

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

Page 1 of 2

**DOCKET NO.:** 2009-0460-MWD-E **TCEQ ID:** RN101514271 **CASE NO.:** 37363**RESPONDENT NAME:** Rita Karbalai dba Sundown Mobile Home Park

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<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 checked="" 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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Sundown MHP, 12117 Aldine-Westfield Road, 4,000 feet south of the intersection of Aldine-Westfield Road and Aldine Mail Road and 3.5 miles east of the intersection of Interstate Highway 45 and Farm-to-Market Road 149, Harris County</p> <p><b>TYPE OF OPERATION:</b> Domestic wastewater system</p> <p><b>SMALL BUSINESS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on September 14, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Mr. Jeremy Escobar, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-1460; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387  <b>Respondent:</b> Ms. Rita Karbalai, Owner, Sundown Mobile Home Park, P.O. Box 55528, Houston, Texas 77255  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> September 16, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> March 13, 2009 (NOE)</p> <p><b>Background Facts:</b> This was a record review.</p> <p><b>WATER</b></p> <p>1) Failure to comply with the permit effluent limit for total ammonia nitrogen [TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012399001 Interim Effluent Limitations and Monitoring Requirements No. 1].</p> <p>2) Failure to submit the annual sludge report for the monitoring period ending July 31, 2007, by September 1, 2007 [30 TEX. ADMIN. CODE § 305.125(17) and TPDES Permit No. WQ0012399001 Sludge Provisions].</p>	<p><b>Total Assessed:</b> \$10,835</p> <p><b>Total Deferred:</b> \$2,167  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$8,668</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit the annual sludge report for the monitoring period ending July 31, 2007; and</p> <p>b. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0012399001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.</p>

Additional ID No(s): WQ0012399001



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	Assigned	16-Mar-2009	Screening	25-Mar-2009	EPA Due	
	PCW	25-Mar-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Rita Karbalai dba Sundown Mobile Home Park		
Reg. Ent. Ref. No.	RN101514271		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	37363	No. of Violations	3
Docket No.	2009-0460-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jeremy Escobar
		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)** 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 Total Adjustments** Subtotal 5

**Economic Benefit**  Enhancement\* Subtotal 6

Total EB Amounts   
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.

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** 25-Mar-2009

**Docket No.** 2009-0460-MWD-E

**PCW**

**Respondent** Rita Karbalai dba Sundown Mobile Home Park

Policy Revision 2 (September 2002)

**Case ID No.** 37363

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN101514271

**Media [Statute]** Water Quality

**Enf. Coordinator** Jeremy Escobar

### 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)	19	95%
	Other written NOVs	1	2%
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 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)** 97%

>> **Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

The penalty is enhanced due to 17 self-reported effluent violations, two NOVs with violations that are same or similar to those cited in this action, and one NOV with unrelated violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 97%

<b>Screening Date</b> 25-Mar-2009	<b>Docket No.</b> 2009-0460-MWD-E	<b>PCW</b>
<b>Respondent</b> Rita Karbalai dba Sundown Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 37363	<small>PCW Revision October 30, 2008</small>	
<b>Reg. Ent. Reference No.</b> RN101514271		
<b>Media [Statute]</b> Water Quality		
<b>Enf. Coordinator</b> Jeremy Escobar		
<b>Violation Number</b> 1		
<b>Rule Cite(s)</b>	Tex. Water Code § 26.121(a) and 30 Tex. Admin. Code § 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012399001 Interim Effluent Limitations and Monitoring Requirements No. 1	
<b>Violation Description</b>	Failed to comply with the permit effluent limit, as documented in a record review conducted on September 16, 2008. See attached table.	
<b>Base Penalty</b>		\$10,000
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>		
OR	Harm	
	Release	Major    Moderate    Minor
	Actual	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
	Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	<b>Percent</b>	25%
<b>&gt;&gt; Programmatic Matrix</b>		
	Falsification	Major    Moderate    Minor
	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	<b>Percent</b>	0%
Matrix Notes	A simplified model was used to evaluate total ammonia nitrogen daily average ("NH3-N") to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. As a result of these discharges, human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.	
<b>Adjustment</b>		\$7,500
		\$2,500
<b>Violation Events</b>		
	Number of Violation Events	1    30    Number of violation days
mark only one with an x	daily	<input type="checkbox"/>
	weekly	<input type="checkbox"/>
	monthly	<input checked="" type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>
<b>Violation Base Penalty</b>		\$2,500
One monthly event is recommended for this violation for the month of April 2008.		
<b>Good Faith Efforts to Comply</b>		
	0.0% Reduction	\$0
	Before NOV    NOV to EDRP/Settlement	
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<input checked="" type="checkbox"/>	(mark with x)
Notes	The Respondent does not meet the good faith criteria for this violation.	
<b>Violation Subtotal</b>		\$2,500
<b>Economic Benefit (EB) for this violation</b>		
<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>	\$1,402	<b>Violation Final Penalty Total</b> \$4,925
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$4,925

## Economic Benefit Worksheet

**Respondent** Rita Karbalal dba Sundown Mobile Home Park  
**Case ID No.** 37363  
**Reg. Ent. Reference No.** RN101514271  
**Media** Water Quality  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$10,000	31-Oct-2007	31-Oct-2009	2.00	\$67	\$1,335	\$1,402
Buildings	0.00			0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**  
 Estimated cost of replacing blowers and repairing electrical system and airdrops that caused the effluent violations and the vacuum trucks hired to clean out the plant. Date required is the first month of noncompliance. Final date is the estimated date of compliance.

**Avoided Costs**

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

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**    \$10,000    **TOTAL**    \$1,402

<b>Screening Date</b> 25-Mar-2009	<b>Docket No.</b> 2009-0460-MWD-E	<b>PCW</b>														
<b>Respondent</b> Rita Karbalal dba Sundown Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>															
<b>Case ID No.</b> 37363	<small>PCW Revision October 30, 2006</small>															
<b>Reg. Ent. Reference No.</b> RN101514271																
<b>Media [Statute]</b> Water Quality																
<b>Enf. Coordinator</b> Jeremy Escobar																
<b>Violation Number</b> 2																
<b>Rule Cite(s)</b>	Tex. Water Code § 26.121(a) and 30 Tex. Adm. Code § 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012399001 Interim Effluent Limitations and Monitoring Requirements No. 1															
<b>Violation Description</b>	Failed to comply with the permit effluent limit, as documented in a record review conducted on September 16, 2008. See attached table.															
<b>Base Penalty</b>		\$10,000														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																
<b>OR</b>	<b>Harm</b>															
	Major    Moderate    Minor															
<b>Release</b>																
Actual		X														
Potential																
		<b>Percent</b> 10%														
<b>&gt;&gt; Programmatic Matrix</b>																
	Major    Moderate    Minor															
<b>Falsification</b>																
		<b>Percent</b> 0%														
<b>Matrix Notes</b>	A simplified model was used to evaluate NH3-N to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.															
<b>Adjustment</b>		\$9,000														
		\$1,000														
<b>Violation Events</b>																
<b>Number of Violation Events</b>	2	<b>Number of violation days</b> 62														
<small>mark only one with an x</small>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">X</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	X	semiannual		annual		single event		<b>Violation Base Penalty</b> \$2,000
daily																
weekly																
monthly																
quarterly	X															
semiannual																
annual																
single event																
Two quarterly events are recommended for the quarters containing the months of October 2007 and May 2008.																
<b>Good Faith Efforts to Comply</b>	0.0% Reduction	\$0														
	Before NOV    NOV to EDPRP/Settlement Offer															
Extraordinary																
Ordinary																
N/A	X (mark with x)															
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.															
<b>Violation Subtotal</b>		\$2,000														
<b>Economic Benefit (EB) for this violation</b>																
<b>Statutory Limit Test</b>																
<b>Estimated EB Amount</b>	\$0	<b>Violation Final Penalty Total</b> \$3,940														
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$3,940														

## Economic Benefit Worksheet

**Respondent** Rita Karbalal dba Sundown Mobile Home Park  
**Case ID No.** 37363  
**Reg. Ent. Reference No.** RN101614271  
**Media** Water Quality  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See violation 1.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

**TOTAL**

\$0

<b>Screening Date</b> 25-Mar-2009	<b>Docket No.</b> 2009-0480-MWD-E	<b>PCW</b>	
<b>Respondent</b> Rita Karbalai dba Sundown Mobile Home Park	<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 37363	<small>PCW Revision October 30, 2008</small>		
<b>Reg. Ent. Reference No.</b> RN101514271			
<b>Media [Statute]</b> Water Quality			
<b>Enf. Coordinator</b> Jeremy Escobar			
<b>Violation Number</b> 3			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(17) Permit No. WQ0012999001, Sludge Provisions		
<b>Violation Description</b>	Failed to submit the annual sludge report for the monitoring period ending July 31, 2007, by September 1, 2007.		
<b>Base Penalty</b>		\$10,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
<b>OR</b>	<b>Harm</b>		
	Major	Moderate	Minor
Release	Actual	Potential	<b>Percent</b> <input type="text" value="0%"/>
<b>&gt;&gt; Programmatic Matrix</b>			
<b>Falsification</b>			
Major      Moderate      Minor			
<input type="text"/> <input checked="" type="text" value="X"/> <input type="text"/>			<b>Percent</b> <input type="text" value="10%"/>
<b>Matrix Notes</b>	100% of the rule requirement was not met.		
<b>Adjustment</b>		\$9,000	\$1,000
<b>Violation Events</b>			
<b>Number of Violation Events</b> <input type="text" value="1"/>		<b>Number of violation days</b> <input type="text" value="603"/>	
<small>mark only one with an x</small>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$1,000"/>
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semianual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input checked="" type="text" value="X"/>	
One single event is recommended.			
<b>Good Faith Efforts to Comply</b>			
<b>0.0% Reduction</b>		<input type="text" value="\$0"/>	
<small>Before NOV      NOV to EOPRP/Settlement Offer</small>			
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	<input checked="" type="text" value="X"/>	<small>(mark with x)</small>	
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.		
<b>Violation Subtotal</b>		\$1,000	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	<input type="text" value="\$54"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$1,970"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$1,970"/>	

## Economic Benefit Worksheet

**Respondent** Rita Karbalal dba Sundown Mobile Home Park  
**Case ID No.** 37363  
**Reg. Ent. Reference No.** RN101614271  
**Media** Water Quality  
**Violation No.** 3

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	1-Sep-2007	31-Oct-2009	2.17	\$54	n/a	\$54
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prepare and submit sludge report. Date required is the date the sludge report was due. Final date is the estimated date of compliance.

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

**TOTAL**

\$54

**Effluent Violation Table**  
**Rita Karbalai dba Sundown Mobile Home Park**  
**Docket No. 2009-0460-MWD-E**  
**Case No. 37363**

Permitted Effluent Limits	NH3-N Single Grab Concentration 15 mg/L	NH3-N Daily Average Concentration 3.0 mg/L	NH3-N Daily Average Load .6 lbs/day
October 2007	18.8	C	C
April 2008	29.2	13.5	.69
May 2008	28.0	9.46	C

NH3-N = Total Ammonia Nitrogen	C = compliant	mg/L = milligrams per Liter	Lbs/day = Pounds per day
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# Compliance History Report

Customer/Respondent/Owner-Operator:	CN600667844	KARBALAI, RITA	Classification: AVERAGE	Rating: 1.00
Regulated Entity:	RN101514271	SUNDOWN MHP	Classification: AVERAGE	Site Rating: 1.37
ID Number(s):	WASTEWATER	PERMIT		WQ0012399001
	WASTEWATER	PERMIT		TPDES0087785
	WASTEWATER LICENSING	LICENSE		WQ0012399001
Location:	12117 Aldine-Westfield Rd, 4,000 ft south of the intersection of Aldine-Westfield Rd and Aldine Mail Rd and 3.5 miles east of the Intersection of Interstate Hwy 45 and FM 149, Harris County,			
TCEQ Region:	Region 12 - HOUSTON			
Date Compliance History Prepared:	April 30, 2009			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	April 01, 2004 to April 01, 2009			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Jeremy Escobar	Phone:	239 - 1460	

## 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/operator of the site during the compliance period? | No  |
| 3. If Yes, who is the current owner/operator?  | N/A |
| 4. If Yes, who was/were the prior owner(s)/operator(s) ?   | N/A |
| 5. When did the change(s) in owner or operator occur?  | N/A |
| 6. Rating Date: 9/1/2008 Repeat Violator: NO   |     |

### 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	04/26/2004	(361314)
2	05/20/2004	(361315)
3	06/21/2004	(317374)
4	07/20/2004	(361316)
5	08/05/2004	(284907)
6	09/01/2004	(361317)
7	09/17/2004	(361318)
8	10/22/2004	(361319)
9	11/22/2004	(361320)
10	12/20/2004	(387123)
11	01/20/2005	(387124)
12	02/21/2005	(387121)
13	03/21/2005	(387122)
14	04/20/2005	(424897)
15	05/19/2005	(424898)
16	06/23/2005	(424899)
17	07/20/2005	(445528)
18	09/01/2005	(445529)
19	09/19/2005	(445530)
20	10/19/2005	(477114)
21	11/17/2005	(477115)
22	12/20/2005	(477116)
23	01/20/2006	(477117)
24	02/21/2006	(477112)
25	03/20/2006	(477113)
26	04/20/2006	(503836)
27	05/24/2006	(503837)

28	06/20/2006	(503838)
29	07/28/2006	(526239)
30	06/01/2006	(483207)
31	01/22/2007	(624785)
32	01/22/2007	(624787)
33	01/22/2007	(624789)
34	01/22/2007	(624791)
35	01/22/2007	(624793)
36	02/07/2007	(539218)
37	03/22/2007	(624778)
38	03/22/2007	(624780)
39	03/22/2007	(624794)
40	05/25/2007	(624779)
41	05/25/2007	(624781)
42	05/25/2007	(624782)
43	07/02/2007	(666959)
44	08/20/2007	(624783)
45	08/20/2007	(624784)
46	09/18/2007	(624786)
47	11/19/2007	(624788)
48	11/19/2007	(624790)
49	11/19/2007	(624792)
50	01/28/2008	(675478)
51	01/28/2008	(675479)
52	04/04/2008	(693812)
53	04/04/2008	(693813)
54	05/16/2008	(640320)
55	07/22/2008	(693814)
56	07/22/2008	(693815)
57	07/22/2008	(693816)
58	07/22/2008	(693817)
59	12/17/2008	(730971)
60	12/17/2008	(730972)
61	12/17/2008	(730973)
62	03/13/2009	(703063)

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

Date:	06/30/2004	(361316)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	07/31/2004	(361317)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	08/05/2004	(284907)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 317 317.4(g)(4)(B)(iii)			
Description:	Failure to maintain a standby blower at the waste water treatment plant (WWTP). Failure to maintain a standby blower at the WWTP.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to comply with the permit limits for dissolved oxygen (DO). Failure to comply with the permit limits for dissolved oxygen (DO). Failure to comply with the permit limits for dissolved oxygen (DO).			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to comply with the permitted daily average flow limit of 0.025 MGD.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to comply with the permit limits for total suspended solids (TSS) and ammonia nitrogen (NH3N). Failure to comply with the permit limits for total suspended solids (TSS) and ammonia nitrogen (NH3N).			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to maintain copies of signed Discharge Monitoring Reports (DMRs) at the waste water			

	treatment plant (WWTP).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(11)		
Description:	Failure to maintain the required sludge management records.		
Date:	08/31/2004		
	(361318)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2004		
	(361320)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	11/30/2004		
	(387123)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	12/31/2004		
	(387124)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2005		
	(387121)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2005		
	(424898)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/31/2006		
	(503836)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2006		
	(503837)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2006		
	(526239)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/28/2006		
	(483207)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 317 317.4(g)(4)(B)(ii)		
Description:	Failure to maintain a standby blower at the waste water treatment plant (WWTP). Failure to maintain a standby blower at the WWTP.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to comply with the permit limits for dissolved oxygen (DO). Failure to comply with the permit limits for dissolved oxygen (DO). Failure to comply with the permit limits for dissolved oxygen (DO).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to comply with the permitted daily average flow limit of 0.025 MGD.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to comply with the permit limits for total suspended solids (TSS) and ammonia nitrogen (NH3N). Failure to comply with the permit limits for total suspended solids (TSS) and ammonia nitrogen (NH3N).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain copies of signed Discharge Monitoring Reports (DMRs) at the waste water treatment plant (WWTP).		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain the required sludge management records.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Monitoring and Reporting Requirements, 5 PERMIT Failure to calibrate the flow meter annually.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Monitoring and Reporting Requirements, 5 PERMIT Failure to ensure flow measurement accuracy.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.3		
Description:	Failure to provide an alarm on the lift station at the wastewater treatment plant.		
Date:	10/31/2007		(624792)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008		(693815)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/16/2008		(640320)
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Monitoring and Reporting Req. No. 5 PERMIT Failure to calibrate the flow meter annually. The flow meter had not been calibrated during the previous twelve months. The flow meter must be accurately calibrated at least annually or as often as necessary to ensure accuracy		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.6(b)(3)		
Description:	Permit Condition 1, General 2 (d) PERMIT Failure to maintain the chlorine contact basin. At the time of the inspection, the chlorine contact basin contained eighteen inches of sludge in a six foot water depth. The sludge from the chlorine contact basin must be removed and disposed of properly to prevent accumulated sludge from rising and discharging with the final effluent.		
Date:	05/31/2008		(693816)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2008		(693817)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2008		(730971)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	09/30/2008		(730973)
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

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  
RITA KARBALAI DBA SUNDOWN  
MOBILE HOME PARK  
RN101514271**

§  
§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2009-0460-MWD-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 Rita Karbalai dba Sundown Mobile Home Park ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a domestic wastewater system at 12117 Aldine-Westfield Road, 4,000 feet south of the intersection of Aldine-Westfield Road and Aldine Mail Road and 3.5 miles east of the intersection of Interstate Highway 45 and Farm-to-Market Road 149 in Harris County, Texas (the "Facility").
2. The Respondent has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of TEX. WATER CODE ch. 26 or any rule, permit, or order of the Commission.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about March 18, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Ten Thousand Eight Hundred Thirty-Five Dollars (\$10,835) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Six Hundred Sixty-Eight Dollars (\$8,668) of the administrative penalty and Two Thousand One Hundred Sixty-Seven Dollars (\$2,167) is deferred contingent upon the Respondent'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 the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent 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 the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. 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 the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
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.
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, the Respondent is alleged to have:

1. Failed to comply with the permit effluent limit, in violation of TEX. WATER CODE § 26.121(a) and 30 TEX. ADMIN. CODE § 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012399001 Interim Effluent Limitations and Monitoring Requirements No. 1, as documented during a record review conducted on September 16, 2008, and depicted in the table below:

Effluent Violation Table			
Permitted Effluent Limits	NH3-N Single Grab Concentration 15 mg/L	NH3-N Daily Average Concentration 3.0 mg/L	NH3-N Daily Average Load .6 lbs/day
October 2007	18.8	C	C
April 2008	29.2	13.5	.69
May 2008	28.0	9.46	C

NH3-N = Total Ammonia Nitrogen	C = compliant	mg/L = milligrams per Liter	Lbs/day = Pounds per day
--------------------------------	---------------	-----------------------------	--------------------------

- Failed to submit the annual sludge report for the monitoring period ending July 31, 2007, by September 1, 2007, in violation of 30 TEX. ADMIN. CODE § 305.125(17) TPDES Permit No. WQ0012399001 Sludge Provisions, as documented during a record review conducted on September 16, 2008.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

- It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent'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: Rita Karbalai dba Sundown Mobile Home Park, Docket No. 2009-0460-MWD-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

- It is further ordered that the Respondent shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order, submit the annual sludge report for the monitoring period ending July 31, 2007 to:

Compliance Monitoring Section  
Enforcement Division, MC 224  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- b. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0012399001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. 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  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent 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. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days

after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent 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.
7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Rita Karbalai dba Sundown Mobile Home Park  
DOCKET NO. 2009-0460-MWD-E  
Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

*[Handwritten Signature]*  
For the Executive Director

9/9/09  
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.

*[Handwritten Signature]*

Signature

Date

*Rita Karbalai*

Title

Name (Printed or typed)

Authorized Representative of  
Rita Karbalai dba Sundown Mobile Home Park

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.