

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 39612
Oak hollow MH Park, LLC d/b/a Oak hollow Mobile Home Park and
Gary Don Stahlheber d/b/a Oak hollow Mobile Home Park
RN101453843
Docket No. 2012-0301-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Indifference to legal duty based on violation of a previous order (Violation no. 6); three or more enforcement actions (18 NOVs, one default order) over the prior five year period for the same violations.

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

16730 County Road 127, TRLR 1A, Pearland, Brazoria County

Type of Operation:

public water system

Other Significant Matters:

Additional Pending Enforcement Actions:	None
Past-Due Penalties:	\$1,166.90 (2005-0655-PWS-E) \$1,836.02 (2010-0701-PWS-E) (Referred for collection)
Past-Due Fees:	\$1,931.25 (Account No. 90200055)
Other:	None
Interested Third-Parties:	None

Texas Register Publication Date: March 29, 2013

Comments Received: None

Penalty Information

Total Penalty Assessed: \$5,867

Total Paid to General Revenue: \$197

Total Due to General Revenue: \$5,670

Payment Plan: 35 payments of \$162 each

SEP Conditional Offset: N/A

Compliance History Classifications:

Person/CN – N/A (Both Respondents)

Site/RN – N/A

Major Source: No

Statutory Limit Adjustment: \$119 enhancement (PCW 2)

Applicable Penalty Policy: September 2011 (PCW 1); September 2002 (PCW 2)

Investigation Information

Complaint Date(s): N/A

Date(s) of Investigation: January 3, 2012

Date(s) of NOV(s): See Compliance History - 18 related NOVs

Date(s) of NOE(s): January 12, 2012

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE No. 39612
Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and
Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park
RN101453843

Docket No. 2012-0301-PWS-E

Violation Information

1. Failed to submit a Disinfectant Level Quarterly Operating Report (“DLQOR”) to the Executive Director for the third quarter of 2011 [30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3)].
2. Failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the quarter for the fourth quarter of 2006 through the second quarter of 2011, and failed to provide public notices of the failure to submit a DLQOR for the fourth quarter of 2006, first quarter of 2007, fourth quarter of 2008, first quarter of 2009, second quarter of 2009, third quarter of 2010, and fourth quarter of 2010 [30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(1)(B), (c)(2)(A), and (f)].
3. Failed to timely provide the results of triennial metal and mineral sampling to the Executive Director and failed to provide public notices of the failure to provide the results of triennial metal and mineral sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2010 [30 TEX. ADMIN. CODE §§ 290.106(e), 290.122(c)(1)(B), (c)(2)(A), and (f)].
4. Failed to timely provide the results of annual nitrate sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of annual nitrate sampling to the Executive Director for 2010 monitoring period [30 TEX. ADMIN. CODE §§ 290.106(e) and 290.122(c)(1)(B), (c)(2)(A), and (f)].
5. Failed to timely provide the six-year period monitoring results for volatile organic compound (“VOC”) contaminant sampling to the Executive Director and failed to provide public notices of the failure to provide the results of VOC contaminant sampling to the Executive Director for the monitoring period from January 1, 2005 through December 31, 2010 [30 TEX. ADMIN. CODE §§ 290.107(e) and 290.122(c)(1)(B), (c)(2)(A), and (f)].
6. Failed to mail or directly deliver one copy of the Consumer Confidence Report (“CCR”) to each bill paying customer by July 1 of each year and failed to submit to the Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility for the years 2009 and 2010 [30 TEX. ADMIN. CODE §§ 290.271(b), 290.274(a) and (c), and TCEQ Default Order Docket No. 2010-0701-PWS-E, Ordering Provisions Nos. 3.a. and 3.b.].
7. Failed to provide the results of Stage 1 Disinfectant Byproduct Sampling (“DBP”) to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2008 [30 TEX. ADMIN. CODE § 290.113(e)].
8. Failed to pay Public Health Service (“PHS”) fees, including late fees, for TCEQ Financial Administration (“FA”) Account No. 90200055 for Fiscal Years 1997 through 2012 [30 TEX. ADMIN. CODE § 290.51(a)(3) and TEX. WATER CODE § 5.702].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Submitted sampling and monitoring results to TCEQ for Violation nos. 3, 4, 5, and 7 on February 22, 2013.

Technical Requirements:

1. Within 30 days:
 - a. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2011 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers (Violation no. 7);
 - b. Update the Facility’s operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs (Violation nos. 1 and 2);

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE No. 39612
Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and
Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park
RN101453843

Docket No. 2012-0301-PWS-E

- c. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established (Violation nos. 3, 4, 5, and 7);
 - d. Implement procedures to ensure all necessary public notifications are provided in a timely manner to the customers of the Facility (Violation nos. 2, 3, 4, and 5);
 - e. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are released by the Facility's laboratories and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Facility, whichever is later (Violation nos. 3, 4, 5, and 7) ; and
 - f. Submit payment for all outstanding fees, interest, and penalties for TCEQ FA Account No. 90200055 (Violation no. 8).
2. Within 45 days, submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data for the year 2011 (Violation no. 6).
 3. Within 90 days, begin submitting DLQORs to the Executive Director each quarter, by the tenth day of the month following then end of the quarter (Violation nos. 1 and 2).
 4. Submit written certification to demonstrate compliance:
 - a. Within 45 days for Technical Requirements Nos. 1.a. through 1.f.; and
 - b. Within 185 days for Technical Requirements Nos. 2. and 3.

Litigation Information

Date Petition(s) Filed: April 25, 2012
Date Answer(s) Filed: July 11, 2012
SOAH Referral Date: August 14, 2012
Hearing Date(s):
Preliminary Hearing: November 15, 2012
Evidentiary Hearing: March 14, 2013 (scheduled)
Settlement Date: March 1, 2013

Contact Information

TCEQ Attorneys: Steven M. Fishburn, 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: Epifanio Villarreal, Enforcement Division, (361) 825-3425
TCEQ Regional Contact: Bob Patton, Jr., Public Drinking Water Section, (512) 239-2277
Respondent Contact: Gary Don Stahlheber, President, Oakhollow MH Park, LLC, 3419 Hillstone Drive, Sugar Land, Texas 77479-1724
Respondent's Attorney: N/A

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Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	23-Jan-2012	
	PCW	25-Jan-2012	
	Screening	25-Jan-2012	
	EPA Due		

RESPONDENT/FACILITY INFORMATION

Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park		
Reg. Ent. Ref. No.	RN101453843		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	39612	No. of Violations	1
Docket No.	2012-0301-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Epifanio Villarreal
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$50

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Enhancement	Subtotals 2, 3, & 7	\$50
Notes	Enhancement for 18 NOVs with same/similar violations and one default order.			
Culpability	No	0.0%	Enhancement	Subtotal 4
Notes	The Respondents do 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	\$23	*Capped at the Total EB \$ Amount		
Approx. Cost of Compliance	\$22			

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$100

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment** \$23

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement recommended for the recovery of avoided costs for Violation No. 1.	Final Penalty Amount	\$123
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STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$123

DEFERRAL **Adjustment** \$0

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

Notes	No deferral is recommended for Findings Orders.
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PAYABLE PENALTY \$123

Screening Date 25-Jan-2012

Docket No. 2012-0301-PWS-E

PCW

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park

Policy Revision 3 (September 2011)

Case ID No. 39612

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101453843

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

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>)	18	90%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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) 115%

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

N/A

Adjustment Percentage (Subtotal 3) 0%

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

N/A

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for 18 NOVs with same/similar violations and one default order.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 115%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 100%

Screening Date 25-Jan-2012 **Docket No.** 2012-0301-PWS-E **PCW**

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612 *Policy Revision 3 (September 2011)*
PCW Revision August 3, 2011
Reg. Ent. Reference No. RN101453843
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3)
Violation Description Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter. Specifically, the Facility failed to submit DLQORs for the third quarter of 2011.

Base Penalty \$1,000

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
		x			5.0%

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$50

One quarterly event is 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 Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$23 **Violation Final Penalty Total** \$123

This violation Final Assessed Penalty (adjusted for limits) \$123

Economic Benefit Worksheet

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612
Reg. Ent. Reference No. RN101453843
Media Violation No. Public Water Supply
 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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs are captured in the other PCW's economic benefit worksheet associated with Violation No. 1.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$22	10-Oct-2011	25-Jan-2012	1.21	\$1	\$22	\$23
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to timely prepare and submit DLQORs (\$22.50 per DLQOR), calculated for the time frame in which DLQORs were not submitted to the date of screening.

Approx. Cost of Compliance

	\$22
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TOTAL

	\$23
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Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008



TCEQ

DATES	Assigned	23-Jan-2012	Screening	25-Jan-2012	EPA Due	
	PCW	25-Jan-2012				

RESPONDENT/FACILITY INFORMATION	
Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Reg. Ent. Ref. No.	RN101453843
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	39612	No. of Violations	7
Docket No.	2012-0301-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Epifanio Villarreal
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,150
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ADJUSTMENTS (+/-) TO SUBTOTAL 1	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History	115.0% Enhancement	Subtotals 2, 3, & 7
Notes	Enhancement for 18 NOVs with same/similar violations and one default order.	\$2,472

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$1,198
 Approx. Cost of Compliance \$2,012
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$4,622
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OTHER FACTORS AS JUSTICE MAY REQUIRE	21.7%	Adjustment	\$1,003
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Enhancement recommended for the recovery of avoided costs for Violation Nos. 1, 2, 3, 4, and 5.

Final Penalty Amount	\$5,625
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$5,744
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$5,744
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Screening Date 25-Jan-2012

Docket No. 2012-0301-PWS-E

PCW

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary
Don Stahlheber dba Oakhollow Mobile Home Park

Policy Revision 2 (September 2002)

Case ID No. 39612

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101453843

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

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>)	18	90%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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) 115%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for 18 NOVs with same/similar violations and one default order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 115%

Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	39612			<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.	RN101453843			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			

Violation Number

Rule Cite(s) 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3), 290.122(c)(1)(B), and 290.122(c)(2)(A), and 290.122(f)

Violation Description
 Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter and failed to provide public notices of the failure to submit a DLQOR to the Executive Director. Specifically, the Facility failed to submit DLQORs from the fourth quarter of 2006 through the second quarter of 2011 and failed to provide public notices of the failure to submit a DLQOR for the fourth quarter of 2006, first quarter of 2007, fourth quarter of 2008, first quarter of 2009, second quarter of 2009, third quarter of 2010, and fourth quarter of 2010.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent <input type="text" value="0%"/>	
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent <input type="text" value="10%"/>
		<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	
	100% of the rule requirement was not met.				

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input checked="" type="text" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Nineteen quarterly events are recommended.

Good Faith Efforts to Comply Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	(mark with x)

Notes The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No.	39612
Reg. Ent. Reference No.	RN101453843
Media Violation No.	Public Water Supply 1

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	\$45	3-Jan-2012	1-Oct-2012	0.75	\$2	n/a	\$2
Training/Sampling	\$100	3-Jan-2012	1-Oct-2012	0.75	\$4	n/a	\$4
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

The delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that all DLQORs are submitted to the TCEQ in a timely manner, calculated from the record review date to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$428	10-Jan-2007	10-Jul-2011	5.42	\$116	\$428	\$544
Other (as needed)	\$175	10-Jan-2007	31-Mar-2011	5.14	\$45	\$175	\$220

Notes for AVOIDED costs

The avoided costs include the estimated amount to timely prepare and submit DLQORs (\$22.50 per DLQOR) and provide public notification (\$25 per notification) of the failure to submit DLQORs, calculated for the time frame in which DLQORs were not submitted and public notice was not provided.

Approx. Cost of Compliance	\$748	TOTAL	\$769
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Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	39612			<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.	RN101453843			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			

Violation Number	2
Rule Cite(s)	30 TEX. ADMIN. CODE §§ 290.106(e), 290.122(c)(1)(B), 290.122(c)(2)(A); and 290.122(f)
Violation Description	Failed to timely provide the results of triennial metal and mineral sampling to the Executive Director and failed to provide public notices of the failure to provide the results of triennial metal and mineral sampling to the Executive Director. Specifically, the Facility failed to timely provide metal and mineral monitoring results and failed to provide public notices of the failure to provide the results of triennial metal and mineral sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2010.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input type="text" value="1%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612
Reg. Ent. Reference No. RN101453843
Media Violation No. Public Water Supply
 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)	\$419	31-Dec-2010	22-Feb-2013	2.15	\$3	\$60	\$63
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)	\$100	3-Jan-2012	1-Oct-2012	0.75	\$4	n/a	\$4

Notes for DELAYED costs

The delayed costs include the estimated amount to pay any outstanding lab fees so that the lab will release the metal and mineral sampling results and the Respondent can provide them to the Executive Director. The date required is the last date of the monitoring period in which metal and mineral were not provided and the final date is the date of compliance. The other delayed costs includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical results are released by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	\$50	1-Jan-2011	31-Mar-2011	1.16	\$3	\$50	\$53

Notes for AVOIDED costs

The avoided cost includes the estimated amount to provide public notification (\$25 per notification) of the failure to provide metal and mineral sample results, calculated for the period when public notification should have been provided.

Approx. Cost of Compliance	\$569	TOTAL	\$120
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Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent Case ID No.	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>		
Reg. Ent. Reference No.	39612	<i>PCW Revision October 30, 2008</i>		
Media [Statute]	RN101453843			
Enf. Coordinator	Public Water Supply			
Violation Number	Epifanio Villarreal			

Rule Cite(s) 30 TEX. ADMIN. CODE §§ 290.106(e), 290.122(c)(1)(B), 290.122(c)(2)(A), and 290.122(f)

Violation Description
Failed to timely provide the results of annual nitrate sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of annual nitrate sampling to the Executive Director for 2010.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
				Percent 0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
				x	Percent 1%

Matrix Notes
At least 70% of the rule requirement was met.

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1 365 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	x
single event		

Violation Base Penalty \$10

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 Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$10

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$30 Violation Final Penalty Total \$26

This violation Final Assessed Penalty (adjusted for limits) \$50

Economic Benefit Worksheet

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612
Reg. Ent. Reference No. RN101453843
Media Violation No. Public Water Supply
 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$25	31-Dec-2010	22-Feb-2013	2.15	\$0	\$4	\$4
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

The delayed costs include the estimated amount to pay any outstanding lab fees so that the lab will release the nitrate sampling results and the Respondent can provide them to the Executive Director. The date required is the last date of the monitoring period in which nitrate results were not provided and the final date is the estimated date of compliance. The other delayed costs are captured in violation 2 Rev 2 pcw.

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)	\$25	1-Jan-2011	31-Mar-2011	1.16	\$1	\$25	\$26

Notes for AVOIDED costs

The avoided cost includes the estimated amount to provide public notification (\$25 per notification) of the failure to provide nitrate sample results, calculated for the period when public notification should have been provided.

Approx. Cost of Compliance \$50

TOTAL \$30

Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E		PCW
Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park				Policy Revision 2 (September 2002)
Case ID No.	39612				
Reg. Ent. Reference No.	RN101453843				
Media [Statute]	Public Water Supply				
Enf. Coordinator	Epifanio Villarreal				
Violation Number	4				
Rule Cite(s)	30 TEX. ADMIN. CODE §§ 290.107(e), 290.122(c)(1)(B), 290.122(c)(2)(A), and 290.122(f)				
Violation Description	Failed to timely provide the six-year period monitoring results for volatile organic compound ("VOC") contaminant sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of VOC contaminant sampling to the Executive Director. Specifically, the Facility failed to timely provide VOC results and failed to timely provide public notices of the failure to provide the results of VOC contaminant sampling for the monitoring period from January 1, 2005 through December 31, 2010.				
Base Penalty					\$1,000
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	Percent <input type="text" value="1%"/>
Matrix Notes	At least 70% of the rule requirement was met.				
Adjustment					\$990
					\$10
Violation Events					
	Number of Violation Events	<input type="text" value="1"/>	<input type="text" value="2190"/>	Number of violation days	
mark only one with an x	daily	<input type="text"/>			
	weekly	<input type="text"/>			
	monthly	<input type="text"/>			
	quarterly	<input type="text"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
	single event	<input checked="" type="text" value="x"/>			
Violation Base Penalty					\$10
One single event is recommended.					
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>	Reduction		\$0
		Before NOV	NOV to EDPRP/Settlement Offer		
	Extraordinary	<input type="text"/>	<input type="text"/>		
	Ordinary	<input type="text"/>	<input type="text"/>		
	N/A	<input checked="" type="text" value="x"/>	(mark with x)		
	Notes	The Respondents do not meet the good faith criteria for this violation.			
Violation Subtotal					\$10
Economic Benefit (EB) for this violation			Statutory Limit Test		
	Estimated EB Amount	<input type="text" value="\$54"/>	Violation Final Penalty Total	<input type="text" value="\$26"/>	
This violation Final Assessed Penalty (adjusted for limits)					<input type="text" value="\$50"/>

Economic Benefit Worksheet

Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park	
Case ID No.	39612	
Reg. Ent. Reference No.	RN101453843	
Media Violation No.	Public Water Supply	Percent Interest
	4	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)	\$183	31-Dec-2010	22-Feb-2013	2.15	\$1	\$26	\$28
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

The delayed costs include the estimated amount to pay any outstanding lab fees so that the lab will release the VOC sampling results and the Respondent can provide them to the Executive Director. The date required is the last date of the monitoring period in which VOC results were not provided and the final date is the date of compliance. The other delayed costs are captured in violation 2 Rev 2 pcw.

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)	\$25	1-Jan-2011	31-Mar-2011	1.16	\$1	\$25	\$26

Notes for AVOIDED costs

The avoided cost includes the estimated amount to provide public notification (\$25 per notification) of the failure to provide VOC sample results, calculated for the period when public notification should have been provided.

Approx. Cost of Compliance

\$208

TOTAL

\$54

Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	39612			<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.	RN101453843			
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			

Violation Number

Rule Cite(s) 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c) and TCEQ Default Order Docket No. 2010-0701-PWS-E, Ordering Provision Nos. 3.a. and 3.b

Violation Description
 Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data. Specifically, the Respondents did not mail or directly deliver the CCRs to the Facility's customers nor did the Respondents submit the CCR or the required certification to the Executive Director for the years 2009 and 2010.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes 100% of the rule requirement was not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input checked="" type="text" value="x"/>
single event	<input type="text"/>

Violation Base Penalty

Two annual events are recommended.

Good Faith Efforts to Comply Reduction

	Before NOV		NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	<i>(mark with x)</i>		

Notes The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612
Reg. Ent. Reference No. RN101453843
Media Violation No. Public Water Supply
 5

Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
 39612
 RN101453843
 Public Water Supply
 5

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]	\$123	27-Mar-2011	25-Jan-2012	1.75	\$11	\$123	\$134
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to produce copies of the CCR and mail or directly deliver the reports to customers of the water supply, calculated from the effective date of TCEO Agreed Order Docket No. 2010-0701-PWS-E to the date of screening.

Approx. Cost of Compliance \$123

TOTAL \$134

Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent Case ID No.	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>		
Reg. Ent. Reference No.	39612	<i>PCW Revision October 30, 2008</i>		
Media [Statute]	Public Water Supply			
Enf. Coordinator	Epifanio Villarreal			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0%"/>

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input type="text" value="1%"/>
Matrix Notes	<input type="text" value="At least 70% of the rule requirement was met."/>				

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text" value="X"/>
single event	<input type="text"/>	

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

		Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="X"/>	<small>(mark with x)</small>	

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park
Case ID No. 39612
Reg. Ent. Reference No. RN101453843
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$314	31-Dec-2008	22-Feb-2013	4.15	\$4	\$87	\$91
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
 The delayed costs include the estimated amount to pay any outstanding lab fees so that the lab will release the Stage 1 Disinfectant Byproduct sampling results and the Respondents can provide them to the Executive Director. The date required is the last date of the monitoring period in which the Stage 1 Disinfectant Byproduct sampling results were not provided and the final date is the date of compliance. The other delayed costs are captured in violation 2 Rev 2 pcw.

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 \$314 **TOTAL** \$91

Screening Date	25-Jan-2012	Docket No.	2012-0301-PWS-E	PCW
Respondent Case ID No.	Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park	<i>Policy Revision 2 (September 2002)</i>		
Reg. Ent. Reference No.	39612	<i>PCW Revision October 30, 2008</i>		
Media [Statute]	RN101453843			
Enf. Coordinator	Public Water Supply			
	Epifanio Villarreal			

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0%"/>

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Matrix Notes	<input type="text"/>				

Adjustment

Violation Events

Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

		Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>
N/A	<input type="text"/>	(mark with x)	
Notes	<input type="text"/>		

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent

Oakhollow MH Park, LLC dba Oakhollow Mobile Home Park and Gary Don Stahlheber dba Oakhollow Mobile Home Park

Case ID No.

39612

Reg. Ent. Reference No.

RN101453843

Media Violation No.

Public Water Supply
7

Percent Interest	Years of Depreciation
5.0	15

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

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

N/A

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

N/A

Approx. Cost of Compliance

TOTAL

Compliance History Report

Customer/Respondent/Owner-Operator:	CN603684366 Oakhollow MH Park, LLC	Classification:	Rating:
Regulated Entity:	RN101453843 OAK HOLLOW MOBILE HOME PARK	Classification:	Site Rating:
ID Number(s):	<u>PUBLIC WATER SYSTEM/SUPPLY</u>	<u>REGISTRATION</u>	<u>0200055</u>
Location:	<u>16730 COUNTY ROAD 127 TRLR 1A, PEARLAND, BRAZORIA COUNTY, TEXAS</u>		
TCEQ Region:	<u>REGION 12 - HOUSTON</u>		
Date Compliance History Prepared:	<u>January 25, 2012</u>		
Agency Decision Requiring Compliance History:	<u>Enforcement</u>		
Compliance Period:	<u>January 25, 2007 to January 25, 2012</u>		

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

Name:	<u>Epi Villarreal</u>	Phone:	<u>361-825-3425</u>
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Site Compliance History Components

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

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: 03/27/2011

ADMINORDER 2010-0701-PWS-E

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2002 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2002 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2003 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2003 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2004 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2004 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2006 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2007 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2008 CCR year to the TCEQ.

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 07/03/2008 (683297)
- 2 10/21/2008 (704730)
- 3 02/20/2008 (797318)
- 4 01/14/2009 (797322)
- 5 11/03/2009 (797354)
- 6 04/28/2010 (799132)
- 7 06/15/2011 (976937)
- 8 06/15/2011 (977026)
- 9 06/15/2011 (977033)
- 10 06/15/2011 (977041)
- 11 01/09/2012 (977064)
- 12 06/15/2011 (977068)
- 13 10/01/2009 (977071)
- 14 07/21/2009 (977072)
- 15 03/27/2009 (977075)
- 16 07/19/2007 (977077)
- 17 07/19/2007 (977080)
- 18 12/12/2011 (977083)
- 19 12/22/2010 (977086)
- 20 01/19/2012 (977225)

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

Date: 07/19/2007 (977080)

CN600755011

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 4Q2006 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2006.

Date: 07/19/2007 (977077) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 1Q2007 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2007.

Date: 02/20/2008 (797318) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2006 CCR year to the TCEQ.

Date: 07/07/2008 (683297) CN600755011

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to install three strands of barbed wire at the top of the fence surrounding the well site.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description: Failure to perform at least once every seven days, chlorine residual tests on water collected from various locations within the distribution system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)

Description: Failure by the community public water system that uses groundwater sources only to submit a Disinfectant Level Quarterly Operating Report (DLQOR) each quarter by the 10th day of the month following the quarter.

Date: 10/17/2008 (704730) CN600755011

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to install three strands of barbed wire at the top of the fence surrounding the well site.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description: Failure to perform at least once every seven days, chlorine residual tests on water collected from various locations within the distribution system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)

Description: Failure by the community public water system that uses groundwater sources only to submit a Disinfectant Level Quarterly Operating Report (DLQOR) each quarter by the 10th day of the month following the quarter.

Date: 01/14/2009 (797322) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2007 CCR year to the TCEQ.

Date: 03/27/2009 (977075) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2008 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2008.
 Date: 07/21/2009 (977072) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2009 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2009.
 Date: 10/01/2009 (977071) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 2Q2009 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second quarter of 2009.
 Date: 11/03/2009 (797354) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2008 CCR year to the TCEQ.
 Date: 12/22/2010 (977086) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: CCR 2009 - This system did not deliver the annual Consumer Confidence Report (CCR) for 2009 to its bill-paying customers.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2009 - This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2009 CCR year to the TCEQ.
 Date: 06/15/2011 (977041) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(c)(2)
 30 TAC Chapter 290, SubChapter F 290.107(e)
 Description: VOC MR 6Y2010 - This system failed to monitor and/or failed to report volatile organic contaminants levels to the TCEQ for the six year monitoring period from 01/01/2005 to 12/31/2010.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(f)(3)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: VOC MR PN 6Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a volatile organic contaminants monitoring and reporting violation for the six year monitoring period from 01/01/2005 to 12/31/2010.
 Date: 06/15/2011 (977026) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: MIN MR 3Y2010 - This system failed to monitor and/or failed to report mineral levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: MIN MR PN 3Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a mineral monitoring and reporting violation for the triennial monitoring period from 01/01/2008 to 12/21/2010.

Date: 06/15/2011 (977068) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 3Q2010 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(10)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: DLQOR MR PN 3Q2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a disinfectant monitoring and reporting violation during the third quarter of 2010.

Date: 06/15/2011 (977064) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2010 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(10)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: DLQOR MR PN 4Q2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a disinfectant monitoring and reporting violation during the fourth quarter of 2010.

Date: 06/15/2011 (977033) CN600755011
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO3 MR YR2010 - This system failed to monitor and/or failed to report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: NO3 MR PN YR2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a nitrate monitoring and reporting violation for the annual monitoring period from 01/01/2010 to 12/31/2010.

Date: 06/15/2011 (976937) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: MTL MR 3Y2010 - This system failed to monitor and/or failed to report metal levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: MTL MR PN 3Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a metal monitoring and reporting violation for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Date: 12/12/2011 (977083) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: CCR 2010 - This system did not deliver the annual Consumer Confidence Report (CCR) for 2010 to its bill-paying customers.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2010 - This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2010 CCR year to the TCEQ.

- 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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600755011 STAHLHEBER, GARY DON	Classification:	Rating:
Regulated Entity:	RN101453843 OAK HOLLOW MOBILE HOME PARK	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION		0200055
Location:	16730 COUNTY ROAD 127 TRLR 1A, PEARLAND, BRAZORIA COUNTY, TEXAS		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	January 25, 2012		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	January 25, 2007 to January 25, 2012		

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

Name:	<u>Epi Villarreal</u>	Phone:	<u>361-825-3425</u>
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Site Compliance History Components

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

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: 03/27/2011

ADMINORDER 2010-0701-PWS-E

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2002 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2002 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2003 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2003 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2004 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2004 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2006 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2007 CCR year to the TCEQ.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2008 CCR year to the TCEQ.

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 07/03/2008 (683297)
- 2 10/21/2008 (704730)
- 3 02/20/2008 (797318)
- 4 01/14/2009 (797322)
- 5 11/03/2009 (797354)
- 6 04/28/2010 (799132)
- 7 06/15/2011 (976937)
- 8 06/15/2011 (977026)
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- 12 06/15/2011 (977068)
- 13 10/01/2009 (977071)
- 14 07/21/2009 (977072)
- 15 03/27/2009 (977075)
- 16 07/19/2007 (977077)
- 17 07/19/2007 (977080)
- 18 12/12/2011 (977083)
- 19 12/22/2010 (977086)
- 20 01/19/2012 (977225)

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

Date: 07/19/2007 (977080)

CN600755011

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 4Q2006 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2006.

Date: 07/19/2007 (977077) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 1Q2007 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2007.

Date: 02/20/2008 (797318) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2006 to its bill-paying customers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2006 CCR year to the TCEQ.

Date: 07/07/2008 (683297) CN600755011

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to install three strands of barbed wire at the top of the fence surrounding the well site.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description: Failure to perform at least once every seven days, chlorine residual tests on water collected from various locations within the distribution system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)

Description: Failure by the community public water system that uses groundwater sources only to submit a Disinfectant Level Quarterly Operating Report (DLQOR) each quarter by the 10th day of the month following the quarter.

Date: 10/17/2008 (704730) CN600755011

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to install three strands of barbed wire at the top of the fence surrounding the well site.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description: Failure to perform at least once every seven days, chlorine residual tests on water collected from various locations within the distribution system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)

Description: Failure by the community public water system that uses groundwater sources only to submit a Disinfectant Level Quarterly Operating Report (DLQOR) each quarter by the 10th day of the month following the quarter.

Date: 01/14/2009 (797322) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)

Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2007 to its bill-paying customers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)

Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2007 CCR year to the TCEQ.

Date: 03/27/2009 (977075) CN600755011

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2008 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2008.
 Date: 07/21/2009 (977072) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2009 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2009.
 Date: 10/01/2009 (977071) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 2Q2009 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second quarter of 2009.
 Date: 11/03/2009 (797354) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: This system did not deliver the annual Consumer Confidence Report (CCR) for 2008 to its bill-paying customers.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2008 CCR year to the TCEQ.
 Date: 12/22/2010 (977086) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: CCR 2009 - This system did not deliver the annual Consumer Confidence Report (CCR) for 2009 to its bill-paying customers.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2009 - This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2009 CCR year to the TCEQ.
 Date: 06/15/2011 (977041) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(c)(2)
 30 TAC Chapter 290, SubChapter F 290.107(e)
 Description: VOC MR 6Y2010 - This system failed to monitor and/or failed to report volatile organic contaminants levels to the TCEQ for the six year monitoring period from 01/01/2005 to 12/31/2010.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.107(f)(3)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: VOC MR PN 6Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a volatile organic contaminants monitoring and reporting violation for the six year monitoring period from 01/01/2005 to 12/31/2010.
 Date: 06/15/2011 (977026) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: MIN MR 3Y2010 - This system failed to monitor and/or failed to report mineral levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: MIN MR PN 3Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a mineral monitoring and reporting violation for the triennial monitoring period from 01/01/2008 to 12/21/2010.

Date: 06/15/2011 (977068) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 3Q2010 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(10)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: DLQOR MR PN 3Q2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a disinfectant monitoring and reporting violation during the third quarter of 2010.

Date: 06/15/2011 (977064) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2010 - This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(f)(10)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: DLQOR MR PN 4Q2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a disinfectant monitoring and reporting violation during the fourth quarter of 2010.

Date: 06/15/2011 (977033) CN600755011
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(6)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: NO3 MR YR2010 - This system failed to monitor and/or failed to report nitrate levels to the TCEQ for the annual monitoring period from 01/01/2010 to 12/31/2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: NO3 MR PN YR2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a nitrate monitoring and reporting violation for the annual monitoring period from 01/01/2010 to 12/31/2010.

Date: 06/15/2011 (976937) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(c)(4)
 30 TAC Chapter 290, SubChapter F 290.106(e)
 Description: MTL MR 3Y2010 - This system failed to monitor and/or failed to report metal levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(8)
 30 TAC Chapter 290, SubChapter F 290.122(c)(1)(B)
 Description: MTL MR PN 3Y2010 - The system failed to submit a Public Notice to its customers and/or failed to certify the delivery of a Public Notice to the TCEQ for a metal monitoring and reporting violation for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Date: 12/12/2011 (977083) CN600755011
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
 30 TAC Chapter 290, SubChapter H 290.274(a)
 Description: CCR 2010 - This system did not deliver the annual Consumer Confidence Report (CCR) for 2010 to its bill-paying customers.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter H 290.274(c)
 Description: CCR 2010 - This system failed to deliver a copy and certification of delivery of the annual Consumer Confidence Report (CCR) for the 2010 CCR year to the TCEQ.

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
OAKHOLLOW MH PARK, LLC DBA
OAKHOLLOW MOBILE HOME PARK
AND GARY DON STAHLHEBER DBA
OAKHOLLOW MOBILE HOME PARK;
RN101453843**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER

DOCKET NO. 2012-0301-PWS-E

At its _____ agenda meeting, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties (the "Agreed Order"), resolving an enforcement action regarding Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park ("Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 5. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondents presented this Agreed Order to the Commission.

Respondents understand that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Respondents agree to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon Respondents.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondents own and operate a public water system located at 16730 County Road 127, TRLR 1A in Pearland, Brazoria County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately thirty (30) service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(66).
2. During a record review conducted on January 3, 2012, a TCEQ Central Office investigator documented that Respondents:
 - a. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director for the third quarter of 2011;

- b. Failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the quarter for the fourth quarter of 2006 through the second quarter of 2011, and failed to provide public notice of the failure to submit a DLQOR for the fourth quarter of 2006, first quarter of 2007, fourth quarter of 2008, first quarter of 2009, second quarter of 2009, third quarter of 2010, and fourth quarter of 2010;
 - c. Failed to timely provide the results of triennial metal and mineral sampling to the Executive Director, and failed to provide public notices of the failure to provide the results of triennial metal and mineral sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2010;
 - d. Failed to timely provide the results of annual nitrate sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of annual nitrate sampling to the Executive Director for the January 1, 2010 through December 31, 2010 monitoring period;
 - e. Failed to timely provide the six-year period monitoring results for volatile organic compound ("VOC") contaminant sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of VOC contaminant sampling to the Executive Director for the monitoring period from January 1, 2005 through December 31, 2010;
 - f. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility for the years 2009 and 2010;
 - g. Failed to timely provide the results of Stage 1 Disinfectant Byproduct ("DBP") sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2008; and
 - h. Failed to pay Public Health Service ("PHS") fees, including late fees, for TCEQ Financial Administration ("FA") Account No. 90200055 for Fiscal Years 1997 through 2012.
3. Respondents received notice of the violations on or about January 17, 2012.
 4. The Executive Director recognizes that Respondents submitted sampling and monitoring results to TCEQ for Findings of Fact No. 2.c., 2.d., 2.e., and 2.g. on February 22, 2013.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 5, and the rules of the Commission.
2. As evidenced by Finding of Fact No. 2.a., Respondents failed to submit a DLQOR to the Executive Director for the third quarter of 2011, in violation of 30 TEX. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
3. As evidenced by Finding of Fact No. 2.b., Respondents failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the

- quarter for the fourth quarter of 2006 through the second quarter of 2011, and failed to provide public notices of the failure to submit a DLQOR for the fourth quarter of 2006, first quarter of 2007, fourth quarter of 2008, first quarter of 2009, second quarter of 2009, third quarter of 2010, and fourth quarter of 2010, in violation of 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(1)(B), (c)(2)(A), and (f).
4. As evidenced by Finding of Fact No. 2.c., Respondents failed to timely provide the results of triennial metal and mineral sampling to the Executive Director and failed to provide public notices of the failure to provide the results of triennial metal and mineral sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2010, in violation of 30 TEX. ADMIN. CODE §§ 290.106(e), 290.122(c)(1)(B), (c)(2)(A), and (f).
 5. As evidenced by Finding of Fact No. 2.d., Respondents failed to timely provide the results of annual nitrate sampling to the Executive Director and failed to timely provide public notices of the failure to provide the results of annual nitrate sampling to the Executive Director for 2010 monitoring period, in violation of 30 TEX. ADMIN. CODE §§ 290.106(e) and 290.122(c)(1)(B), (c)(2)(A), and (f).
 6. As evidenced by Finding of Fact No. 2.e., Respondents failed to timely provide the six-year period monitoring results for VOC contaminant sampling to the Executive Director and failed to provide public notices of the failure to provide the results of VOC contaminant sampling to the Executive Director for the monitoring period from January 1, 2005 through December 31, 2010, in violation of 30 TEX. ADMIN. CODE §§ 290.107(e) and 290.122(c)(1)(B), (c)(2)(A), and (f).
 7. As evidenced by Finding of Fact No. 2.f., Respondents failed mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit to the Executive Director by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility for the years 2009 and 2010, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b), 290.274(a) and (c), and TCEQ Default Order Docket No. 2010-0701-PWS-E, Ordering Provisions Nos. 3.a. and 3.b.
 8. As evidenced by Finding of Fact No. 2.g., Respondents failed to provide the results of DBP sampling to the Executive Director for the monitoring period from January 1, 2008 through December 31, 2008, in violation of 30 TEX. ADMIN. CODE § 290.113(e).
 9. As evidenced by Finding of Fact No. 2.h., Respondents failed to PHS fees, including late fees, for TCEQ FA Account No. 90200055 for Fiscal Years 1997 through 2012, in violation of 30 TEX. ADMIN. CODE § 290.51(a)(3) and TEX. WATER CODE § 5.702.
 10. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Respondents for violations of state statutes within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
 11. An administrative penalty in the amount of five thousand eight hundred sixty-seven dollars (\$5,867.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049. Respondent paid one hundred ninety-seven dollars (\$197.00) of the administrative penalty. The remaining amount of five thousand six hundred seventy dollars (\$5,670.00) of the administrative penalty shall be payable in thirty-five (35) monthly payments of one hundred sixty-two dollars (\$162.00) 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, Respondents' failure to meet the payment schedule of this Agreed Order constitutes the failure by Respondents to timely and satisfactorily comply with all of the terms of this Agreed Order.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Respondents are assessed an administrative penalty as set forth in Conclusion of Law No. 11, above, for violations of state statutes and rules of the TCEQ. The payment of this administrative penalty and Respondents' compliance with all the terms and conditions set forth in this Agreed Order resolve only the matters set forth by this Agreed Order in this action. 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: Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park, Docket No. 2012-0301-PWS-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. Respondents shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, Respondent shall:
 - i. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2011 to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 TEX. ADMIN. CODE § 290.274 (Conclusion of Law No. 7);
 - ii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110 (Conclusions of Law Nos. 2 and 3);
 - iii. Ensure that all delinquent drinking water chemical analysis results are reported to the Executive Director or demonstrate that a compliance schedule has been established, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants), 290.107 (Organic Contaminants), and 290.113 (Disinfection Byproducts) (Conclusions of Law Nos. 4, 5, 6 and 8);
 - iv. Implement procedures to ensure all necessary public notifications are provided in a timely manner to the customers of the Facility, in accordance

with 30 TEX. ADMIN. CODE § 290.122 (Conclusions of Law Nos. 3, 4, 5, and 6);

- v. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that future drinking water chemical sample results are released by the Facility's laboratories and reported to the Executive Director within ten days of Executive Director request or of their receipt by the Facility, whichever is later, in accordance with 30 TEX. ADMIN. CODE §§ 290.106 (Inorganic Contaminants), 290.107 (Organic Contaminants), and 290.113 (Disinfection Byproducts)(Conclusions of Law Nos. 4, 5, 6 and 8), and
- vi. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 90200055. The payment shall be sent with the notation "Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park, Financial Administration Account No. 90200055" to (Conclusion of Law No. 9):

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

- b. Within 45 days after the effective date of this Agreed Order, Respondents shall:
 - i. Submit written certification as described below in Ordering Provision No. 2.e., below, to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.vi.; and
 - ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data for the year 2011, in accordance with 30 TEX. ADMIN. CODE § 290.274. The copy of the CCR and certification shall be mailed to:

Public Drinking Water Section
Water Supply Division, MC-155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- c. Within 90 days after the effective date of this Agreed Order, Respondents shall begin submitting DLQORs to the Executive Director each quarter, by the tenth day of the month following the end of the quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- d. Within 185 days after the effective date of this Agreed Order, Respondents shall submit written certification in accordance with Ordering Provision No. 2.e., below, to demonstrate compliance with Ordering Provisions Nos. 2.b.ii. and 2.c.
- e. The certifications required by these Ordering Provisions 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 fines and imprisonment for knowing violations."

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

Bob Patton, Public Drinking Water Program, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. All relief not expressly granted in this Agreed Order is denied.
4. The provisions of this Agreed Order shall apply to and be binding upon Respondents. Respondents are 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. 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 Respondents shall be made in writing to the Executive Director. Extensions are not effective until Respondents receive 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 Respondents 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. 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 Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
8. 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.
 9. 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.
 10. 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 Respondents, or three days after the date on which the Commission mails notice of this Agreed Order to Respondents, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and Gary Don Stahlheber d/b/a Oakhollow Mobile Home Park
Docket No. 2012-0301-PWS-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

May 3, 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 Oakhollow MH Park, LLC d/b/a Oakhollow Mobile Home Park and Gary Don Stahlheber d/b/a Oakhollow 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 Agreed 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 - Gary Don Stahlheber, President
Oakhollow MH Park, LLC

3/11/13
Date



Signature - Gary Don Stahlheber, Individually

3/1/13
Date