

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE No. 44683
Sereno LLC d/b/a Oak Creek Mobile Home Park
RN101241271
Docket No. 2012-1561-MWD-E

Order Type:

Agreed Order

Media:

MWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

6311 North Farm-to-Market Road 1417, Denison, Grayson County

Type of Operation:

mobile home park with a wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: None
Past-Due Penalties: None
Past-Due Fees: None
Other: None
Interested Third-Parties: None

Texas Register Publication Date: March 15, 2013

Comments Received: None

Penalty Information

Total Penalty Assessed: \$10,125

Total Paid to General Revenue: \$325

Total Due to General Revenue: \$9,800

Payment Plan: 35 payments of \$280 each

SEP Conditional Offset: N/A

Compliance History Classifications:

Person/CN – Satisfactory
Site/RN – Satisfactory

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Date(s) of Investigation: June 27, 2012

Date(s) of NOV(s): January 31, 2012; March 31, 2012

Date(s) of NOE(s): July 13, 2012

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE No. 44683
Sereno LLC d/b/a Oak Creek Mobile Home Park
RN101241271
Docket No. 2012-1561-MWD-E

Page 2 of 2

Violation Information

Failed to comply with permitted effluent limits [TEX. WATER CODE § 26.121(a); 30 TEX. ADMIN. CODE § 305.125(1); and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014788001, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

None

Technical Requirements:

Within 180 days submit certification to demonstrate compliance with permitted effluent limits, 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.

Litigation Information

Date Petition(s) Filed: December 17, 2012

Date Answer(s) Filed: December 21, 2012

SOAH Referral Date: January 25, 2013

Hearing Date(s): N/A

Settlement Date: February 27, 2013

Contact Information

TCEQ Attorneys: Kari L. Gilbreth, Litigation Division, (512) 239-3400
Lena Roberts, Litigation Division, (512) 239-3400
Eli Martinez, Public Interest Counsel, (512) 239-6363

TCEQ SEP Coordinator: N/A

TCEQ Enforcement Coordinator: Cheryl Thompson, Enforcement Division, (817) 588-5886

TCEQ Regional Contact: Charles Marshall, Dallas/Ft. Worth Regional Office, (817) 588-5800

Respondent: Marie E. Perkins, Member, Sereno LLC, 5934 Julia Circle, Corpus Christi, Texas 78414

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	24-Jul-2012	Screening	30-Jul-2012	EPA Due	
	PCW	26-Oct-2012				

RESPONDENT/FACILITY INFORMATION	
Respondent	Sereno LLC d/b/a Oak Creek Mobile Home Park
Reg. Ent. Ref. No.	RN101241271
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	44683	No. of Violations	1
Docket No.	2012-1561-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Cheryl Thompson
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
---	-------------------	----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance History	35.0% Enhancement	Subtotals 2, 3, & 7
		\$2,625

Notes	Enhancement for two months of self-reported effluent violations and one order without 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	\$0
--	-------------------	------------

Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$666	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$10,000		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$10,125
-----------------------------	-----------------------	-----------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes			
	Final Penalty Amount	\$10,125	

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$10,125
-----------------------------------	-------------------------------	-----------------

DEFERRAL	0.0%	Reduction	Adjustment	\$0
Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)				
Notes	Deferral not offered for non-expedited settlement.			

PAYABLE PENALTY	\$10,125
------------------------	-----------------

Screening Date 30-Jul-2012

Docket No. 2012-1561-MWD-E

PCW

Respondent Sereno LLC d/b/a Oak Creek Mobile Home Park

Policy Revision 3 (September 2011)

Case ID No. 44683

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101241271

Media [Statute] Water Quality

Enf. Coordinator Cheryl Thompson

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>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)		0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
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) 35%

>> **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 two months of self-reported effluent violations and one order without denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 35%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 35%

Screening Date 30-Jul-2012

Docket No. 2012-1561-MWD-E

PCW

Respondent Sereno LLC d/b/a Oak Creek Mobile Home Park

Policy Revision 3 (September 2011)

Case ID No. 44683

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101241271

Media [Statute] Water Quality

Enf. Coordinator Cheryl Thompson

Violation Number 1

Rule Cite(s)

Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014788001, Effluent Limitations and Monitoring Requirements No. 1, 30 Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)

Violation Description

Failed to comply with permitted effluent limits, as documented during a record review conducted on June 27, 2012. See attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or the environment.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2

62 Number of violation days

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

Two monthly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDRP/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 \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$666

Violation Final Penalty Total \$10,125

This violation Final Assessed Penalty (adjusted for limits) \$10,125

SERENO LLC DBA OAK CREEK MOBILE HOME PARK
 TPDES PERMIT NO. WQ0014788001; RN101241271
 DOCKET NO. 2012-1561-MWD-E; CASE NO. 44683

	BOD Daily Average Loading 2.3 lbs/day	<i>E. coli</i> Daily Average 126 CFU/100	<i>E. coli</i> Single Grab 394 CFU/100	Flow MGD 15 mg/L	TSS Daily Average Loading 6.8 lbs/day
Month/Year					
January 2012	12.9 lbs/day	>2419.6 CFU/100	>2419.6 CFU/100	.03226 mg/L	24.6 lbs/day
March 2012	30.37lbs/day	>2419.6 CFU/100	>2419.6 CFU/100	.0583 mg/L	82.75 lbs/day

mg/L = milligrams per liter
 MGD=million gallons per day
 CFU= colony forming units

BOD= biochemical oxygen demand
 TSS = total suspended solids
 lbs/day=pounds per day

Economic Benefit Worksheet

Respondent Sereno LLC d/b/a Oak Creek Mobile Home Park
Case ID No. 44683
Reg. Ent. Reference No. RN101241271
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	31-Jan-2012	31-May-2013	1.33	\$666	n/a	\$666

Notes for DELAYED costs
 The estimated cost to determine the cause of non-compliance and to make any necessary adjustments/repairs to the Facility to return to compliance with permitted effluent limitations. Date required is the month the first non-compliant excursion was documented. 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 \$666

THIS PAGE INTENTIONALLY LEFT BLANK

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PENDING Compliance History Report for CN603773151, RN101241271, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator: CN603773151, Sereno LLC **Classification:** SATISFACTORY **Rating:** 9.82

Regulated Entity: RN101241271, OAK CREEK MOBILE HOME PARK **Classification:** SATISFACTORY **Rating:** 9.82

Complexity Points: 7 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 6311 N FM 1417 DENISON, TX 75020-8839, GRAYSON COUNTY

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0910072 **WASTEWATER EPA ID** TX0101346

WASTEWATER PERMIT WQ0014788001 **WASTEWATER EPA ID** TX0101346

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 9/1/2012

Date Compliance History Report Prepared: 10/4/2012

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 02, 2007 to August 02, 2012

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Cheryl Thompson **Phone:** (817) 588-5886

Site and Owner/Operator History:

- | | |
|--|----------------|
| 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 for #2, who is the current owner/operator? | Sereno LLC |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)? | Terry Lee Todd |
| 5) If YES, when did the change(s) in owner or operator occur? | 10/8/2010 |

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 11/04/2007 ADMINORDER 2005-1336-MWD-E (Findings Order)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Minor

Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 21 21.4

Description: Failure to comply with consolidated WQ fees for 2003, 2004 and 2005 for CWQ account number 23003882.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	August 27, 2008	(716138)	Item 17	February 14, 2011	(910521)
Item 2	August 29, 2008	(716134)	Item 18	March 22, 2011	(917759)
Item 3	December 22, 2008	(731681)	Item 19	April 20, 2011	(929306)
Item 4	February 18, 2009	(755066)	Item 20	May 27, 2011	(939474)
Item 5	June 19, 2009	(816645)	Item 21	June 03, 2011	(946880)
Item 6	July 15, 2009	(816646)	Item 22	July 05, 2011	(954147)
Item 7	August 28, 2009	(816647)	Item 23	August 11, 2011	(960723)
Item 8	September 10, 2009	(816648)	Item 24	September 06, 2011	(966811)
Item 9	October 13, 2009	(816649)	Item 25	October 05, 2011	(972792)
Item 10	June 22, 2010	(802322)	Item 26	November 04, 2011	(978933)
Item 11	August 31, 2010	(875406)	Item 27	December 03, 2011	(985765)
Item 12	September 10, 2010	(875403)	Item 28	January 05, 2012	(992106)
Item 13	September 15, 2010	(875405)	Item 29	March 05, 2012	(1004961)
Item 14	November 12, 2010	(889371)	Item 30	May 03, 2012	(1017895)
Item 15	December 20, 2010	(897740)	Item 31	June 06, 2012	(1025655)
Item 16	January 18, 2011	(903629)	Item 32	July 02, 2012	(1033000)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	1/31/2012	(999434)	CN603773151	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			
2	Date:	3/31/2012	(1011518)	CN603773151	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SERENO LLC D/B/A OAK CREEK
MOBILE HOME PARK;
RN101241271**

§
§
§
§
§
§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER

DOCKET NO. 2012-1561-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties (the "Agreed Order"), resolving an enforcement action regarding Sereno LLC d/b/a Oak Creek Mobile Home Park ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondent together stipulate that:

1. Respondent owns and operates a mobile home park with a wastewater treatment facility located at 6311 North Farm-to-Market Road 1417 in Denison, Grayson County, Texas (the "Facility"). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 26.001(5).
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and TCEQ rules.
3. The Executive Director and Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that Respondent is subject to the Commission's jurisdiction.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of ten thousand one hundred twenty-five dollars (\$10,125.00) is assessed by the Commission in settlement of the violations alleged in Section II. Respondent paid three hundred twenty-five dollars (\$325.00) of the administrative penalty. The remaining amount of nine thousand eight hundred dollars (\$9,800.00) of the administrative penalty shall be payable in thirty-five (35) monthly payments of two hundred eighty dollars (\$280.00) each. The first monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall be paid not later than 30 days following the due date of the previous payment. If Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, the Executive Director may, at his 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, Respondent's failure to meet the payment schedule of this Agreed Order constitutes the failure by Respondent to timely and satisfactorily comply with all of 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 and Respondent agree on a settlement of the matters addressed in this Agreed Order, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
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 Respondent has not complied with one or more of the terms or conditions contained 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

1. During a record review conducted on June 27, 2012, TCEQ Central Office staff documented that Respondent violated TEX. WATER CODE § 26.121(a); 30 TEX. ADMIN. CODE § 305.125(1); and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014788001, Effluent Limitations and Monitoring Requirements No. 1, by failing to comply with permitted effluent limits as show in the following effluent violation table:

	BOD Daily Average Loading 2.3 lbs/day	<i>E. coli</i> Daily Average 126 CFU/100	<i>E. coli</i> Single Grab 394 CFU/100	Flow MGD 15 mg/L	TSS Daily Average Loading 6.8 lbs/day
Month/Year					
January 2012	12.9 lbs/day	>2419.6 CFU/100	>2419.6 CFU/100	.03226 mg/L	24.6 lbs/day
March 2012	30.37lbs/day	>2419.6 CFU/100	>2419.6 CFU/100	.0583 mg/L	82.75 lbs/day

mg/L = milligrams per liter BOD= biochemical oxygen demand
MGD=million gallons per day TSS = total suspended solids
CFU= colony forming units lbs/day=pounds per day

2. Respondent received notice of the violation on or about July 18, 2012.

III. DENIALS

Respondent generally denies each Allegation in Section II.

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Respondent pay an administrative penalty as set forth in Section I, Paragraph 5, above. The payment of this administrative penalty and 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 considering or requiring corrective actions or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Sereno LLC d/b/a Oak Creek Mobile Home Park, Docket No. 2012-1561-MWD-E" to:

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

2. Within 180 days after the effective date of this Agreed Order, Respondent shall submit certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0014788001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be notarized by a State of Texas Notary Public, and shall 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."

Respondent shall submit the written certification and supporting documentation necessary to demonstrate compliance with these Ordering Provisions to:

Order Compliance Team
Texas Commission on Environmental Quality
Enforcement Division, MC 149A
P.O. Box 13087
Austin, Texas 78711-3087

and:

Charles Marshall, Water Section Manager
Texas Commission on Environmental Quality
Dallas/Ft. Worth Regional Office
2309 Gravel Drive
Fort Worth, Texas 76118-6951

3. All relief not expressly granted in this Agreed Order is denied.

4. The duties and provisions imposed by this Agreed Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. If 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, Respondent's failure to comply is not a violation of this Agreed Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against 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.
8. 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.
9. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand delivery of this Agreed Order to Respondent, or three days after the date on which the Commission mails a copy of the fully executed Agreed Order to Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

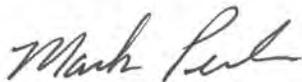
April 8, 2013
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of Sereno LLC d/b/a Oak Creek Mobile Home Park, 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 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;
- 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, I understand that any falsification of any compliance documents may result in criminal prosecution.



Signature - Mark Perkins
Member, Sereno LLC

Feb. 27, 2013
Date