EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2008-1376-PWS-E TCEQ ID: RN101176915 CASE NO.: 36389 RESPONDENT NAME: Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X_PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
facility location.		
COMMENTS RECEIVED: The Texas Reg	sister comment period expired on February 16, 2009	No comments were received
CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator TCEQ Enforcement Coordinator Ms. Cari-Michel La Caille, Enforce Respondent: Mr. Charles K. Clark		nforcement Team 2, MC 169, (512) 239-5610;

DOCKET NO.: 2008-1376-PWS-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS PENALTY CONSIDERATIONS VIOLATION INFORMATION TAKEN/REOUIRED Ordering Provisions: Total Assessed: \$5,146 Type of Investigation: Complaint The Order will require the Respondent to: X Routine Total Deferred: \$1,029 ___ Enforcement Follow-up X Expedited Settlement a. Immediately upon the effective date of this Records Review Agreed Order, begin submitting raw water Financial Inability to Pay samples for bacteriological analysis at least Date(s) of Complaints Relating to this Case: once per month. None SEP Conditional Offset: \$0 b. Within 30 days after the effective date of the Date of Investigation Relating to this Case: Total Paid (Due) to General Revenue: \$127 Agreed Order: (remaining \$3,990 due in 35 monthly payments June 10, 2008 of \$114 each) i. Conduct an inspection of the pressure tank; Date of NOV/NOE Relating to this Case: July 30, 2008 (NOE) Site Compliance History Classification ii. Develop and begin maintaining an up-to-___ High ___ Average ___ Poor date map of the distribution system so that Background Facts: This was a routine valves and mains may be easily located during Person Compliance History Classification investigation. emergencies; and __ High __ Average __ Poor WATER iii. Develop and begin maintaining all water Major Source: ___ Yes _X_ No works operation records for the Facility, 1) Failure to conduct monthly source including but not limited to, a record of the assessment raw water monitoring of the well Applicable Penalty Policy: September 2002 dates the dead-end mains were flushed, a [30 TEX. ADMIN. CODE §§ 290.46(b) and record of the amount of chemicals used each 290.109(c)(4)(E)]. week, and a record of disinfectant residual monitoring. 2) Failure to maintain public water system operating records in an organized manner, with c. Within 45 days after the effective date of this copies kept on file or stored electronically and Agreed Order, submit written certification and made accessible for review during inspections include detailed supporting documentation [30 Tex. Admin. Code § 290.46(f)(1), including photographs, receipts, and/or other (f)(3)(A)(i)(III), (f)(3)(A)(iv), and records to demonstrate compliance with (f)(3)(B)(iii)]. Ordering Provisions a. and b. 3) Failure to inspect the Facility's pressure tank d. Within 180 days after the effective date of annually [30 Tex. ADMIN. CODE § the Agreed Order: 290.46(m)(1)(B)]. i. Provide a minimum of two service pumps 4) Failure to provide a total storage capacity of with a minimum capacity of 2.0 gpm per 200 gallons per connection [30 Tex. ADMIN. connection; and CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c)]. ii. Provide a total storage capacity of 200 gallons per connection. 5) Failure to maintain an up-to-date map of the distribution system so that valves and mains e. Within 195 days after the effective date of may be easily located during emergencies [30 this Agreed Order, submit written certification Tex. Admin. Code § 290.46(n)(2)]. and include detailed supporting documentation including photographs, receipts, and/or other 6) Failure to provide two or more service records to demonstrate compliance with pumps having a capacity of 2.0 gallons per Ordering Provision d. minute ("gpm") per connection [30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(iii)].

Policy Revision 2 (Se)		lculation W	/orksheet (P	,	uisiaa kuna 42 2008
TCEQ	nember 2002)			PCW Re	vision June 12, 2008
DATES Assigned PCW	4-Aug-2008 Screening 1	 3-Aug-2008	A Due		
RESPONDENT/FACILITY	(INFORMATION Clarkson Energy Homes Inc. d	lha Sun Valley Mobil	le Home Park		
Reg. Ent. Ref. No.		ba can valley wool	e Home Fark		
Facility/Site Region	4-Stephenville		Major/Minor Source	Minor	
CASE INFORMATION					
Enf./Case ID No.	36389 2008-1376-PWS-E		No. of Violations		
	Public Water Supply	Go\	Order Type vernment/Non-Profit		<u>. 15.</u> 전화학자
Multi-Media			Enf. Coordinator	Christopher Keffer	
Admin. Penalty \$	Limit Minimum \$50 M	aximum \$1,	EC's Team	Enforcement Team	2
	Penalty	/ Calculation	Section	· · · · · · · · · · · · · · · · · · ·	
TOTAL BASE PENAI	TY (Sum of violation bas			Subtotal 1	\$4,300
ADJUSTMENTS (+/-)	TO SUBTOTAL 1				
Subtotals 2-7 are obta	ned by multiplying the Total Base Penal	ly (Subtotal 1) by the indic	cated percentage.		
Compliance Hist	Chapter 1985 Annian about in the first of the 19 few of the 19	5.0% Enhand	BASESVAREDVING VERNING HAVE VERVENING	otals 2, 3, & 7	\$215
Notes	Enhancement is due to one N				
1.57	those in the cu	rrent enforcement a	ction.		
Culpability	No	0.0% Enhand	cement	Subtotal 4	\$0
Notes	The Respondent does		Latin Control	•	
Notes	ine Kespondent does	vilot meet tile culpat	Dility Criteria.		
Cood Foith Effor	t to Comply Total Adjustment				***
Good Faith Effor	t to Comply Total Adjustment	5		Subtotal 5	\$0
E		0.007 =			
Economic Benef	Total EB Amounts \$4,124	0.0% Enhance *Capped at the To	ement* otal EB \$ Amount	Subtotal 6	\$0
Approx.	Cost of Compliance \$13,730				
SUM OF SUBTOTAL	S 1-7		£	final Subtotal	\$4,515
OTHER EACTORS A	S JUSTICE MAY REQUIR	-	14.0%	A -1:	\$631
	ubtotal by the indicated percentage.	<u> </u>	14.0 /6	Adjustment	- 403 1
Natas	Enhancement recommen	ided for recovery of	avoided cost of		
Notes		ompliance.			
	<u> </u>	Charles Services Charles Clark Avenue Res	Final Per	nalty Amount	\$5,146
STATUTORY LIMIT A	DJUSTMENT		Final Asso	ssed Penalty	\$5,146
			1 mar 7336	sseu i enaity	Ψ0,140
DEFERRAL Bedress the First Assessed Base	alkala Ahada da di akada ayaa ayaa ayaa		20.0% Reduction	Adjustment	-\$1,029
Reduces the Final Assessed Pen	alty by the indicted percentage. <i>(Enter r</i>	iumber only; e.g. 20 for 2	U% reduction.)		
Notes	Deferral offered	for expedited settler	ment.		200
DAVADI E DENIALTV					01115

ACTOR PROPERTY OF THE	ing Date 13-Aug-2008 Docket No. 2008-1376-PWS-E		
	spondent Clarkson Energy Homes Inc. dba Sun Valley Mobile Hom		evision 2 (Sep
CANADA STATE OF THE STATE OF TH	se ID No. 36389	PC	CW Revision J
	ence No. RN101176915		
. vv restriction in a decem-	[Statute] Public Water Supply		
Ent. Coo	ordinator Christopher Keffer		
	Compliance History Worksheet		contentativi (1880)
iance History	/ Site Enhancement (Subtotal 2)		Adjust.
Component		nter Number Here	Aujusi.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1000	5%
,,,,,,	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders		0%
	meeting criteria)	0	U 76
Orders	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	0	0%
	emergency orders issued by the commission		
	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	0	0%
Judgments	criteria)		
and Consent	Any adjudicated final court judgments and default judgments, or non-adjudicated final court		
Decrees	judgments or consent decrees without a denial of liability, of this state or the federal	0	0%
	government		
The second second second		0 0	0% 0%
Emissions	Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas	U	0.76
	Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of	Ó	0%
	audits for which notices were submitted)		
Audits			
	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%
	3	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a	Ñò	0%
Other	special assistance program		
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government	No	0%
Salar Grand	environmental requirements		<u> </u>
	Adjustment P	ercentage (Sเ	ubtotal 2)
eviolatorio	- New (12)		
t Violator (Sเ			-
N/.	Adjustment P	ercentage (Sเ	ubtotal 3)
iance Histor	y Person Classification (Subtotal 7)		
N/.		ercentage (Sı	ubtotal 7)
liance Histor	V Cummant		
natice histor	y out in the state of the state		

action.

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

Notes

Sc	reening Date 13-Aug-2008	Docket No. 2008-1376-PWS-E	PCW
Handag Falkil		nes Inc. dba Sun Valley Mobile Home Park	Policy Revision 2 (September 2002)
	Case ID No. 36389		PCW Revision June 12, 2008
BRANCHERS	eference No. RN101176915		
	dia [Statute] Public Water Supply		
	Coordinator Christopher Keffer olation Number 1		
V			
***************************************	Rule Cite(s)	ex. Admin. Code §§ 290.46(b) and 290.109(c)(4)(E)	
77 P. T.			

* delanaria	Failed to condu	ct monthly source assessment raw water monitoring of the w	ell.
Violat	ion Description Specifically, at the tin	ne of the investigation, it was documented that the Responde	nt failed
	to collect rav	w water samples from the well from June 2007 to May 2008.	
			* * * * * * * * * * * * * * * * * * *
		Base	Penalty \$1,000
>> Environmenta	, Property and Human Health	Matrix	•
	Ha		
OR	Release Major Mode Actual	erate Minor	
OK.	Potential x	Percent 25%	
		1 Crock 2570	
>>Programmatic			
	Falsification Major Mode		
		Percent 0%	
	Korania da Santa da S		
Matrix	exposed to significant amounts of und	s from the well could result in customers of the water supply detected contaminants which would exceed levels that are pr	peing otective
Notes		of human health:	
1980		Maria de la Companio de Companio de la Companio de la Companio de la Companio de la Companio de Compan	**************************************
100	25.00	Adjustment	\$750
	,		\$250
			Ψ200
Violation Events			
	Number of Violation Events	2 Number of violation days	
	Number of Violation Events	2 365 Number of violation days	
	daily		
	monthly		
	mark only one quarterly with an x	Violation Base I	Penalty \$3,000
	Schlannan		
	annual single event		·
	Twelve monthly events are recom	mended, based on the months (June 2007-May 2008) raw w	ater
		samples were not collected.	a.c.,
			<u> </u>
Good Faith Effort	s to Comply	0.0% Reduction	\$0
	Before		
	Extraordinary		
	Ordinary		
	N/A	(mark with x)	
	Notes The R	espondent does not meet the good faith criteria for this	
	Notes	violation.	
	<u>K. 154-32</u> -		
		Violation S	ubtotal \$3,000
Economia Danser	(EP) for this violetice	· · · · · · · · · · · · · · · · · · ·	
Leonomic Denem	(EB) for this violation	Statutory Limit Test	
	Estimated EB Amount	\$526 Violation Final Penalt	y Total \$3,590
		This violation Final Assessed Barrelle (1911)	11-14-) 00 F00
		This violation Final Assessed Penalty (adjusted for	limits) \$3,590

Violation No.	RN101176915 Public Water S	upply				Percent Interest	Years of Depreciation
violation No.	Taran ka basa da k		7: U SEE 27: 925U	THE SEA		5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
	NO Commas of a		programi kan asi dan si dalah sa sa sa sa sa sa	erani na litina na .	k ski mado sav kladis čis indivis od naso	adokudi di turuhikaka di Biblikak ia	s fieldet krissen i dettä keidet hei det
Delayed Costs					***************************************		
Équipment			Acceptation of the second	0.00	\$0	\$0	\$0
Buildings	A STATE OF THE STA		Cle . How as a second	0.00	\$0	\$0	+ \$0
Other (as needed)			Addition and the second section of	0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land		na nagyana na atanya		0.00	\$0_	n/a	\$0
Record Keeping System	######################################			0.00	\$0	n/a	\$0
Training/Sampling			al fractions, grain in the	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	10 10 10 10 10 10 10 10 10 10 10 10 10 1	None Park Committee		0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ANN	NUALIZE [1] avoid	ed costs before e	0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				1	\$46	\$480	\$526
Disposal Personnel Inspection/Reporting/Sampling	\$480	1-Jun-2007	31-May-2008	1.92			\$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$480	1-Jun-2007	31-May-2008	0.00	\$0	l \$0	

Screening Date		Docket No. 2008		PCW
		c, dba Sun Valley Mobile Home Par	k <i>Policy F</i>	Revision 2 (September 2002)
Case ID No.			F	CW Revision June 12, 2008
Reg. Ent. Reference No.	Public Water Supply			
Enf. Coordinator				
Violation Number				
Rule Cite(s)	30 Tex. Admin. C	ode § 290.46(f)(1), (f)(3)(A)(i)(III), (i	v) and (f)(3)(B)(iii)	
Violation Description	copies kept on file or s inspections. Specifically, at had not made available for	water system operating records in a tored electronically and made acce the time of the investigation, it was review a record of the dates dead-e ised each week, and disinfectant re	ssible for review during documented that the Facility and mains were flushed, the	
			Base Penalty	\$1,000
>> Environmental, Property an	id Buman Hoalth Matri	•		
>> Environmental, Property an	Harm	^		
Release		Minor		
OR Actual Potential		Perce	nt 0%	
r oteritian	To some or an engine of the control of the second	reice	070	
>>Programmatic Matrix	27 28 87			
Falsification	Major Moderate	Minor Perce	nt 10%	
MARKET R. R. G. STOR.	ROSANTIN AND CHESTON	ERG S CO ELECTRONICA DE LA COMPANSION DE	10%	
Marine Transfer				
Matrix T	he Respondent failed to com	ply with more than 70% of the rule	requirements.	
<u> </u>	150 Car (100	TO BURS WHERE EARL PROPERTY IN THE		
Carlos Supplied a supplied to		Adjustr	nent \$900	
				£400
				\$100
Violation Events			180	
Number of Vi	olation Events 1	Numb	er of violation days	
	daily			
	monthly	* ·		
mark only one with an x	quarterly semiannual		Violation Base Penalty	\$100
	annual		*	
	single event x	. *		
	One sing	gle event is recommended.		
Good Faith Efforts to Comply	0.0%	Reduction	ege e calabia.	\$0
·	Before NOV	NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary N/A x	(market side as)		
	(C) 1/2 (WEST 2012)	(mark with x)		-
	Notes The Respor	ndent does not meet the good faith violation.	criteria for this	
			Violation Subtotal	\$100
Economic Benefit (EB) for this	violation	Statu	itory Limit Test	1500 150
Estimated	d EB Amount	\$11 Vid	olation Final Penalty Total	\$120
		This violation Final Assessed Pe	nalty (adjusted for limite)	\$120
		The violation I mai Assessed Ft	many (aujusieu ioi iiiilius)	9120

Case ID No.: Reg. Ent. Reference No. Media Violation No.: Item Description	RN101176915 Public Water St 2	upply					
Media Violation No.	Public Water St 2	ıpply					To agree the second
Violation No.	2	apply					
		······································				Percent Interest	Years of Depreciation
Item Description						5:0	15
Item Description		D-4- D !4	Final Date		Interest Saved	Onetime Costs	EB Amount
item Description	Item Cost	Date Required	Final Date	Yrs	interest Saveu	Oneume Costs	EB Amount
	No commas or \$			aria da la casa de la c		atogodi e mi	
Delayed Costs		a adamaga a farancia a kana a ana ara					
Equipment				0.00	\$0 .	\$0	, \$0
Buildings		.17.6.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.		0.00	\$0	\$0	\$0
Other (as needed)	and a second of		ant the second of the second o	0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$50	26-Jan-2005	1-May-2009	4.26	\$11	n/a	\$11
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	janko, tenari			0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	nla	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN				item (except for a \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]	and the sound of t			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							

Screening Date	13-Aug-2008	Docket	No. 2008-1376-PWS-E		PCW
\$80 d #8047444466266 Prof. 1888 #837640 C C C C C C C C C C C C C C C C C C C	t Clarkson Energy Homes Ir	nc. dba Sun Valley Mobile	e Home Park		evision 2 (September 2002)
Case ID No.				PC	CW Revision June 12, 2008
Reg. Ent. Reference No.	Public Water Supply				
Enf. Coordinator	TO	•			
Violation Number			·		
Rule Cite(s)	3	0 Tex. Admin. Code § 2	90,46(m)(1)(B)		
•					
Violation Description	Failed to	o inspect the Facility's pr	essure tank annually.		
					-
		•	E	ase Penalty	\$1,000
>> Environmental, Property ar	nd Human Health Mati	ri v			
in the second se	Harm			*	
Release OR Actual		Minor II		•	
Potential			Percent 25%	6	
				, Line	
>>Programmatic Matrix	Major Madarata	Minor			
Falsification	Major Moderate	Minor	Percent 0%	6	
				<u></u>	
	ect the system's pressure ta				
Notes integrity which	n could expose customers of would exceed lev	the water supply to a sig els that are protective of		nants which	
<u>集がありられて参数的では</u>			2000 A Volta (1000 A Volta A V	3.00	
ill (1986) e competition est	SPEC BEEN LINE	and the same	Adjustment	\$750	
The second secon			•	Г	\$250
				<u>.</u>	
Violation Events		507		100	
Number of V	iolation Events 1	64	Number of violation of	ays	# PARTY PART
***************************************		=			
mental and a second	daily monthly				
mark only one	quarterly		Violation B	ase Penalty	\$250
with an x	semiannual			_	
	annual x				
overence:	single event				
	One an	nual event is recommen	ded.		
		<u> </u>	- 200	*** U = 1350, C (646)	
Good Faith Efforts to Comply	0.0%	Reduction		100	\$0
and the second s	Before NOV Extraordinary	NOV to EDPRP/Settlement	Offer		
***************************************	Ordinary			1.	-
·	N/A ×	(mark with x)			
·	The Peen	andent does not meet the	e good faith criteria for this		
	Notes	violation.	30 75.76 2 12.77 01 12 12 12 12 14 15 15 15 16 16 17 17 18 18		
•			<u> </u>	<u> </u>	
COURTE			Violati	on Subtotal	\$250
Economic Benefit (EB) for this	s violation	38 SEPT 18	Statutory Limit 1	est	
' Estimate	ed EB Amount	\$105	Violation Final P	enalty Total	\$299
Taxana atta		This violation First 4	Account Danelty (adjust-	d for limital	\$299
	•	This violation Final A	Assessed Penalty (adjuste	u ioi iimiis)[Φ299

Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
Violation No.						5.0	. Depreciation
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Learn Description	, No commas or \$						
Delayed Costs		7		71	I—————		
Equipment	1	Sec. 1984 19. 31 (de. a)	diagram sainti an <u>a</u>	0.00	\$0	.\$0.	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0_ \$0	\$0 \$0	\$0 80
Engineering/construction				0.00	\$0 \$0	n/a	\$0 \$0
Land Record Keeping System	2001X-201			0.00	\$0 \$0	n/a	. ↓\$0 \$0
1				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal	1000 - 10		571580575864.57545028	0.00	\$0	n/a	\$0 \$0
Permit Costs	2.1.4925.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.	See Additional Control of the Contro	<u>Se na Maria da Asiling da Asil</u> Panggalan da Remonda da Pa	0.00	\$0	n/a	\$0 \$0
Other (as needed)	213 - 21 - 21 - 21 - 21 - 21 - 21 - 21 -		er varan ya ka	0.00	\$0 \$0	n/a	\$0 \$0
Notes for DELAYED costs	79 3 1 M. (2000)						
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e	200000000000000000000000000000000000000	COLUMN TO A COLUMN	one-time avoided c	
Disposal				0.00	\$0	\$0	\$0
Personnel	2 mm			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	10-Jun-2007	10-Jun-2008	1.00	\$5	\$100	\$105
Supplies/equipment	3.00	1 24 8 14 45 1820 (4		0.00	\$0	\$0	\$0
				0.00	\$0	\$0	\$0
Financial Assurance [2]	내용성 있다는 그를 하는 것이다.			0.00	\$0	\$0	\$0
Financial Assurance [2] ONE-TIME avoided costs [3]	manufacture of the second		Hatarak Afrikan wanishia.	0.00	\$0	\$0	<u>\$0</u>
Financial Assurance [2]							

Screening Date 13-Aug-2008 Docket No. 2008-1376-PWS-E	PCW
表表示: 1985年 1987年	evision 2 (September 2002) CW Revision June 12, 2008
Reg. Ent. Reference No. RN101176915	,
Media [Statute] Public Water Supply Enf. Coordinator Christopher Keffer	•
Violation Number 4	_
Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(F)(ii) and Tex. Health & Safety Code § 341.0315(c)	
Violation Description Failed to provide a total storage capacity of 200 gallons per connection. Specifically, at the time of the investigation, it was documented that the system should be providing a total storage capacity of 4,200 gallons with 21 connections. The system is currently providing a total storage capacity of 3,000 gallons which is a 29% deficiency.	
Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix	
Harm Release Major Moderate Minor OR Actual	To the state of th
Potential X Percent 10%	
>>Programmatic Matrix	
Falsification Major Moderate Minor Percent 0%	
Without adequate storage capacity, customers of the water supply could experience water shortages and	
Matrix Notes outages exposing customers to a significant amount of contaminants that would not exceed levels protective of human health.	
Adjustment \$900	and the state of t
	\$100
Violation Events	
Number of Violation Events 64 Number of violation days	
daily monthly	
mark only one quarteriy X Violation Base Penalty	\$100
annual and a semiannual annual	
single event	
One quarterly event is recommended, calculated from the investigation date, June 10, 2008, to the date of	
screening August 13, 2008.	
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOV NOV to EDPRP/Settlement Offer Extraordinary	
Ordinary	
N/A (mark with x)	-
Notes The Respondent does not meet the good faith criteria for this violation.	
Violation Subtotal	\$100
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$3,220 Violation Final Penalty Total	\$120
This violation Final Assessed Penalty (adjusted for limits)	\$120

Violation No	t Public Water S ₄	upply			was _e	Percent Interest	Years of Depreciation
Violation No	• •				100	5.0	15
**************************************	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	1 No commas or \$	****				diamandahan sa	To constant be the
Delayed Costs	5					4111	
Equipment				0.00	\$0	\$0	\$0
Buildings	July Land Court Veglig	6 yy 1 Da W Garaga	Layi, Ayda ayar iyi.	0.00	\$0	\$0	\$0
Other (as needed)		الريادة والمراجع المتحد الرجوا	والمناف الشام التعمير والإعادة	0.00	\$0	\$0	\$0
Engineering/construction	\$10,000	26-Jan-2005	1-Sep-2009	4.60	\$153	\$3,067	\$3,220
Land				0.00	\$ 0	n/a	\$0
Record Keeping System	SART SPECE ALLE			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
				0.00	A CONTRACTOR OF THE CONTRACTOR		THE PARTY OF THE P
Other (as needed)	Estimated	cost to provide ade	equate storage tai	0.00	\$0 ity. Date required	ii/a	\$0 late initially
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	N. C.	documenting	the violation. Fina	nk capaci I date is t entering 0.00 0.00 0.00	ity. Date required the estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0	is the investigation of of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	N. C.	documenting	the violation. Fina	nk capac I date is t entering 0.00 0.00 0.00	ity. Date required the estimated date item (except for \$0 \$0 \$0	is the investigation of of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		PCW
Respondent Case ID No.		evision 2 (September 2002)
Reg. Ent. Reference No.	•	CW Revision June 12, 2008
Media [Statute]		
Enf. Coordinator		
Violation Number Rule Cite(s)	5 ()	· ·
rule site(s)	30 Tex. Admin. Code § 290.46(n)(2)	
Violation Description	Failed to maintain an up-to-date map of the distribution system so that valves and mains	
Violation Beschiption	may be easily located during emergencies.	
		•
	Page Pagelle	¢1.00
	Base Penalty	\$1,000
>> Environmental, Property and	d Human Health Matrix Harm	
Release	Major Moderate Minor	
OR Actual		
Potential	Percent 0%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor Secondary Percent 10%	
[Principles Vol. 1. and Column J.	NASCON CONTRACTOR CONT	
Matrix		
Notes	100% of the rule requirement was not met.	
<u> </u>	27 N 1 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
	Adjustment \$900	
		\$100
Violation Events		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Number of Vic	olation Events Number of violation days	
	daily	
	monthly	£400
mark only one with an x	quarterly Violation Base Penalty semiannual	, \$100
	annual	
	single event x x	
	One single event is recommended.	
6.38.8.96.386353.386		
Good Faith Efforts to Comply	0.0% Reduction	\$0
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary	
	Ordinary	
	N/A (mark with x)	
	Notes The Respondent does not meet the good faith criteria for this	
	violation .	
	Violation Subtotal	\$100
E		
Economic Benefit (EB) for this		
Estimated	d EB Amount \$4 Violation Final Penalty Total	\$120
	This violation Final Assessed Penalty (adjusted for limits)	\$120

iviedia Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
	Jeneral de la company de la co					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					D. D. Day Bridge Stocker St.	
Delayed Costs							
Equipment	ation has been a localities	sala, di seria secie	waliony are to the same	0.00	\$0	\$0	\$0
Buildings		hit man maka kamakini	and property of the control of the	0.00	\$0	\$0	\$0
Other (as needed)		and the second second second		0.00	\$0	\$0	\$0
Engineering/construction			likter sel je i <u>600</u>	0.00	\$0	\$0	\$0
Land	da la provincia de la compansión de la comp			0.00	\$0	. n/a	\$0
Record Keeping System	\$100	10-Jun-2008	1-May-2009	0.89	\$4	in/a	\$4
Training/Sampling		S. C.		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)		Committee of the commit	M. Joseph A. J. J. J. J. J.	0.00	\$0	n/a	\$0
	The delaye	d cost includes the	amount to develo	on and be	egin maintaining a	complete up-to-date	map of the
Notes for DELAYED costs Avoided Costs	distribution	system. Date requ	ired is the investion	gation da entering	te. Final date is th	complete up-to-date e estimated date of o one-time avoided c	compliance. osts)
Avoided Costs Disposal	distribution	system. Date requ	ired is the investion	gation da entering	te. Final date is th item (except for \$0	e estimated date of one-time avoided c	compliance. osts) \$0
Avoided Costs Disposal Personnel	distribution	system. Date requ	ired is the investion	entering 0.00 0.00	ite. Final date is th item (except for \$0 \$0	e estimated date of one-time avoided c \$0 \$0 \$0	compliance. osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	distribution	system. Date requ	ired is the investion	entering 0.00 0.00 0.00	ite. Final date is th item (except for \$0 \$0 \$0	e estimated date of o	osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel	distribution	system. Date requ	ired is the investion	entering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0	e estimated date of cone-time avoided cone-time avoided cone-time \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	distribution	system. Date requ	ired is the investion	entering 0.00 0.00 0.00 0.00 0.00	te, Final date is the item (except for \$0 \$0 \$0 \$0 \$0 \$0	e estimated date of cone-time avoided cone-time so so so so so so so so	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	distribution	system. Date requ	ired is the investion	entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	te, Final date is the item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e estimated date of cone-time avoided cone-time so	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	distribution	system. Date requ	ired is the investion	entering 0.00 0.00 0.00 0.00 0.00	te, Final date is the item (except for \$0 \$0 \$0 \$0 \$0 \$0	e estimated date of cone-time avoided cone-time so so so so so so so so	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date: 13-A	ug-2008 Docket No. 2008-1376-PWS-E	PCW
\$6.5HD01H / 03H 1993 74HD 7F F10 F1 \$60 77P F 4 F1	,	olicy Revision 2 (September 2002)
Case ID No. 3638		PCW Revision June 12, 2008
Reg. Ent. Reference No. RN10 Media [Statute] Publi		
Enf. Coordinator Chris		
Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(F)(iii)	1-

	ed to provide at least two service pumps with a total capacity of 2.0 gallons per min pm") per connection. Specifically, at the time of the investigation, the Facility had of service pump.	
<u> </u>	Base Pel	nalty \$1,000
>> Environmental, Property and Hu	amon Hoalth Matrix	
>> Environmental, Property and Fig.	Harm	
	Major Moderate Minor	,
OR Actual Potential	X Percent 25%	
>> Programmatic Matrix Falsification	Major Moderate Minor	
Pasification in	Percent 0%	
	nt number of service pumps, customers of the water supply could experience wate iges, exposing customers of the water supply to a significant amount of contamina	
Notes 310 dates	that would exceed levels protective of human health.	: : : : : : : : : : : : : : : : : : :
() () () () () () () () () ()		
	Adjustment	\$750
		\$250
Violation Events		
A CONTRACTOR OF THE PROPERTY O		
	Number of violation days	•
	daily	
	onthly X	nalty \$750
■ 100 M 100	ranterly Violation Base Per	naity\$750
	nnual	
sing	le event	
i nree monthly ever	nts are recommended, calculated from the date of the investigation, June 10, 2008 the date of screening, August 13, 2008.	,
		<u> </u>
Good Faith Efforts to Comply	0.0% Reduction	\$0
Evtre	Before NOV NOV to EDPRP/Settlement Offer aordinary	
	Ordinary	
	N/A x (mark with x)	
,	Notes The Respondent does not meet the good faith criteria for this violation.	
real and the second sec		
	Violation Sub	total \$750
Economic Benefit (EB) for this viol	lation Statutory Limit Test	
Estimated EB	Amount \$0 Violation Final Penalty	Fotal \$898
entrobotomer .	This violation Final Assessed Penalty (adjusted for lin	nîts) \$898

Reg. Ent. Reference No. Media Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
Violation No	. O					5.0	Depreciation 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	garan erra an alaman erra garan garan baran erra er				Allege a	
Delayed Costs			, , , , , , , , , , , , , , , , , , , ,				
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$3,000	10-Jun-2008	1-Sep-2009	1.23	\$12	\$245	\$258
Land	£12138124171563346	X 15 (160) VEST (170)		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	5 - 4 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 -	[14] [1. [16] Will Will William (18)		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)	Tara vieta Sadiyi edilə			0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ANN	IUALIZE [1] avoide			compliance.	one-time avoided c	osts)
Disposal				0,00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment		La Salatar de De la Statista	and collection of Selection	0.00	\$0	\$0	\$0
				0.00	\$0	\$0	\$0
Financial Assurance [2]	Egyzen in Chardenskie Monta			0.00	\$0	\$0	\$0
					l \$0	\$0	\$0
Financial Assurance [2]				0.00	ΨΟ	ι ψυ Ι	ΨΟ

Compliance History

Custom	er/Respondent/Owner-Operator:	CN602605586	Clarkson Energy Home	es Inc.	Classification:	Rating:
Regulat	ed Entity:	RN101176915	SUN VALLEY MOBILE	E HOME PARK	Classification:	Site Rating:
ID Numi	ber(s):	PUBLIC WATER WATER LICENS	SYSTEM/SUPPLY	REGISTR LICENSE	ATION	0720025 0720025
Location	:	137 PR 1101, ER	ATH COUNTY, TX, 7640	1		
TCEQ F	Region:	REGION 04 - DF	W METROPLEX			
Date Co	ompliance History Prepared:	August 13, 2008				
Agency	Decision Requiring Compliance His	story: Enforcement				
Complia	nce Period:	August 13, 2003	to August 13, 2008			
TCEQ S	Staff Member to Contact for Addition	nal Information Regarding t	his Compliance History			
Name:	Christopher Keffer	Ph	one: (512) 239-56	10		
		Site C	ompliance History Co	omponents		
1. Has ti	he site been in existence and/or op	eration for the full five year	compliance period?	Yes		
2. Has ti	here been a (known) change in owr	nership of the site during th	e compliance period?	No		
3 If∨oc	, who is the current owner?			•		
	s, who was/were the prior owner(s)	?		N/A		
				N/A		
5. Whe	n did the change(s) in ownership od	ccur?		N/A		
Compo	onents (Multimedia) for the Si	ite:				
A.	Final Enforcement Orders, court	judgements, and consent	decrees of the state of Te	xas and the federa	al government.	•
	N/A					
В.	Any criminal convictions of the s	tate of Texas and the feder	ral government			
	N/A					Name of the
C.	Chronic excessive emissions ev	ents.				
	N/A					
D.	The approval dates of investigati	ions. (CCEDS Inv. Track. N	lo.)			
	1 04/05/2005 (37503 2 08/01/2008 (68258	•				
E.	Written notices of violations (NO	V). (CCEDS Inv. Track. No	o.)			
	Date: 04/06/2005 (375038)				
	Self Report? ·NO	0.01 / 000 0.101 /		assification: Mo	derate	
	Description: Failur	.C Chapter 290, SubChapto e to submit raw water sam prition granted to the system	ples as required by the sa	nitary control ease	ement	
	Self Report? NO		Cla	assification: Mo	derate	
		C Chapter 290, SubChapte	* * *			
	Description: Failur Self Report? NO	e to compile and maintain i	• '	•	nor	
		C Chapter 290, SubChapte				
	Description: Failur	e to make available ANSI/ľ	NSF Standard 60 certificat	tion for all chemica	ils used.	
	Self Report? NO		Cla	assification: Mi	nor	
		C Chapter 290, SubChapte				
		e to inspect the ground sto sults of the inspections for		y and to record an	d maintain	
	Self Report? NO		Cla	assification: Mi	nor	
		C Chapter 290, SubChapte e to inspect the pressure to		I and maintain the	results of	

Self Report?

30 TAC Chapter 290, SubChapter D 290.42(I)

Citation: Description:

Failure to compile and maintain current a thorough plant operations manual for operator

review and reference.

Self Report?

Classification:

Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.43(c)(7)

Description:

Failure to provide a means of removing accumulated silt and deposits at all low points in

the bottom of the ground storage tank.

Self Report?

NO

Classification:

Classification:

Moderate

Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(ii)

Description:

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These

requirements include a total storage capacity of 200 gallons per connection.

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(1)(B)(iv)

Description:

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These

requirements include a pressure tank capacity of 20 gallons per connection.

Environmental audits. F.

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. Н.

N/A

Participation in a voluntary pollution reduction program. ١.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
CLARKSON ENERGY HOMES INC.	§	TEXAS COMMISSION ON
DBA SUN VALLEY MOBILE HOME	§	·
PARK	§	
RN101176915	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-1376-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 Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park ("the Respondent") under the authority of Tex. Health & Safety Code ch. 341. 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 public water supply at 137 Private Road 1101 in Erath County, Texas (the "Facility") that has approximately 21 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. 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.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 4, 2008.
- 4. 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.
- 5. An administrative penalty in the amount of Five Thousand One Hundred Forty-Six Dollars (\$5,146) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Twenty-Seven Dollars (\$127) of the administrative penalty and One Thousand Twenty-Nine Dollars (\$1,029) is deferred contingent

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upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Three Thousand Nine Hundred Ninety Dollars (\$3,990) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Fourteen Dollars (\$114) 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 the Respondent 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 the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent 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 the Respondent 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 the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 9. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 10. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to conduct monthly source assessment raw water monitoring of the well, in violation of 30 TEX. ADMIN. CODE §§ 290.46(b) and 290.109(c)(4)(E), as documented during an investigation conducted on June 10, 2008.
- 2. Failed to maintain public water system operating records in an organized manner, with copies kept on file or stored electronically and made accessible for review during inspections, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(1), (f)(3)(A)(i)(III), (f)(3)(A)(iv) and (f)(3)(B)(iii), as documented during an investigation conducted on June 10, 2008.

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Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park DOCKET NO. 2008-1376-PWS-E Page 3

- 3. Failed to inspect the Facility's pressure tank annually, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(B) as documented during an investigation conducted on June 10, 2008.
- 4. Failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(F)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c) as documented during an investigation conducted on June 10, 2008.
- 5. Failed to maintain an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies, in violation of 30 Tex. ADMIN. CODE § 290.46(n)(2), as documented during an investigation conducted on June 10, 2008.
- 6. Failed to provide two or more service pumps having a capacity of 2.0 gallons per minute ("gpm") per connection, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(1)(F)(iii), as documented during an investigation conducted on June 10, 2008.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 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: Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park, Docket No. 2008-1376-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 the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, begin submitting raw water samples for bacteriological analysis at least once per month, in accordance with 30 TEX. ADMIN. CODE § 290.109.
 - b. Within 30 days after the effective date of the Agreed Order:
 - i. Conduct an inspection of the pressure tank, in accordance with 30 Tex. ADMIN. CODE § 290.46;

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- ii. Develop and begin maintaining an up-to-date map of the distribution system so that valves and mains may be easily located during emergencies, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
- iii. Develop and begin maintaining all water works operation records for the Facility including but not limited to, a record of the dates the dead-end mains were flushed, a record of the amount of chemicals used each week, and a record of disinfectant residual monitoring, in accordance with 30 TEX. ADMIN. CODE § 290,46.
- Within 45 days after the effective date of this Agreed Order, submit written certification, as detailed in Ordering Provision 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and 2.b.
- d. Within 180 days after the effective date of the Agreed Order:
 - i. Provide a minimum of two service pumps with a minimum capacity of 2.0 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
 - ii. Provide a total storage capacity of 200 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45.
- Within 195 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 other records to demonstrate compliance with Ordering Provision No. 2.d. 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:

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Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park DOCKET NO. 2008-1376-PWS-E Page 5

> Water Section, Manager Stephenville Regional Office Texas Commission on Environmental Quality 580-D West Lingleville Road Stephenville, Texas 76401

- 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. 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.
- 5. 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.
- 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 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.

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Clarkson Energy Homes Inc. dba Sun Valley Mobile Home Park DOCKET NO. 2008-1376-PWS-E Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	Date 1/23/2009
attached Agreed Order on behalf of the entity	he attached Agreed Order. I am authorized to agree to the indicated below my signature, and I do agree to the terms eknowledge that the TCEQ, in accepting payment for the epresentation.
timely pay the penalty amount, may result in: A negative impact on compliance history Greater scrutiny of any permit applicant Referral of this case to the Attorney of penalties, and/or attorney fees, or to a compliance penalties in any future enforced penalties	ions submitted; General's Office for contempt, injunctive relief, additional collection agency; cement actions; eral's Office of any future enforcement actions; and
fll	12-9-08
Signature	Date
charles k, clarker	O War segre
Name (Printed or typed)	Title
Authorized Representative of	
Clarkson Energy Homes Inc. dba	
Sun Valley 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 I of this Agreed Order.