

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-1386-EAQ-E **TCEQ ID:** RN105242887 **CASE NO.:** 34520
RESPONDENT NAME: Dionysus Group L.L.L.P. dba The Vineyard at Florence Section 1

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 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 checked="" type="checkbox"/> EDWARDS AQUIFER
<p>SITE WHERE VIOLATION(S) OCCURRED: The Vineyard at Florence Section 1, Farm-to-Market Road 487, south of the intersection of Farm-to-Market Road 487 and County Road 232, Williamson County</p> <p>TYPE OF OPERATION: Construction activities for a proposed single family residential project with a wine sales and tasting center</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 26, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Samuel Short, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-5363; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Kambrah E. Dasuta, President, Dionysus Group L.L.L.P., 8711 Farm-to-Market Road 487, Florence, Texas 76527 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 type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: August 7, 2007</p> <p>Date of NOV/NOE Relating to this Case: August 16, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation. One violation was documented.</p> <p>WATER</p> <p>1) Failed to obtain approval of a Contributing Zone Plan ("CZP") prior to beginning a regulated activity over the Edwards Aquifer Contributing Zone. Specifically, the investigator observed that construction of the sales/tasting center began prior to the approval of the CZP [30 TEX. ADMIN. CODE § 213.23(a)(1)].</p>	<p>Total Assessed: \$3,375</p> <p>Total Deferred: \$675 <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: \$2,700</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>The Executive Director recognizes that Dionysus submitted an application for the Edwards Aquifer CZP which was approved by the Executive Director on August 16, 2007.</p>

Additional ID No(s): 11-07062503



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

DATES	Assigned	20-Aug-2007	Screening	28-Aug-2007	EPA Due	
	PCW	29-Aug-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Dionysus Group L.L.P. dba The Vineyard at Florence Section 1		
Reg. Ent. Ref. No.	RN105242887		
Facility/Site Region	11-Austin	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	34520	No. of Violations	1
Docket No.	2007-1386-EAQ-E	Order Type	1660
Media Program(s)	Edwards Aquifer	Enf. Coordinator	Samuel Short
Multi-Media		EC's Team	Enforcement Team 3
Admin. Penalty \$	Limit Minimum	\$0	Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)		<i>Subtotal 1</i>	\$4,500
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History		0% Enhancement	<i>Subtotals 2, 3, & 7</i>
Notes	The Respondent has not had any other enforcement actions within the last five years.		
Culpability		No	0% Enhancement
Notes	The Respondent does not meet the culpability criteria.		
Good Faith Effort to Comply		25% Reduction	<i>Subtotal 5</i>
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	X		
N/A		(mark with x)	
Notes	The Respondent submitted an application for the Edwards Aquifer Contributing Zone Plan which was approved by the Executive Director on August 16, 2007.		
Total EB Amounts		\$5	0% Enhancement*
Approx. Cost of Compliance		\$4,000	*Capped at the Total EB \$ Amount
SUM OF SUBTOTALS 1-7		<i>Final Subtotal</i>	\$3,375
OTHER FACTORS AS JUSTICE MAY REQUIRE			<i>Adjustment</i>
Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)			
Notes			
		<i>Final Penalty Amount</i>	\$3,375
STATUTORY LIMIT ADJUSTMENT		<i>Final Assessed Penalty</i>	\$3,375
DEFERRAL		20% Reduction	<i>Adjustment</i>
Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)			
Notes	Deferral offered for expedited settlement.		
PAYABLE PENALTY			\$2,700

Screening Date	28-Aug-2007	Docket No.	2007-1386-EAQ-E	PCW
Respondent	Dionysus Group L.L.L.P. dba The Vineyard at Florence S			Policy Revision 2 (September 2002)
Case ID No.	34520			PCW Revision June 26, 2007
Reg. Ent. Reference No.	RN105242887			
Media [Statute]	Edwards Aquifer			
Enf. Coordinator	Samuel Short			

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 (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	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 judgements 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%
<i>Please Enter Yes or No</i>			
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) 0%

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 28-Aug-2007	Docket No. 2007-1386-EAQ-E	PCW
Respondent Dionysus Group L.L.L.P. dba The Vineyard at Florence Section 1		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 34520		<i>PCW Revision June 26, 2007</i>
Reg. Ent. Reference No. RN105242887		
Media [Statute] Edwards Aquifer		
Enf. Coordinator Samuel Short		

Violation Number	1		
Rule Cite(s)	30 Tex. Admin. Code § 213.23(a)(1)		
Violation Description	Failed to obtain approval of an Edwards Aquifer Contributing Zone Plan ("CZP") prior to beginning a regulated activity over the Edwards Aquifer Contributing Zone, as documented during an investigation conducted on August 7, 2007. Specifically, the investigator observed that construction of the sales/tasting center began prior to the approval of the CZP.		
Base Penalty			\$10,000

>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="5%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>		
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="0%"/>
Matrix Notes	Human health or the environment could have been exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors.				
Adjustment <input style="width: 100px;" type="text" value="\$9,500"/>					

	\$500
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Violation Events					
	Number of Violation Events	<input style="width: 40px;" type="text" value="9"/>		Number of violation days	<input style="width: 40px;" type="text" value="9"/>
<i>mark only one with an x</i>	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 <input style="width: 100px;" type="text" value="\$4,500"/>					
<div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> Nine single events are recommended from the date of the investigation on August 7, 2007, to the date the CZP was approved on August 16, 2007. </div>					

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input style="width: 100px;" type="text" value="\$5"/>	Violation Final Penalty Total <input style="width: 100px;" type="text" value="\$3,375"/>
This violation Final Assessed Penalty (adjusted for limits) <input style="width: 100px;" type="text" value="\$3,375"/>	

Economic Benefit Worksheet

Respondent Dionysus Group L.L.P. dba The Vineyard at Florence Section 1
Case ID No. 34520
Reg. Ent. Reference No. RN105242887
Media Edwards Aquifer
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

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	\$4,000	7-Aug-2007	16-Aug-2007	0.0	\$5	n/a	\$5
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Cost reflects the amount to prepare and submit a CZP. The date required is the date of the investigation and the final date is the date the CZP was approved.

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	\$4,000	TOTAL	\$5
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Compliance History

Customer/Respondent/Owner-Operator: CN603202565 Dionysus Group L.L.L.P. Classification: Rating:
Regulated Entity: RN105242887 THE VINEYARD AT FLORENCE Classification: Site Rating:
SECTION 1
ID Number(s): EDWARDS AQUIFER REGISTRATION 11-07062503
Location: FM 487 SOUTH OF THE INTERSECTION OF FM 487 CR
232
TCEQ Region: REGION 11 - AUSTIN
Date Compliance History Prepared: August 27, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 27, 2002 to August 27, 2007

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

Name: Samuel Short Phone: (512) 239-5363

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? No
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

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
 - 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 08/16/2007 (572012)
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
 - 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

Mathematical Analysis

Let $f: \mathbb{R} \rightarrow \mathbb{R}$ be a function. We define the derivative of f at a point x_0 as follows:

$$f'(x_0) = \lim_{h \rightarrow 0} \frac{f(x_0 + h) - f(x_0)}{h}$$

provided the limit exists. This limit represents the instantaneous rate of change of the function at the point x_0 .

For a function $f(x) = x^2$, we can compute the derivative at any point x_0 using the definition above.

$$f'(x_0) = \lim_{h \rightarrow 0} \frac{(x_0 + h)^2 - x_0^2}{h} = \lim_{h \rightarrow 0} \frac{x_0^2 + 2x_0h + h^2 - x_0^2}{h} = \lim_{h \rightarrow 0} (2x_0 + h) = 2x_0$$

Thus, the derivative of $f(x) = x^2$ is $f'(x) = 2x$.

More generally, for a function $f(x) = x^n$, the derivative is $f'(x) = nx^{n-1}$.

This result can be derived using the binomial theorem and the definition of the derivative.

For a function $f(x) = \sin(x)$, the derivative is $f'(x) = \cos(x)$.

For a function $f(x) = \cos(x)$, the derivative is $f'(x) = -\sin(x)$.

For a function $f(x) = e^x$, the derivative is $f'(x) = e^x$.

For a function $f(x) = \ln(x)$, the derivative is $f'(x) = \frac{1}{x}$.

For a function $f(x) = a^x$, the derivative is $f'(x) = a^x \ln(a)$.

For a function $f(x) = x^a$, the derivative is $f'(x) = ax^{a-1}$.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
DIONYSUS GROUP L.L.L.P. DBA
THE VINEYARD AT FLORENCE
SECTION 1
RN105242887

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-1386-EAQ-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 Dionysus Group L.L.L.P. dba The Vineyard at Florence Section 1 ("Dionysus") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Dionysus appear before the Commission and together stipulate that:

1. Dionysus is conducting construction activities for a proposed single family residential project with a wine sales and tasting center at Farm-to-Market Road 487, south of the intersection of Farm-to-Market Road 487 and County Road 232 in Williamson County, Texas (the "Site").
2. The Site is regulated under the Edwards Aquifer rules and is not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission.
3. The Commission and Dionysus agree that the Commission has jurisdiction to enter this Agreed Order, and that Dionysus is subject to the Commission's jurisdiction.
4. Dionysus received notice of the violations alleged in Section II ("Allegations") on or about August 21, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Dionysus of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Three Thousand Three Hundred Seventy-Five Dollars (\$3,375) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Dionysus has paid Two Thousand Seven Hundred Dollars (\$2,700) of the administrative penalty and Six Hundred Seventy-Five Dollars (\$675) is deferred contingent upon Dionysus' 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 Dionysus fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Dionysus to pay all or part of the deferred penalty.
7. 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.
8. The Executive Director of the TCEQ and Dionysus have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Dionysus submitted an application for the Edwards Aquifer Contributing Zone Plan ("CZP") which was approved by the Executive Director on August 16, 2007.
10. 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 Dionysus has not complied with one or more of the terms or conditions in this Agreed Order.
11. 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.
12. 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 Site, Dionysus is alleged to have failed to obtain approval of an CZP prior to beginning a regulated activity over the Edwards Aquifer Contributing Zone, in violation of 30 TEX. ADMIN. CODE § 213.23(a)(1), as documented during an investigation conducted on August 7, 2007. Specifically, the investigator observed that construction of the sales/tasting center began prior to the approval of the CZP.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Dionysus pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Dionysus' 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: Dionysus Group L.L.P. dba The Vineyard at Florence Section 1, Docket No. 2007-1386-EAQ-E" to:

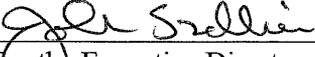
Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon Dionysus. Dionysus is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Site operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Dionysus 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.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Dionysus, or three days after the date on which the Commission mails notice of the Order to Dionysus, 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

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.



Signature

9.20.07
Date

KAMBRA E DASUTA

Name (Printed or typed)
Authorized Representative of
Dionysus Group L.L.P. dba The Vineyard at Florence Section 1

PRESIDENT

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.

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Main body of faint, illegible text, appearing to be several lines of a letter or document.

Handwritten signature or initials, possibly "A. J. ...".

Handwritten signature or initials, possibly "J. B. ...".

Handwritten text, possibly "DISCERN".

Handwritten text, possibly "(S. J. ...)".

Bottom section of the page with very faint, illegible text, possibly a footer or concluding remarks.