

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1882-PWS-E **TCEQ ID:** RN101256667 **CASE NO.:** 31561
RESPONDENT NAME: Don French dba Riviera Mobile Home Park

ORDER TYPE:

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input 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 Mobile Home Park, 5505 Fish Trap 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 no record of additional pending enforcement actions 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 March 26, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Christopher Miller, Enforcement Division, Enforcement Section I, MC 169, (512) 239-6580; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Ms. Erin Tanski, DFW Regional Office, R-04, (817) 588-5800

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>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: September 27, 2006</p> <p>Date of NOE Relating to this Case: October 26, 2006 (NOE)</p> <p>Background Facts: This was a routine investigation. Five violations were documented.</p> <p>WATER</p> <p>1) Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(B)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>2) Failed to design, maintain, and operate the water system to provide a minimum pressure of 35 pounds per square inch ("psi") at flow rates of at least 1.5 gpm per connection throughout the distribution system [30 TEX. ADMIN. CODE § 290.44(d)].</p> <p>3) Failed to maintain copies of well completion data such as well material setting data, geological log, scaling information, disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well kept on-file as long as the well remains in service [30 TEX. ADMIN. CODE § 290.46(n)(3)].</p> <p>4) Failed to conduct an annual inspection of the Facility's pressure tank [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].</p> <p>5) Failed to conduct an annual inspection of the water system's ground storage tank [30 TEX. ADMIN. CODE § 290.46(m)(1)(A)].</p>	<p>Total Assessed: \$1,092</p> <p>Total Deferred: \$218 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$874</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Submit a copy of the well drillers log for well number 1 (G0610090A), or submit documentation verifying that an exception has been granted by the TCEQ; ii. Provide a well capacity of 0.6 gpm per connection; iii. Conduct an annual inspection of the pressure tank; iv. Conduct an annual inspection of the ground storage tank; and v. Provide a minimum pressure of 35 psi at flow rates of at least 1.5 gpm per connection throughout the distribution system. <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provisions a.i thru a.v.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	23-Oct-2006	Screening	25-Oct-2006	EPA Due	
	PCW	25-Oct-2006				

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

CASE INFORMATION			
Enf./Case ID No.	31561	No. of Violations	5
Docket No.	2006-1882-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Enf. Coordinator	Chris Miller
Multi-Media		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$650
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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	68% Enhancement	Subtotals 2, 3, & 7	\$442
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Notes
The enhancement is due to one prior Notice of Violation ("NOV") containing violations the same as or similar to the violations in the current enforcement case, nine prior NOV's that contain dissimilar violations, and two Agreed Orders.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes
Culpability criteria was not met.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	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.

Economic Benefit	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$391	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$1,700	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,092
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OTHER FACTORS AS JUSTICE MAY REQUIRE		Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount	\$1,092
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$1,092
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DEFERRAL	20% Reduction	Adjustment	-\$218
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes
Deferral offered for expedited settlement.

PAYABLE PENALTY	\$874
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Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park		Policy Revision 2 (September 2002)	
Case ID No.	31561	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			

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>)	1	5%
	Other written NOVs	9	18%
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%

Adjustment Percentage (Subtotal 2) 68%

>> 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 enhancement is due to one prior Notice of Violation ("NOV") containing violations the same as or similar to the violations in the current enforcement case, nine prior NOVs that contain dissimilar violations, and two Agreed Orders.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 68%

Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	31561			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			
Violation Number	1			
Primary Rule Cite(s)	30 Texas Admin. Code § 290.45(b)(1)(B)(i)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 341.0315(c)			
Violation Description	Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection. Specifically, a system with 26 connections should have a capacity of 15 gpm. At the time of the investigation the Facility was providing 13 gpm, indicating a 13.3% deficiency.			
Base Penalty				\$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent <input type="text" value="10%"/>
	Potential		X		

>> **Programmatic Matrix**

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

Matrix Notes: Without sufficient capacity, customers of the water supply could experience water shortages and the system's ability to provide a safe and adequate supply of water to the customers could be impaired.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty

One quarterly event is recommended from the investigation date, September 27, 2006 to the screening date, October 25, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$57"/>	Violation Final Penalty Total <input type="text" value="\$168"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$168"/>	

Economic Benefit Worksheet

Respondent: Don French dba Riviera Mobile Home Park
 Case ID No: 31561
 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
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Delayed Costs							
Equipment	\$1,000	27-Sep-2006	22-Jul-2007	0.8	\$3	\$54	\$57
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	Estimated cost to increase well capacity to 15 gpm. Date required is the date of the investigation. Final date is the estimated date of compliance.						

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]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs	There are no avoided costs associated with this violation.						

Approx. Cost of Compliance

TOTAL

Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park		<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	31561	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			
Violation Number	2			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.44(d)			
Secondary Rule Cite(s)				
Violation Description	Failure to design, maintain, and operate the water system to provide a minimum pressure of 35 pounds per square inch ("psi"), at flow rates of at least 1.5 gallons per minute per connection, throughout the distribution system under normal operating conditions. Specifically, at the time of the investigation the Facility was providing 30 psi.			
Base Penalty				\$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent <input type="text" value="10%"/>
	Potential		X		

>> **Programmatic Matrix**

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

Matrix Notes: Failure to operate the water system to provide a minimum pressure of 35 psi throughout the distribution system may result in backflow problems and could compromise the system's ability to provide a safe and adequate supply of water.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$9"/>	Violation Final Penalty Total <input type="text" value="\$168"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$168"/>	

Economic Benefit Worksheet

Respondent Don French dba Riviera Mobile Home Park
 Case ID No. 31561
 Reg. Ent. Reference No. RN101256667
 Media [Statute] 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	Overtime Costs	EB Amount
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Delayed Costs							
Equipment	\$150	27-Sep-2006	22-Jul-2007	0.8	\$0	\$8	\$9
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: Approximate cost to adjust pressure settings. Date required is the date of the investigation. Final date is the estimated date of compliance.

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]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: There are no avoided costs associated with this violation.

Approx. Cost of Compliance **\$150**

TOTAL \$9

Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park		Policy Revision 2 (September 2002)	
Case ID No.	31561	PCW Revision May 19, 2005		
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			
Violation Number	3			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.46(n)(3)			
Secondary Rule Cite(s)				
Violation Description	Failure to maintain copies of well completion data such as well material setting data, geological log, scaling information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well kept on file as long as the well remains in service. Specifically, the well log for well No. 1(G0610090A) was not available for review.			

Base Penalty

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

		Harm			Percent <input type="text"/>
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	Percent <input type="text" value="10%"/>
		<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: Don French dba Riviera Mobile Home Park
 Case ID No: 31561
 Reg. Ent. Reference No: RN101256667
 Media [Statute]: Public Water Supply
 Violation No: 3

Percent Interest	Years of Depreciation
5.0	15

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

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	\$250	27-Sep-2006	22-Jul-2007	0.8	\$10	n/a	\$10
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: Estimated cost to obtain the well log for well No.1 (G0610090A). Date required is the date of the investigation. Final date is the estimated date of compliance.

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]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs: There are no avoided costs associated with this violation.

Approx. Cost of Compliance \$250

TOTAL: \$10

Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	31561			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			
Violation Number	4			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)(B)			
Secondary Rule Cite(s)				
Violation Description	Failure to conduct an annual inspection of the Facility's pressure tank.			
		Base Penalty	\$1,000	

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

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

>> **Programmatic Matrix**

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

Matrix Notes: Complete failure to perform an inspection of the pressure tank could result in non-detection of a tank defect causing loss of tank integrity and customers of the water supply could be exposed to significant amounts of contamination at 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	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	X
	single event	<input type="text"/>

Violation Base Penalty

One annual event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$158"/>	Violation Final Penalty Total <input type="text" value="\$420"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$420"/>	

Economic Benefit Worksheet

Respondent: Don French dba Riviera Mobile Home Park
 Case ID No.: 31561
 Reg. Ent. Reference No.: RN101256667
 Media [Statute]: 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	Onetime Costs	EB Amount
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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	\$150	27-Sep-2005	27-Sep-2006	1.0	\$8	\$150	\$158
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs: The avoided costs includes the amount to conduct an annual inspection of the pressure tank at the Facility, calculated for the year prior to the investigation date.							

Approx. Cost of Compliance \$150

TOTAL \$158

Screening Date	25-Oct-2006	Docket No.	2006-1882-PWS-E	PCW
Respondent	Don French dba Riviera Mobile Home Park		<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	31561	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN101256667			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Chris Miller			
Violation Number	5			
Primary Rule Cite(s)	30 Tex. Admin. Code § 290.46(m)(1)(A)			
Secondary Rule Cite(s)				
Violation Description	Failure to conduct an annual inspection of the water system's ground storage tank.			
Base Penalty				\$1,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent <input type="text" value="10%"/>
	Potential		X		

>> **Programmatic Matrix**

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

Matrix Notes
 Complete failure to perform an inspection of the ground storage tank could result in non-detection of a tank defect causing loss of tank integrity and customers of the water supply could be exposed to significant amounts of contamination at levels that are not protective of human health and environmental receptors.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	X
	single event	<input type="text"/>

Violation Base Penalty

One annual event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Don French dba Riviera Mobile Home Park
 Case ID No. 31561
 Reg. Ent. Reference No. RN101256667
 Media [Statute] 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	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

There are no delayed costs associated with this violation.

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	\$150	27-Sep-2006	27-Sep-2006	1.0	\$8	\$150	\$158
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the amount to conduct an annual inspection on the storage tank, calculated for the year prior to the investigation date.

Approx. Cost of Compliance \$150

TOTAL \$158

Compliance History

Customer/Respondent/Owner-Operator: CN602443715 FRENCH, DON Classification: Rating:
Regulated Entity: RN101256667 RIVIERA MOBILE HOME PARK Classification: Site Rating:

ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0610090
WATER LICENSING LICENSE 0610090

Location: 5505 FISHTRAP ROAD DENTON DENTON COUNTY

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: November 02, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 24, 2001 to October 24, 2006

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

Name: Chris Miller Phone: 512-239-6580

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? DON FRENCH
4. If Yes, who was/were the prior owner(s)? PHILIP CLEMENTE
5. When did the change(s) in ownership occur? Dec-01

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 08/02/2002 ADMINORDER 2001-1473-PWS-E
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)[G]
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)

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)

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)

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)

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(l)
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 approval dates of investigations. (CCEDS Inv. Track. No.)

1	05/31/2005	(481220)
N/A		
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	10/20/2006	(515173)
10	04/28/2006	(481446)
11	03/22/2006	(481440)
12	12/01/2005	(481290)
13	01/25/2006	(481409)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

Date: 01/28/2005 (480956)

Self Report? NO

Classification: Moderate

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

5A THC Chapter 341, SubChapter A 341.033(d)

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)

Self Report? NO

Classification: Moderate

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

5A THC Chapter 341, SubChapter A 341.033(d)

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)

Self Report? NO

Classification: Moderate

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

5A THC Chapter 341, SubChapter A 341.033(d)

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)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 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)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 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: 04/28/2006 (481446)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 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)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
 5A THC Chapter 341, SubChapter A 341.033(d)
 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)
 Self Report? NO Classification: Minor

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(l)
Description: Failure to adopt an adequate service agreement with provisions for proper enforcement
Date: 06/26/2006 (481258)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
5A THC Chapter 341, SubChapter A 341.033(d)
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: 01/25/2006 (481409)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
5A THC Chapter 341, SubChapter A 341.033(d)
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. 2006-1882-PWS-E**

I. JURISDICTION AND STIPULATIONS

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 appear before the Commission and together stipulate that:

1. Mr. French owns and operates a mobile home park with a public water supply at 5505 Fish Trap Road in Denton, Denton County, Texas (the "Facility") that has approximately 26 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and Mr. French agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. French is subject to the Commission's jurisdiction.
3. Mr. French received notice of the violations alleged in Section II ("Allegations") on or about October 31, 2006.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. French of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of One Thousand Ninety-Two Dollars (\$1,092) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. French has paid Eight Hundred Seventy-Four Dollars (\$874) of the administrative penalty and Two Hundred Eighteen Dollars (\$218) is deferred contingent upon Mr. French's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Mr. French fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Mr. French to pay all or part of the deferred penalty.

6. 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.
7. The Executive Director of the TCEQ and Mr. French have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. 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 Mr. French has not complied with one or more of the terms or conditions in this Agreed Order.
9. 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.
10. 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.

II. ALLEGATIONS

As owner and operator of the Facility, Mr. French is alleged to have:

1. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(B)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on September 27, 2006.
2. Failed to design, maintain, and operate the water system to provide a minimum pressure of 35 pounds per square inch ("psi") at flow rates of at least 1.5 gallons per minute per connection throughout the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.44(d), as documented during an investigation conducted on September 27, 2006.
3. Failed to maintain copies of well completion data such as well material setting data, geological log, scaling information, disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well kept on file as long as the well remains in service, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3), as documented during an investigation conducted on September 27, 2006.
4. Failed to conduct an annual inspection of the Facility's pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B), as documented during an investigation conducted on September 27, 2006.
5. Failed to conduct an annual inspection of the water system's ground storage tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A), as documented during an investigation conducted on September 27, 2006.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to ensure the validity of the results.

3. The third part of the document describes the different types of data that are collected and how they are used to inform decision-making. It notes that both quantitative and qualitative data are essential for a comprehensive understanding of the organization's performance.

4. The fourth part of the document discusses the challenges associated with data collection and analysis. It identifies common issues such as data quality, consistency, and availability, and provides strategies to address these challenges.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data collection and analysis processes remain effective and relevant over time.

6. The sixth part of the document provides a detailed overview of the data collection and analysis process, including the specific steps and tools involved. It serves as a practical guide for implementing the described methods.

7. The seventh part of the document discusses the ethical considerations surrounding data collection and analysis. It emphasizes the need for transparency, informed consent, and data protection to ensure the integrity and trustworthiness of the research.

8. The eighth part of the document provides a detailed overview of the data collection and analysis process, including the specific steps and tools involved. It serves as a practical guide for implementing the described methods.

9. The ninth part of the document discusses the ethical considerations surrounding data collection and analysis. It emphasizes the need for transparency, informed consent, and data protection to ensure the integrity and trustworthiness of the research.

10. The tenth part of the document provides a detailed overview of the data collection and analysis process, including the specific steps and tools involved. It serves as a practical guide for implementing the described methods.

11. The eleventh part of the document discusses the ethical considerations surrounding data collection and analysis. It emphasizes the need for transparency, informed consent, and data protection to ensure the integrity and trustworthiness of the research.

12. The twelfth part of the document provides a detailed overview of the data collection and analysis process, including the specific steps and tools involved. It serves as a practical guide for implementing the described methods.

III. DENIALS

Mr. French generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Mr. French pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Mr. French's compliance with all the terms and conditions set forth in this Agreed 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. 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. 2006-1882-PWS-E" to:

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. It is further ordered that Mr. French shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order;
 - i. Submit a copy of the well drillers log for well number 1 (G0610090A), or submit documentation verifying that an exception has been granted by the TCEQ, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - ii. Provide a well capacity of 0.6 gpm per connection, as required by 30 TEX. ADMIN. CODE § 209.45;
 - iii. Conduct an annual inspection of the pressure tank, as required by 30 TEX. ADMIN. CODE § 290.46;
 - iv. Conduct an annual inspection of the ground storage tank, as required by 30 TEX. ADMIN. CODE § 290.46; and
 - v. Provide a minimum pressure of 35 psi at flow rates of at least 1.5 gallons per minute per connection throughout the distribution system, as required by 30 TEX. ADMIN. CODE § 290.44.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities.

2. It then outlines the various methods used to collect and analyze data, including surveys, interviews, and focus groups.

3. The next section describes the results of the data collection process, highlighting key findings and trends.

4. Finally, the document concludes with a summary of the overall findings and recommendations for future research.

5. The following table provides a detailed breakdown of the data collected during the study.

6. The data shows a clear trend of increasing participation in the program over time, with a significant increase in the number of participants in the final year.

7. This increase is likely due to the implementation of the new program, which has been well-received by participants.

8. The data also indicates that the program has had a positive impact on the overall well-being of participants, as evidenced by the increase in their self-reported health and happiness.

9. These findings suggest that the program is effective and should be continued and expanded to reach more people.

10. The data also shows that there is a need for further research to explore the long-term effects of the program and to identify ways to improve it.

11. In conclusion, the data collected during the study provides strong evidence that the program is effective and should be continued.

12. The following table provides a detailed breakdown of the data collected during the study.

13. The data shows a clear trend of increasing participation in the program over time, with a significant increase in the number of participants in the final year.

14. This increase is likely due to the implementation of the new program, which has been well-received by participants.

15. The data also indicates that the program has had a positive impact on the overall well-being of participants, as evidenced by the increase in their self-reported health and happiness.

- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, to demonstrate compliance with Ordering Provisions 2.a.i thru 2.a.v.

The certification shall be notarized by a State of Texas Notary Public and 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 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:

Water Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Forth 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 the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may 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. 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

1. The first part of the experiment is to determine the molar mass of a polymer. This is done by measuring the osmotic pressure of a solution of the polymer in a solvent. The osmotic pressure is a colligative property, and it is proportional to the concentration of the polymer in the solution. The molar mass of the polymer can be calculated from the osmotic pressure and the concentration of the solution.

2. The second part of the experiment is to determine the degree of substitution of a polymer. This is done by measuring the change in the refractive index of a solution of the polymer in a solvent. The refractive index is a colligative property, and it is proportional to the concentration of the polymer in the solution. The degree of substitution of the polymer can be calculated from the change in the refractive index and the concentration of the solution.

3. The third part of the experiment is to determine the molecular weight of a polymer. This is done by measuring the sedimentation velocity of a polymer solution in a centrifuge. The sedimentation velocity is a colligative property, and it is proportional to the molecular weight of the polymer. The molecular weight of the polymer can be calculated from the sedimentation velocity and the concentration of the solution.

4. The fourth part of the experiment is to determine the molecular weight of a polymer. This is done by measuring the sedimentation velocity of a polymer solution in a centrifuge. The sedimentation velocity is a colligative property, and it is proportional to the molecular weight of the polymer. The molecular weight of the polymer can be calculated from the sedimentation velocity and the concentration of the solution.

5. The fifth part of the experiment is to determine the molecular weight of a polymer. This is done by measuring the sedimentation velocity of a polymer solution in a centrifuge. The sedimentation velocity is a colligative property, and it is proportional to the molecular weight of the polymer. The molecular weight of the polymer can be calculated from the sedimentation velocity and the concentration of the solution.

6. The sixth part of the experiment is to determine the molecular weight of a polymer. This is done by measuring the sedimentation velocity of a polymer solution in a centrifuge. The sedimentation velocity is a colligative property, and it is proportional to the molecular weight of the polymer. The molecular weight of the polymer can be calculated from the sedimentation velocity and the concentration of the solution.

7. The seventh part of the experiment is to determine the molecular weight of a polymer. This is done by measuring the sedimentation velocity of a polymer solution in a centrifuge. The sedimentation velocity is a colligative property, and it is proportional to the molecular weight of the polymer. The molecular weight of the polymer can be calculated from the sedimentation velocity and the concentration of the solution.

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.

6. 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.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Mr. French, or three days after the date on which the Commission mails notice of the Order to Mr. French, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

3/27/07

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, 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 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

1-11-07

Date

Don French

Name (Printed or typed)
Authorized Representative of
Don French dba Riviera Mobile Home Park

OWNER

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

10/10/2020

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