

EXECUTIVE SUMMARY - ENFORCEMENT MATTER**DOCKET NO.:** 2007-0621-PWS-E **TCEQ ID:** RN101271245 **CASE NO.:** 33226**RESPONDENT NAME:** Lukes Mobile Home Park, Inc.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Lukes Mobile Home Community, 4501 East Highway 199, Parker County</p> <p>TYPE OF OPERATION: Recreational area with a public water supply</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 5, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Tel Croston, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-5717; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Judy Martin, President/Manager, Lukes Mobile Home Park, Inc., 4501 East Highway 199, Springtown, Texas 76082 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

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 checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: February 21 and April 23, 2007</p> <p>Date of NOV/NOE Relating to this Case: April 12, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation and record review. Ten violations were documented.</p> <p>WATER</p> <p>1) Failed to provide a well casing 18 inches above the elevation of the natural ground surface with a minimum of one inch above the sealing block or pump motor foundation block [30 TEX. ADMIN. CODE § 290.41(c)(3)(B)].</p> <p>2) Failed to compile and maintain an up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(k)].</p> <p>3) Failed to ensure that the public water supply operation is under the direct supervision of a water works operator who holds a minimum of a Class "D" license [30 TEX. ADMIN. CODE § 290.46(e) and TEX. HEALTH & SAFETY CODE § 341.033(a)].</p> <p>4) Failed to provide well completion data for Well No. 1 [30 TEX. ADMIN. CODE § 290.46(n)(3)].</p> <p>5) Failed to provide monthly operating reports of water work operations [30 TEX. ADMIN. CODE § 290.46(f)(3)(A) and (f)(4)(C)].</p> <p>6) Failed to provide a plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor</p>	<p>Total Assessed: \$1,750</p> <p>Total Deferred: \$350 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$200 (remaining \$1,200 due in 6 monthly payments of \$200 each)</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <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>Corrective Actions Taken:</p> <p>1) The Executive Director recognizes that Lukes Mobile Home Park has implemented the following corrective measures at the Facility as of May 25, 2007:</p> <p>a. Began maintaining a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system;</p> <p>b. Compiled and began maintaining an up-to-date plant operations manual;</p> <p>c. Began conducting pressure tank inspections;</p> <p>d. Began maintaining monthly operating reports;</p> <p>e. Began maintaining a minimum pressure of 35 psi at all points within the distribution system; and</p> <p>f. Adopted service agreements with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to:</p> <p>a. Immediately upon the effective date of this Agreed Order, begin operating the water supply system under the direct supervision of a water works operator who holds at least a Class "D" license.</p> <p>b. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.; and</p> <p>ii. Submit payment for all delinquent fees for Financial Administration Account No. 9184014.</p>

<p>other unacceptable plumbing practices are permitted [30 TEX. ADMIN. CODE § 290.46(i)].</p> <p>7) Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") at flow rates of at least 1.5 gallons per minute per connection at each service outlet or connection at all points within the distribution network [30 TEX. ADMIN. CODE § 290.46(r)].</p> <p>8) Failed to inspect the pressure tank at least annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].</p> <p>9) Failed to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 milligrams per liter ("mg/L") free chlorine [30 TEX. ADMIN. CODE § 290.110(b)(4)].</p> <p>10) Failed to pay all Public Health Service late fees for TCEQ Financial Administration Account No. 9184014 [TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(3)].</p>		<p>c. Within 60 days after the effective date of this Agreed Order:</p> <p>i. Submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.b.;</p> <p>ii. Install a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface;</p> <p>iii. Begin maintaining a copy of the well completion data for Well No. 1, in accordance with 30 TEX. ADMIN. CODE § 290.46 or obtain an exception to the rule; and</p> <p>d. Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts and/or records to demonstrate compliance with Ordering Provisions No. 2.c.</p>
--	--	---

Additional ID No(s): PWS 1840141



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

DATES	Assigned	2-Apr-2007	Screening	16-Apr-2007	EPA Due	
	PCW	16-Apr-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Lukes Mobile Home Park, Inc.		
Reg. Ent. Ref. No.	RN101271245		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION				
Enf./Case ID No.	33226	No. of Violations	10	
Docket No.	2007-0621-PWS-E	Order Type	1660	
Media Program(s)	Public Water Supply	Enf. Coordinator	Tel Croston	
Multi-Media		EC's Team	EnforcementTeam 2	
Admin. Penalty \$	Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Reduction **Subtotal 5**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/> (mark with x)

Notes

Total EB Amounts **0% Enhancement*** **Subtotal 6**
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

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

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component Number of... Enter Number Here Adjust.

NOVs	Written NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	1	5%
	Other written NOV's	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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) 25%

>> 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

Respondent was issued one NOV with the same or similar violation in the past five years and Agreed Order 2001-1291-PWS-E, effective July 21, 2002.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 25%

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(B)

Violation Description Failed to provide a well casing 18 inches above the elevation of the natural ground surface with a minimum of one inch above the sealing block or pump motor foundation block. Specifically the well casing was nine inches above the concrete sealing block.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential		x		

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
				0%

Matrix Notes: Without a adequate protection of the wellhead, customers of the water supply could be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 56

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$100

One quarterly event is recommended from the date of the investigation, February 21, 2007 to the date of screening, April 16, 2007.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$30

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$500	21-Feb-2007	1-Jan-2008	0.9	\$1	\$29	\$30
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

The delayed costs include the amount to install a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface. 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

Approx. Cost of Compliance

\$500

TOTAL

\$30

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.42(k)

Violation Description

Failed to compile and maintain an up-to-date plant operations manual for operator review and reference.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

Failed to comply with 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

56 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	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	\$100	21-Feb-2007	25-May-2007	0.3	\$1	n/a	\$1
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

The delayed costs include the amount to prepare and maintain a plant operations manual. Date required is the date of the investigation. Final date is the 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

Approx. Cost of Compliance

\$100

TOTAL

\$1

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.46(e) and Tex. Health & Safety Code § 341.033(a)

Violation Description Failed to ensure that the public water supply operation is under the direct supervision of a water works operator who holds a minimum of a Class "D" license.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Failure to employ a licensed operator with at least a "D" certification could allow the customers to be exposed to significant amounts of pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 2 Number of violation days 56

mark only one with an x	daily	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$500

Two monthly events are recommended from the date of the investigation February 21, 2007 through April 16, 2007.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5,459

Violation Final Penalty Total \$625

This violation Final Assessed Penalty (adjusted for limits) \$625

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	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)							
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel	\$7,500	21-Feb-2007	1-Nov-2007	0.7	\$260	\$5,199	\$5,459
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

The avoided cost includes the amount to employ a Class "D" licensed water works operator. Date required is the date of the investigation. Final date is the estimated date of compliance.

Approx. Cost of Compliance \$7,500
TOTAL \$5,459

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 290.46(n)(3)

Violation Description Failed to provide well completion data for Well No. 1.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		
Failed to comply with 100% of the rule requirement.					

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 56

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$22

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent: Lukes Mobile Home Park, Inc.
Case ID No.: 33226
Reg. Ent. Reference No.: RN101271245
Media: Public Water Supply
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<i>No commas or \$</i>							
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)	\$500	21-Feb-2007	1-Jan-2008	0.9	\$22	n/a	\$22

Notes for DELAYED costs The delayed costs include the amount to prepare and maintain the records of the well completion data at the site. 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

Approx. Cost of Compliance \$500 **TOTAL** \$22

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.46(f)(3(A))

Violation Description Failed to provide monthly operating reports of water work operations. Specifically, at the time of the inspection the Respondent could only provide records for the two previous months.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		x			10%

Matrix Notes More than 70% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 56

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

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	\$150	21-Feb-2007	25-May-2007	0.3	\$2	n/a	\$2
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

The delayed costs include the amount to complete and maintain monthly records. Date required is the date of the investigation. Final date is the 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

Approx. Cost of Compliance \$150

TOTAL \$2

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.46(i)

Violation Description Failed to provide a plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), Percent (0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, Percent (10%).

Matrix Notes Failed to comply with 100% of the rule requirement.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 56

Table for frequency: daily, monthly, quarterly, semiannual, annual, single event (marked with x).

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

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)	\$150	21-Feb-2007	25-May-2007	0.3	\$2	n/a	\$2

Notes for DELAYED costs

Estimated cost to adopt an adequate plumbing ordinance, regulations, or service agreement. Date required is the date of the investigation. Final date is the 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

Approx. Cost of Compliance	\$150	TOTAL	\$2
----------------------------	-------	--------------	-----

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 290.46(r)

Violation Description

Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") at flow rates of at least 1.5 gallons per minute per connection at each service outlet or connection at all points within the distribution network. Specifically on the day of the inspection the system was operating at 31 psi indicating a 2.5% deficiency.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 5%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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 \$950

\$50

Violation Events

1

56 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$50

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$63

This violation Final Assessed Penalty (adjusted for limits) \$63

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment	\$1,000	21-Feb-2007	25-May-2007	0.3	\$1	\$17	\$18
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 maintain minimum pressure at a minimum of 35 psi. Date required is the date of the investigation. Final date is the 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

Approx. Cost of Compliance	\$1,000	TOTAL	\$18
----------------------------	---------	--------------	------

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(1)(B)

Violation Description Failed to inspect the pressure tank annually.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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 that would exceed levels that are protective of human health and environmental receptors.

Adjustment \$750

\$250

Violation Events

1

56 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$250

One annual event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$105

Violation Final Penalty Total \$313

This violation Final Assessed Penalty (adjusted for limits) \$313

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 8

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$100	21-Feb-2006	21-Feb-2007	1.0	\$5	\$100	\$105
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 include the amount to perform the pressure tank inspection, calculated for the one year prior to the investigation.

Approx. Cost of Compliance \$100
TOTAL \$105

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.110(b)(4)

Violation Description

Failed to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 milligrams per liter ("mg/L") free chlorine. Specifically, a field test conducted during the investigation recorded a free chlorine level of 0.06 mg/L at the office of the water system.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Failure to maintain the residual disinfectant concentration at the required levels means customers of the water supply could be exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 56

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6

Violation Final Penalty Total \$125

This violation Final Assessed Penalty (adjusted for limits) \$125

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$500	21-Feb-2007	25-May-2007	0.3	\$6	n/a	\$6

Notes for DELAYED costs

Estimated cost to maintain a chlorine residual of 0.2 mg/L throughout the far reaches of the system. Date required is the date of the investigation. Final date is the date of compliance.

Avoided Costs

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

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

Approx. Cost of Compliance	\$500	TOTAL	\$6
----------------------------	-------	--------------	-----

Screening Date 16-Apr-2007

Docket No. 2007-0621-PWS-E

PCW

Respondent Lukes Mobile Home Park, Inc.

Policy Revision 2 (September 2002)

Case ID No. 33226

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN101271245

Media [Statute] Public Water Supply

Enf. Coordinator Tel Croston

Violation Number 10

Rule Cite(s) Tex. Water Code § 5.702 and 30 Tex. Admin. Code § 290.51(a)(3)

Violation Description Failed to pay all Public Health Service late fees for TCEQ Financial Administration Account No. 9184014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

No additional administrative penalty was calculated for this violation as penalties and/or interest will be assessed on the next fee billing.

Adjustment \$1,000

\$0

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$0

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$0

This violation Final Assessed Penalty (adjusted for limits) \$0

Economic Benefit Worksheet

Respondent Lukes Mobile Home Park, Inc.
Case ID No. 33226
Reg. Ent. Reference No. RN101271245
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime 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

No economic benefit is 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				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

Approx. Cost of Compliance

\$0

TOTAL

\$0

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
LUKES MOBILE HOME PARK, INC.
RN101271245**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0621-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 Lukes Mobile Home Park, Inc. ("Lukes Mobile Home Park") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 5. The Executive Director of the TCEQ, through the Enforcement Division, and Lukes Mobile Home Park appear before the Commission and together stipulate that:

1. Lukes Mobile Home Park owns and operates a recreational area with a public water supply at 4501 East Highway 199, in Parker County, Texas (the "Facility"), that has approximately 15 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and Lukes Mobile Home Park agree that the Commission has jurisdiction to enter this Agreed Order, and that Lukes Mobile Home Park is subject to the Commission's jurisdiction.
3. Lukes Mobile Home Park received notice of the violations alleged in Section II ("Allegations") on or about April 17, 2007.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Lukes Mobile Home Park of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of One Thousand Seven Hundred Fifty Dollars (\$1,750) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Lukes Mobile Home Park has paid Two Hundred Dollars (\$200) of the

administrative penalty and Three Hundred Fifty Dollars (\$350) is deferred contingent upon Lukes Mobile Home Park's timely and satisfactory compliance with all the terms of this Agreed Order. If Lukes Mobile Home Park fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Lukes Mobile Home Park to pay all or part of the deferred penalty.

The remaining amount of One Thousand Two Hundred Dollars (\$1,200) of the administrative penalty shall be payable in six monthly payments of Two Hundred Dollars (\$200) 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 Lukes Mobile Home Park 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 Lukes Mobile Home Park to meet the payment schedule of this Agreed Order constitutes the failure by Lukes Mobile Home Park to timely and satisfactorily comply with all the terms of this Agreed Order.

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 Lukes Mobile Home Park 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 Lukes Mobile Home Park has not complied with one or more of the terms or conditions in this Agreed Order.
9. The Executive Director recognizes that Lukes Mobile Home Park has implemented the following corrective measures at the Facility as of May 25, 2007:
 - a. Began maintaining a free chlorine residual of 0.2 milligrams per liter ("mg/L") in the far reaches of the distribution system.
 - b. Compiled and began maintaining an up-to-date plant operations manual.
 - c. Began conducting pressure tank inspections.
 - d. Began maintaining monthly operating reports.
 - e. Began maintaining a minimum pressure of 35 pounds per square inch ("psi") at all points within the distribution system.
 - f. Adopted service agreements with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.
10. 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.

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. It includes a description of the data sources, the methods used for data collection, and the steps involved in data analysis.

7. The seventh part of the document discusses the results of the data collection and analysis. It presents the findings in a clear and concise manner, highlighting the key trends and insights that have emerged from the data.

8. The eighth part of the document provides a detailed analysis of the data. It examines the data in depth, identifying patterns and trends that are not immediately apparent from the summary findings.

9. The ninth part of the document discusses the implications of the data for the organization. It explores how the findings can be used to inform decision-making and to identify areas for improvement.

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

11. The eleventh part of the document provides a detailed overview of the data collection and analysis process. It includes a description of the data sources, the methods used for data collection, and the steps involved in data analysis.

12. The twelfth part of the document discusses the results of the data collection and analysis. It presents the findings in a clear and concise manner, highlighting the key trends and insights that have emerged from the data.

11. 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, Lukes Mobile Home Park is alleged to have:

1. Failed to provide a well casing 18 inches above the elevation of the natural ground surface with a minimum of one inch above the sealing block or pump motor foundation block, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(B), as documented during an investigation conducted on February 21, 2007.
2. Failed to compile and maintain an up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(k), as documented during an investigation conducted on February 21, 2007.
3. Failed to ensure that the public water supply operation is under the direct supervision of a water works operator who holds a minimum of a Class "D" license, in violation of 30 TEX. ADMIN. CODE § 290.46(e) and TEX. HEALTH & SAFETY CODE § 341.033(a), as documented during an investigation conducted on February 21, 2007.
4. Failed to provide well completion data for Well No. 1, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3), as documented during an investigation conducted on February 21, 2007.
5. Failed to provide monthly operating reports of water work operations, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(3)(A), as documented during an investigation conducted on February 21, 2007.
6. Failed to provide a plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i), as documented during an investigation conducted on February 21, 2007.
7. Failed to maintain a minimum pressure of 35 psi at flow rates of at least 1.5 gallons per minute per connection at each service outlet or connection at all points within the distribution network, in violation of 30 TEX. ADMIN. CODE § 290.46(r), as documented during an investigation conducted on February 21, 2007.
8. Failed to inspect the pressure tank at least annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B), as documented during an investigation conducted on February 21, 2007.
9. Failed to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/L free chlorine, in violation of 30 TEX. ADMIN. CODE § 290.110(b)(4), as documented during an investigation conducted on February 21, 2007.

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

CONCLUSION

In conclusion, the document highlights the critical role of financial management in the success of any organization. It provides a comprehensive overview of the key principles and practices that should be followed to ensure long-term sustainability and growth.

The second part of the document details the various methods and techniques used to analyze financial data. It covers topics such as budgeting, forecasting, and performance evaluation, providing practical insights for decision-makers.

Overall, the document serves as a valuable resource for anyone interested in financial management. It offers a clear and concise guide to the essential concepts and tools needed to effectively manage an organization's finances.

The final section of the document discusses the challenges and opportunities associated with financial management in the current economic environment. It provides a forward-looking perspective on the industry's future.

It is important to note that the information provided in this document is for informational purposes only and should not be used as a substitute for professional financial advice.

The document is intended to provide a general overview of financial management and is not intended to be used as a basis for investment decisions. Readers are encouraged to consult with a qualified financial advisor for more detailed information.

The document is a confidential document and its contents should not be disclosed to any third party without the prior written consent of the author. Any unauthorized use or distribution of this document is strictly prohibited.

The document is the property of the author and is loaned to the reader. It should be returned to the author upon completion of the review process.

The document is a work of fiction and should not be taken literally. It is intended to provide a general overview of financial management and is not intended to be used as a basis for investment decisions.

10. Failed to pay all Public Health Service late fees for TCEQ Financial Administration Account No. 9184014, in violation of TEX. WATER CODE § 5.702 and 30 TEX. ADMIN. CODE § 290.51(a)(3), as documented during a record review conducted on April 23, 2007.

III. DENIALS

Lukes Mobile Home Park generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Lukes Mobile Home Park pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Lukes Mobile Home Park'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: Lukes Mobile Home Park, Inc., Docket No. 2007-0621-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 Lukes Mobile Home Park shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, begin operating the water supply system under the direct supervision of a water works operator who holds at least a Class "D" license, in accordance with 30 TEX. ADMIN. CODE § 290.46.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Submit written certification, as detailed in Ordering Provision 2.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a.
 - ii. Submit payment for all delinquent fees for Financial Administration Account No. 9184014 to the address listed in Provision No. 1 of this section.

Dear Sir,

REPLY TO YOUR LETTER

I have received your letter of the 15th inst.

REPLY TO YOUR LETTER

I have received your letter of the 15th inst. and in reply to inform you that the same has been forwarded to the appropriate authorities for their consideration.

I am sorry that I cannot give you a more definite answer at this time, but I will be glad to advise you as soon as a final decision has been reached.

Very truly yours,

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

- c. Within 60 days after the effective date of this Agreed Order:
- i. Submit written certification, as detailed in Ordering Provision 2.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.b.
 - ii. Install a well casing that extends a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface, in accordance with 30 TEX. ADMIN. CODE § 290.41;
 - iii. Begin maintaining a copy of the well completion data for Well No. 1, in accordance with 30 TEX. ADMIN. CODE § 290.46 or obtain an exception to the rule pursuant to 30 TEX. ADMIN. CODE §290.39(l); and
- d. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts and/or records to demonstrate compliance with Ordering Provisions No. 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following 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
2301 Gravel Drive
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon Lukes Mobile Park. Lukes Mobile Park 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.

Handwritten title or section heading.

First paragraph of handwritten text.

Second paragraph of handwritten text.

Third paragraph of handwritten text.

Fourth paragraph of handwritten text.

Fifth paragraph of handwritten text.

Sixth paragraph of handwritten text.

Seventh paragraph of handwritten text.

Eighth paragraph of handwritten text.

Ninth paragraph of handwritten text.

Tenth paragraph of handwritten text.

Eleventh paragraph of handwritten text.

Twelfth paragraph of handwritten text.

Thirteenth paragraph of handwritten text.

Fourteenth paragraph of handwritten text.

Fifteenth paragraph of handwritten text.

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 Lukes Mobile Park shall be made in writing to the Executive Director. Extensions are not effective until Lukes Mobile Home Park 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 Lukes Mobile Park 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.
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 Lukes Mobile Home Park, or three days after the date on which the Commission mails notice of the Order to Lukes Mobile Home Park, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Lukes Mobile Home Park, Inc.
DOCKET NO. 2007-0621-PWS-E
Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John S. Salter
For the Executive Director

12/03/2007
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 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

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

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

Judy K Martin
Signature

7-18-07
Date

Judy K MARTIN
Name (Printed or typed)
Authorized Representative of
Lukes Mobile Home Park, Inc.

Manager
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.

1000

1000

1000