   | Classification: | Minor    |
| Citation:        | 30 TAC Chapter 290, SubChapter D 290.46(i)  |                 |          |
| Description:     | Failure to adopt an adequate service agreement with provisions for proper enforcement.  |                 |          |

Date: 01/25/2006 (481409)

Self Report? NO

Classification:

Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)

Description: Failure to collect any routine monitoring samples in 12/2005.

Self Report? NO

Classification:

Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

Description: Failure to post a PN for not collecting any routine monitoring samples in 12/2005.

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  
DON FRENCH DBA RIVIERA  
MOBILE HOME PARK  
RN101256667**

§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2006-0800-PWS-E**

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

Mr. French understands that he has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Mr. French agrees to waive all notice and procedural rights.

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

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

### **I. FINDINGS OF FACT**

1. Mr. French owns and operates a mobile home park with a public water supply at 5505 Fishtrap Road in Denton, Denton County, Texas (the "Facility") that has 32 service connections and serves at least 25 people per day for at least 60 days per year.
2. During a record review on May 1, 2006, TCEQ staff documented that Mr. French did not collect routine monthly bacteriological samples and did not provide public notification of the failure to conduct monthly bacteriological sampling during the months of December 2004, April 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, and April 2006.

# THE UNIVERSITY OF CHICAGO



THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES  
DEPARTMENT OF CHEMISTRY

CHICAGO, ILLINOIS  
JANUARY 12, 1954  
PROFESSOR ROBERT M. HARRIS  
DEPARTMENT OF CHEMISTRY  
UNIVERSITY OF CHICAGO  
CHICAGO, ILLINOIS

Dear Professor Harris:

I have just received your letter of January 8, 1954, regarding the  
matter of the University of Chicago's participation in the  
International Union of Pure and Applied Chemistry (IUPAC) Commission  
on the Nomenclature of Organic Chemistry. I am pleased to hear  
that you are interested in this matter and would like to see  
how we can cooperate with you in this regard.

The University of Chicago has a long and distinguished history  
of participation in IUPAC activities. We have been a member  
of the Commission since its formation in 1919. Our participation  
has been particularly active in the field of organic chemistry,  
and we have contributed many members to the Commission's  
various committees and working groups.

We are currently participating in the Commission's work on  
the nomenclature of organic chemistry, and we are particularly  
interested in the work of the Commission's Working Group on  
the Nomenclature of Organic Chemistry. We are currently  
conducting a study of the nomenclature of organic chemistry,  
and we are particularly interested in the work of the  
Working Group on the Nomenclature of Organic Chemistry.

I am sure that you will find our participation in IUPAC activities  
to be of great value to you and to the Commission.

Sincerely,  
Robert M. Harris

Very truly yours,  
Robert M. Harris  
Professor of Chemistry  
The University of Chicago  
Chicago, Illinois

Enclosed for you are two copies of the University of Chicago's  
policy on the nomenclature of organic chemistry. I am sure that  
you will find this policy to be of great value to you and to  
the Commission. I am sure that you will find our participation  
in IUPAC activities to be of great value to you and to the  
Commission.

3. Mr. French received notices of the violations dated January 28, 2005, May 31, 2005, December 1, 2005, December 21, 2005, January 25, 2006, February 23, 2006, March 22, 2006, April 28, 2006, May 1, 2006, and May 26, 2006.

## II. CONCLUSIONS OF LAW

1. Mr. French is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 2, Mr. French failed to conduct routine monthly bacteriological sampling of the public water supply and failed to provide public notification of the failure to conduct routine monthly bacteriological sampling, in violation of 30 TEX. ADMIN. CODE §§ 290.109(c)(2)(A)(ii) and 290.122(c)(2)(A), and TEX. HEALTH & SAFETY CODE § 341.033(d).
3. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Mr. French for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Four Thousand Three Hundred Twenty Dollars (\$4,320) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). Mr. French has paid Three Hundred Sixty Dollars (\$360) of the administrative penalty. The remaining amount of Three Thousand Nine Hundred Sixty Dollars (\$3,960) of the administrative penalty shall be payable in 11 monthly payments of Three Hundred Sixty Dollars (\$360) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Mr. French fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Mr. French to meet the payment schedule of this Agreed Order constitutes the failure by Mr. French to timely and satisfactorily comply with all the terms of this Agreed Order.

## III. ORDERING PROVISIONS

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

1. Mr. French is assessed an administrative penalty in the amount of Four Thousand Three Hundred Twenty Dollars (\$4,320), as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Mr. French's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Don French dba Riviera Mobile Home Park, Docket No. 2006-0800-PWS-E" to:

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. This is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. This includes both qualitative and quantitative approaches, as well as the use of advanced statistical tools and software.

3. The third part of the document focuses on the interpretation and application of the collected data. This involves identifying key trends, patterns, and insights that can inform decision-making and strategic planning.

4. The fourth part of the document discusses the challenges and limitations of data analysis. This includes issues such as data quality, bias, and the complexity of interpreting large datasets. It also highlights the need for ongoing monitoring and evaluation to ensure the effectiveness of the analysis.

5. The fifth part of the document provides a summary of the key findings and conclusions. It emphasizes the importance of using data-driven insights to drive organizational success and improve performance.

6. The sixth part of the document offers recommendations for future research and practice. This includes suggestions for further data collection, analysis, and interpretation, as well as the development of new methods and tools to address emerging challenges.

7. The seventh part of the document concludes with a final statement on the importance of data analysis in the modern business environment.

8. The eighth part of the document provides a list of references and sources used in the research.

9. The ninth part of the document includes a list of appendices and supplementary materials. These materials provide additional information and data that support the findings and conclusions of the research.

10. The tenth part of the document provides a list of contact information for the author and other relevant parties.

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

2. Mr. French shall undertake the following technical requirements:
- a. Within 10 days after the effective of this Agreed Order, begin conducting all required routine monthly bacteriological sampling of the public water supply, in accordance with the provisions set forth in 30 TEX. ADMIN. CODE § 290.109; and
  - b. Within 25 days after the effective date of this Agreed Order, submit certification of compliance with Ordering Provision 2.a. The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Manager, Water Section  
Dallas/Fort Worth Regional Office  
Texas Commission on Environmental Quality  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon Mr. French. Mr. French is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.



4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Mr. French shall be made in writing to the Executive Director. Extensions are not effective until Mr. French receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Mr. French if the Executive Director determines that Mr. French has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against Mr. French in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and systems that can be used to ensure the accuracy and reliability of financial records.

One of the key aspects of record-keeping is the use of standardized accounting principles and practices. This includes the adoption of a consistent set of accounting methods and the use of reliable accounting software. The document also discusses the importance of regular audits and the role of independent auditors in verifying the accuracy of financial statements.

In addition to maintaining accurate records, it is also important to ensure that all financial transactions are properly documented and supported by appropriate evidence. This includes the use of receipts, invoices, and other supporting documents to verify the accuracy of financial records.

The document also discusses the importance of maintaining up-to-date financial statements and the role of these statements in the decision-making process. It emphasizes that accurate financial statements are essential for the success of any business and for the protection of the interests of all parties involved.

Finally, the document discusses the importance of maintaining accurate records of all transactions and the role of these records in the success of any business. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

12/8/06  
\_\_\_\_\_  
Date

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

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

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

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- 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 against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

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

  
\_\_\_\_\_  
Signature

9-7-06  
\_\_\_\_\_  
Date

DON FRENCH  
\_\_\_\_\_  
Name (printed or typed)  
Authorized Representative  
Don French dba Riviera Mobile Home Park

OWNER  
\_\_\_\_\_  
Title

1/1/74

1/1/74

Dear Sir,  
I have the pleasure to inform you that your application for a grant of £1000 has been approved and the sum is being paid to you by cheque.

The cheque is enclosed in this letter and you will receive it within a few days. I am sure that you will find it most useful for the purpose for which it was granted.

I am sure that you will find it most useful for the purpose for which it was granted. I am sure that you will find it most useful for the purpose for which it was granted.