

**Executive Summary – Enforcement Matter – Case No. 43008**  
**GRANITE STONEBRIDGE HEALTH CENTER LLC**  
**RN101520500**  
**Docket No. 2011-2158-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Stonebridge Health Center, 11127 Circle Drive, approximately 1,200 feet northeast of the intersection of United States Highway 290 and Circle Drive, approximately 5.0 miles west of the intersection of United States Highway 290 and State Highway 71, Travis County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** July 20, 2012

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$13,621

**Amount Deferred for Expedited Settlement:** \$2,724

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$10,897

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2002

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**GRANITE STONEBRIDGE HEALTH CENTER LLC**  
**RN101520500**  
**Docket No. 2011-2158-MWD-E**

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** August 24, 2011

**Date(s) of NOE(s):** October 14, 2011

***Violation Information***

1. Failed to comply with permitted effluent limitations for biochemical oxygen demand and total suspended solids [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TCEQ Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements A].
2. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows, at least annually unless authorized by the Executive Director for a longer period. Specifically, the two flow meters at the Facility were not calibrated for 2010 [30 TEX. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0013860001, Monitoring Requirements No. 5].
3. Failed to collect weekly effluent samples. Specifically, effluent samples for five-day biochemical oxygen demand and total suspended solids were not collected for the weeks of August 1 to August 7, 2010; September 26 to October 2, 2010; November 7 to November 13, 2010; December 26, 2010 to January 1, 2011; January 30 to February 5, 2011; March 27 to April 2, 2011; April 3 to April 9, 2011; May 1 to May 7, 2011; May 29 to June 4, 2011; and June 19 to June 25, 2011 [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b), and TCEQ Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements B and Monitoring Requirements No. 1].
4. Failed to collect and analyze representative soil samples taken from the root zone of the irrigated site. Specifically, the annual soil samples were not collected for the monitoring period ending September 30, 2010 [30 TEX. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0013860001, Special Provisions No. 10].
5. Failed to ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, there was a build-up of solids in the treatment tanks and the gravel filtration system was not being operated in the recirculation mode [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (5), and TCEQ Permit No. WQ0013860001, Operational Requirements No. 1 and Special Provisions No. 3].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent has implemented the following corrective measures at the Facility:

- a. On August 17, 2011, calibrated and checked the flow meters for accuracy;

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**GRANITE STONEBRIDGE HEALTH CENTER LLC**  
**RN101520500**  
**Docket No. 2011-2158-MWD-E**

- b. On August 23, 2011, cleaned and rehabilitated the gravel filtration system;
- c. By September 7, 2011, cleaned and properly disposed of the built-up solids in the treatment tanks, reconfigured the spray system for the gravel filter, reconfigured the recirculation system, and began recirculating the effluent through the treatment system;
- d. On September 26, 2011, submitted the annual soil report for 2011; and
- e. By October 11, 2011, updated the Facility's operational guidance, including implementing a check list procedure to be examined after every effluent sample is scheduled to be collected to ensure that samples are collected once per week.

**Technical Requirements:**

The Order will require the Respondent to, within 90 days, submit written certification demonstrating compliance.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** Lanae Foard, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2554; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.  
**TCEQ SEP Coordinator:** N/A  
**Respondent:** Bill Thomas, Vice President of Operations, GRANITE STONEBRIDGE HEALTH CENTER LLC, 9606 North MoPac Expressway, Suite 360, Austin, Texas 78759  
Richard Y. Cheng, General Counsel, GRANITE STONEBRIDGE HEALTH CENTER LLC, 9606 North MoPac Expressway, Suite 360, Austin, Texas 78759  
**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	17-Oct-2011	<b>Screening</b>	31-Oct-2011	<b>EPA Due</b>	
	<b>PCW</b>	18-Nov-2011				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	GRANITE STONEBRIDGE HEALTH CENTER LLC				
<b>Reg. Ent. Ref. No.</b>	RN101520500				
<b>Facility/Site Region</b>	11-Austin	<b>Major/Minor Source</b>	Minor		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	43008	<b>No. of Violations</b>	5
<b>Docket No.</b>	2011-2158-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Lanae Foard
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$11,000**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** **20.0%** Enhancement **Subtotals 2, 3, & 7** **\$2,200**

Notes: Enhancement for one order with denial of liability.

**Culpability** **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** **\$1,500**

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6** **\$0**

Total EB Amounts: \$2,881  
 Approx. Cost of Compliance: \$26,110  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$11,700**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **16.4%** **Adjustment** **\$1,921**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement for avoided costs of compliance associated with Violation Nos. 2, 3, and 4.

**Final Penalty Amount** **\$13,621**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$13,621**

**DEFERRAL** **20.0%** Reduction **Adjustment** **-\$2,724**

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

Notes: Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$10,897**

**Screening Date** 31-Oct-2011

**Docket No.** 2011-2158-MWD-E

**PCW**

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

**Case ID No.** 43008

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN101520500

**Media [Statute]** Water Quality

**Enf. Coordinator** Lanae Foard

### Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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 ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 20%

>> **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**

Enhancement for one order with denial of liability.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 20%

Screening Date 31-Oct-2011

Docket No. 2011-2158-MWD-E

PCW

Respondent GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

Case ID No. 43008

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101520500

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Commission on Environmental Quality ("TCEQ") Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements A

Violation Description Failed to comply with permitted effluent limitations, as documented during an investigation conducted on August 24, 2011, and shown in the attached table.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	10%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Five-day biochemical oxygen demand and total suspended solids were evaluated 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 protective of human health or environmental receptors.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 4 Number of violation days 365

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$4,000

Four quarterly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$4,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$918

Violation Final Penalty Total \$5,588

This violation Final Assessed Penalty (adjusted for limits) \$5,588

# Economic Benefit Worksheet

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC  
**Case ID No.** 43008  
**Reg. Ent. Reference No.** RN101520500  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$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)	\$10,000	30-Sep-2010	31-Jul-2012	1.84	\$918	n/a	\$918

Notes for DELAYED costs

Estimated cost to evaluate the Facility to determine the cause of the effluent violations and complete corrective actions. Date required is the first month of noncompliance and final date is the expected 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

\$10,000

**TOTAL**

\$918

Screening Date 31-Oct-2011

Docket No. 2011-2158-MWD-E

PCW

Respondent GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

Case ID No. 43008

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101520500

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0013860001, Monitoring Requirements No. 5

Violation Description Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows, at least annually unless authorized by the Executive Director for a longer period, as documented during an investigation conducted on August 24, 2011. Specifically, the two flow meters at the Facility were not calibrated for 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				5%
Potential			x	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,500

\$500

Violation Events

Number of Violation Events 2 365 Number of violation days

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

Violation Base Penalty \$1,000

Two single events are recommended, one for each flow meter.

Good Faith Efforts to Comply

25.0% Reduction

\$250

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes The Respondent achieved compliance on August 17, 2011.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$619

Violation Final Penalty Total \$1,106

This violation Final Assessed Penalty (adjusted for limits) \$1,106

## Economic Benefit Worksheet

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC  
**Case ID No.** 43008  
**Req. Ent. Reference No.** RN101520500  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

### 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)	\$565	24-Aug-2010	17-Aug-2011	1.90	\$54	\$565	\$619

Notes for AVOIDED costs

Actual avoided cost by failing to calibrate the flow meters. Date required is one year prior to the investigation date. Final date is the date of compliance.

Approx. Cost of Compliance

\$565

**TOTAL**

\$619

Screening Date 31-Oct-2011

Docket No. 2011-2158-MWD-E

PCW

Respondent GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

Case ID No. 43008

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101520500

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 3

Rule Cite(s) 30 Tex. Admin Code §§ 305.125(1) and 319.5(b), and TCEQ Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements B and Monitoring Requirements No. 1

Violation Description Failed to collect weekly effluent samples, as documented during an investigation conducted on August 24, 2011. Specifically, effluent samples for five-day biochemical oxygen demand and total suspended solids were not collected for the weeks of August 1 to August 7, 2010; September 26 to October 2, 2010; November 7 to November 13, 2010; December 26, 2010 to January 1, 2011; January 30 to February 5, 2011; March 27 to April 2, 2011; April 3 to April 9, 2011; May 1 to May 7, 2011; May 29 to June 4, 2011; and June 19 to June 25, 2011.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 4 322 Number of violation days

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

Violation Base Penalty \$4,000

Four quarterly events are recommended from the first missed sample (August 7, 2010) to the last missed sample (June 25, 2011).

Good Faith Efforts to Comply

25.0% Reduction

\$1,000

	Reduction	
	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes The Respondent achieved compliance on October 11, 2011.

Violation Subtotal \$3,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$342

Violation Final Penalty Total \$4,424

This violation Final Assessed Penalty (adjusted for limits) \$4,424

# Economic Benefit Worksheet

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC  
**Case ID No.** 43008  
**Req. Ent. Reference No.** RN101520500  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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				0.00	\$0	n/a	\$0
Training/Sampling	\$250	1-Aug-2010	11-Oct-2011	1.19	\$15	n/a	\$15
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 update the Facility's operational guidance, including implementing a check list procedure to be examined after every effluent sample is scheduled to be taken to ensure that samples are taken once per week (\$250). Date required is the first date of noncompliance and final date is the 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]	\$300	1-Aug-2010	25-Jun-2011	1.82	\$27	\$300	\$327
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Estimated cost to perform the sample analyses for five-day biochemical oxygen demand and total suspended solids. (\$30 per effluent sample). Date required is the first date of noncompliance and final date is the date of compliance with sampling requirements.

**Approx. Cost of Compliance**

\$550

**TOTAL**

\$342

Screening Date 31-Oct-2011

Docket No. 2011-2158-MWD-E

PCW

Respondent GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

Case ID No. 43008

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101520500

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TCEQ Permit No. WQ0013860001, Special Provisions No. 10

Violation Description

Failed to collect and analyze representative soil samples taken from the root zone of the irrigated site, as documented during an investigation conducted on August 24, 2011. Specifically, the annual soil samples were not collected for the monitoring period ending September 30, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		X	

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	X
single event	

Violation Base Penalty \$1,000

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$975

Violation Final Penalty Total \$1,397

This violation Final Assessed Penalty (adjusted for limits) \$1,397

## Economic Benefit Worksheet

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC  
**Case ID No.** 43008  
**Reg. Ent. Reference No.** RN101520500  
**Media** Water Quality  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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				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 economic benefit for Violation No. 3 for updating the Facility's operational guidance.

### 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]	\$975	30-Sep-2010	1-Oct-2010	0.00	\$0	\$975	\$975
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Actual avoided cost to collect and analyze the annual soil samples for the monitoring period of October 1, 2009 through September 30, 2010.

Approx. Cost of Compliance

\$975

**TOTAL**

\$975

Screening Date 31-Oct-2011

Docket No. 2011-2158-MWD-E

PCW

Respondent GRANITE STONEBRIDGE HEALTH CENTER LLC

Policy Revision 2 (September 2002)

Case ID No. 43008

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101520500

Media [Statute] Water Quality

Enf. Coordinator Lanae Foard

Violation Number 5

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1) and (5), and TCEQ Permit No. WQ0013860001, Operational Requirements No. 1 and Special Provisions No. 3

Violation Description Failed to ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained, as documented during an investigation conducted on August 24, 2011. Specifically, there was a build-up of solids in the treatment tanks and the gravel filtration system was not being operated in the recirculation mode.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					10%
Potential			x		

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0%

Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1 Number of violation days 14

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

Violation Base Penalty \$1,000

One quarterly event is recommended from the investigation date (August 24, 2011) to the date of compliance (September 7, 2011).

Good Faith Efforts to Comply

25.0% Reduction \$250

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes The Respondent achieved compliance by September 7, 2011.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$1,106

This violation Final Assessed Penalty (adjusted for limits) \$1,106

## Economic Benefit Worksheet

**Respondent** GRANITE STONEBRIDGE HEALTH CENTER LLC  
**Case ID No.** 43008  
**Req. Ent. Reference No.** RN101520500  
**Media** Water Quality  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$14,020	24-Aug-2011	7-Sep-2011	0.04	\$27	n/a	\$27
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Actual cost to clean and properly dispose of the built-up solids in the treatment tanks (\$7,584), to rehabilitate the gravel filter (\$2,840), to reconfigure the spray system for the gravel filter (\$2,720), and to reconfigure the recirculation system (\$876). Date required is the date of the investigation. Final date is the date of compliance.

### Avoided Costs

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

Disposal				0.00	\$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

\$14,020

**TOTAL**

\$27

GRANITE STONEBRIDGE HEALTH CENTER LLC  
 TCEQ Permit No. WQ0013860001  
 Docket No. 2011-2158-MWD-E  
 Case No. 43008

<b>EFFLUENT VIOLATION TABLE</b>			
<b>Months</b>	<b>BOD<sub>5</sub> Daily Ave. Conc.</b>	<b>BOD<sub>5</sub> Single Grab Conc.</b>	<b>TSS Daily Ave. Conc.</b>
	<b>Limit = 30 mg/L</b>	<b>Limit = 100 mg/L</b>	<b>Limit = 30 mg/L</b>
<b>September 2010</b>	35	c	c
<b>October 2010</b>	76	c	35
<b>November 2010</b>	74	c	38
<b>December 2010</b>	83	c	42
<b>January 2011</b>	129	128.50	59
<b>February 2011</b>	143	142.75	48
<b>March 2011</b>	82	c	c
<b>April 2011</b>	97	c	c
<b>May 2011</b>	78	c	38
<b>June 2011</b>	96	c	c
<b>July 2011</b>	88	c	c
<b>August 24, 2011*</b>	c	119	c

mg/L = milligrams per liter

Ave. = average

TSS = total suspended solids

Conc. = concentration

BOD<sub>5</sub> = five day biochemical oxygen demand

c = compliant

\* = grab sample collected by investigator



# Compliance History

Customer/Respondent/Owner-Operator: CN603448648 GRANITE STONEBRIDGE HEALTH CENTER LLC Classification: AVERAGE Rating: 31.67

Regulated Entity: RN101520500 STONEBRIDGE HEALTH CENTER Classification: AVERAGE Site Rating: 31.67

ID Number(s): WASTEWATER PERMIT WQ0013860001

Location: 11127 CIRCLE DRIVE, APPROXIMATELY  
1,200 FEET NORTHEAST OF THE INTERSECTION  
OF UNITED STATES HIGHWAY 290 AND CIRCLE DRIVE,  
APPROXIMATELY 5.0 MILES WEST OF THE  
INTERSECTION OF UNITED STATES HIGHWAY 290  
AND STATE HIGHWAY 71, TRAVIS COUNTY, TEXAS

TCEQ Region: REGION 11 - AUSTIN

Date Compliance History Prepared: January 07, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 07, 2007 to January 07, 2012

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

Name: Lanae Foard Phone: (512) 239-2554

## 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? Yes
3. If Yes, who is the current owner/operator? Granite Stonebridge Health Center LLC
4. If Yes, who was/were the prior owner(s)/operator(s)? SB Realty Corporation
5. When did the change(s) in owner or operator occur? 02/08/2010 SB Realty Corporation
6. Rating Date: 9/1/2011 Repeat Violator: NO

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 07/20/2009 ADMINORDER 2009-0366-MWD-E  
Classification: Major  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Effluent Limitations and Monitoring Requi PERMIT  
Description: Failed to comply with permit effluent limits.  
Classification: Minor  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Monitoring Requirements No. 5 PERMIT  
Description: Failed to have meter calibration records readily available for review by a TCEQ representative.

- 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 03/04/2009 (724730)
- 2 07/20/2010 (826728)
- 3 10/14/2011 (950799)

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

N/A

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  
GRANITE STONEBRIDGE  
HEALTH CENTER LLC  
RN101520500

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY  
§

AGREED ORDER  
DOCKET NO. 2011-2158-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 GRANITE STONEBRIDGE HEALTH CENTER LLC ("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 wastewater treatment facility located at 11127 Circle Drive, approximately 1,200 feet northeast of the intersection of United States Highway 290 and Circle Drive, approximately 5.0 miles west of the intersection of United States Highway 290 and State Highway 71 in Travis County, Texas (the "Facility").
2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
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 October 19, 2011.
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 Thirteen Thousand Six Hundred Twenty-One Dollars (\$13,621) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Ten Thousand Eight Hundred Ninety-Seven Dollars (\$10,897) of the administrative penalty and Two Thousand Seven Hundred Twenty-Four Dollars (\$2,724) 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 recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. On August 17, 2011, calibrated and checked the flow meters for accuracy;
  - b. On August 23, 2011, cleaned and rehabilitated the gravel filtration system;
  - c. By September 7, 2011, cleaned and properly disposed of the built-up solids in the treatment tanks, reconfigured the spray system for the gravel filter, reconfigured the recirculation system, and began recirculating the effluent through the treatment system;
  - d. On September 26, 2011, submitted the annual soil report for 2011; and
  - e. By October 11, 2011, updated the Facility's operational guidance, including implementing a check list procedure to be examined after every effluent sample is scheduled to be collected to ensure that samples are collected once per week.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

**II. ALLEGATIONS**

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

- Failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TCEQ Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements A, as documented during an investigation conducted on August 24, 2011, and shown in the table below:

<b>EFFLUENT VIOLATION TABLE</b>			
<b>Months</b>	<b>BOD<sub>5</sub> Daily Ave. Conc.</b>	<b>BOD<sub>5</sub> Single Grab Conc.</b>	<b>TSS Daily Ave. Conc.</b>
	<b>Limit = 30 mg/L</b>	<b>Limit = 100 mg/L</b>	<b>Limit = 30 mg/L</b>
<b>September 2010</b>	35	c	c
<b>October 2010</b>	76	c	35
<b>November 2010</b>	74	c	38
<b>December 2010</b>	83	c	42
<b>January 2011</b>	129	128.50	59
<b>February 2011</b>	143	142.75	48
<b>March 2011</b>	82	c	c
<b>April 2011</b>	97	c	c
<b>May 2011</b>	78	c	38
<b>June 2011</b>	96	c	c
<b>July 2011</b>	88	c	c
<b>August 24, 2011*</b>	c	119	c

mg/L = milligrams per liter

Ave. = average

TSS = total suspended solids

Conc. = concentration

BOD<sub>5</sub> = five day biochemical oxygen demand

c = compliant

\* = grab sample collected by investigator

2. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows, at least annually unless authorized by the Executive Director for a longer period, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0013860001, Monitoring Requirements No. 5, as documented during an investigation conducted on August 24, 2011. Specifically, the two flow meters at the Facility were not calibrated for 2010.
3. Failed to collect weekly effluent samples, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b), and TCEQ Permit No. WQ0013860001, Effluent Limitations and Monitoring Requirements B and Monitoring Requirements No. 1, as documented during an investigation conducted on August 24, 2011. Specifically, effluent samples for five-day biochemical oxygen demand and total suspended solids were not collected for the weeks of August 1 to August 7, 2010; September 26 to October 2, 2010; November 7 to November 13, 2010; December 26, 2010 to January 1, 2011; January 30 to February 5, 2011; March 27 to April 2, 2011; April 3 to April 9, 2011; May 1 to May 7, 2011; May 29 to June 4, 2011; and June 19 to June 25, 2011.
4. Failed to collect and analyze representative soil samples taken from the root zone of the irrigated site, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TCEQ Permit No. WQ0013860001, Special Provisions No. 10, as documented during an investigation conducted on August 24, 2011. Specifically, the annual soil samples were not collected for the monitoring period ending September 30, 2010.
5. Failed to ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (5), and TCEQ Permit No. WQ0013860001, Operational Requirements No. 1 and Special Provisions No. 3, as documented during an investigation conducted on August 24, 2011. Specifically, there was a build-up of solids in the treatment tanks and the gravel filtration system was not being operated in the recirculation mode.

### 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 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: GRANITE STONEBRIDGE HEALTH CENTER LLC, Docket No. 2011-2158-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

2. It is further ordered that, within 90 days after the effective date of this Agreed Order, the Respondent shall submit written certification of compliance with the permitted effluent limitations of TCEQ Permit No. WQ0013860001, 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 include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the 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 fines 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  
Austin Regional Office  
Texas Commission on Environmental Quality  
2800 S IH 35, Suite 100  
Austin, Texas 78704-5712

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

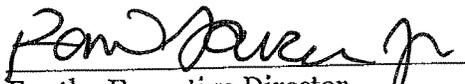
the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

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 separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
For the Executive Director

8/10/12  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

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

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

  
Signature

5/22/12  
Date

Richard Y. Cheng  
Name (Printed or typed)  
Authorized Representative of  
GRANITE STONEBRIDGE HEALTH CENTER LLC

General Counsel  
Title

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