

Executive Summary – Enforcement Matter – Case No. 46553
SOUTH FORT WORTH RV RANCH, L.L.C.
RN104813605
Docket No. 2013-0649-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

MWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

RV Ranch WWTP, located at 2301 South IH- 35 West, on the east side of IH-35 West, approximately 5/8 mile north of the intersection of Bethesda Road and IH-35 West, Johnson County

Type of Operation:

Wastewater treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 25, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$6,750

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$6,750

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

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RN104813605
Docket No. 2013-0649-MWD-E

Date(s) of Investigation: August 2, 2012 and February 25, 2013
Date(s) of NOE(s): March 7, 2013

Violation Information

1. Failed to give notice to the Executive Director before physical alterations or additions were made to the Facility. Specifically, a settling basin was installed adjacent to the existing package plant without providing notification [30 TEX. ADMIN. CODE §§ 305.125(7) and 305.126(b), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014680001, Permit Conditions No. 4(a)].
2. Failed to comply with permitted effluent limits for chlorine residual and total suspended solids [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0014680001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondent to:

- a. Within 30 days, submit a notice that physical alterations or additions to the Facility have occurred;
- b. Within 45 days, submit certification of compliance with Ordering Provision a.; and
- c. Within 90 days, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0014680001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitation.

Litigation Information

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

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Docket No. 2013-0649-MWD-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Heather Brister, Enforcement Division,
Enforcement Team 1, MC R-09, (254) 761-3034; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Ronald Bowyer, President, SOUTH FORT WORTH RV RANCH, L.L.C.,
325 West Highway 67, Keene, Texas 76059

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

DATES	Assigned	11-Mar-2013	Screening	22-Mar-2013	EPA Due	
	PCW	19-Dec-2013				

RESPONDENT/FACILITY INFORMATION			
Respondent	SOUTH FORT WORTH RV RANCH, L.L.C.		
Reg. Ent. Ref. No.	RN104813605		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	46553	No. of Violations	2
Docket No.	2013-0649-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Heather Brister
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1			
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>			

Compliance History	80.0% Enhancement	Subtotals 2, 3, & 7	\$3,000
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Notes: Enhancement for six months of self reported effluent violations, one NOV for same/similar violations, one order with denial of liability, and one order without denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does 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: \$316
 Approx. Cost of Compliance: \$5,350
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$6,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$6,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$6,750
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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	\$6,750
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Screening Date 22-Mar-2013

Docket No. 2013-0649-MWD-E

PCW

Respondent SOUTH FORT WORTH RV RANCH, L.L.C.

Policy Revision 3 (September 2011)

Case ID No. 46553

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN104813605

Media [Statute] Water Quality

Enf. Coordinator Heather Brister

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>)	7	35%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 80%

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

No

Adjustment Percentage (Subtotal 3) 0%

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

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for six months of self reported effluent violations, one NOV for same/similar violations, one order with denial of liability, and one order without denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 80%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 80%

Screening Date 22-Mar-2013

Docket No. 2013-0649-MWD-E

PCW

Respondent SOUTH FORT WORTH RV RANCH, L.L.C.

Policy Revision 3 (September 2011)

Case ID No. 46553

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN104813605

Media [Statute] Water Quality

Enf. Coordinator Heather Brister

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 305.125(7) and 305.126(b), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014680001, Permit Conditions No. 4(a)

Violation Description

Failed to give notice to the Executive Director before physical alterations or additions were made to the Facility, as documented during an investigation conducted on February 25, 2013. Specifically, a settling basin was installed adjacent to the existing package plant without providing notification.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
	X			5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1 Number of violation days 25

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$1,250

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

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$2,250

This violation Final Assessed Penalty (adjusted for limits) \$2,250

Economic Benefit Worksheet

Respondent SOUTH FORT WORTH RV RANCH, L.L.C.
Case ID No. 46553
Reg. Ent. Reference No. RN104813605
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$350	2-Aug-2012	31-Dec-2013	1.41	\$25	n/a	\$25
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prepare and submit a notice that physical alterations or additions to the Facility have occurred. Date required is the date the violation was first documented and the final date is the anticipated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$350

TOTAL

\$25

Screening Date 22-Mar-2013

Docket No. 2013-0649-MWD-E

PCW

Respondent SOUTH FORT WORTH RV RANCH, L.L.C.

Policy Revision 3 (September 2011)

Case ID No. 46553

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN104813605

Media [Statute] Water Quality

Enf. Coordinator Heather Brister

Violation Number 2

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0014680001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2

Violation Description

Failed to comply with permitted effluent limits, as documented during a record review conducted on March 22, 2013, as shown in the attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 2

120 Number of violation days

daily	
weekly	
monthly	
quarterly	x
Semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

Two quarterly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$291

Violation Final Penalty Total \$4,500

This violation Final Assessed Penalty (adjusted for limits) \$4,500

Economic Benefit Worksheet

Respondent SOUTH FORT WORTH RV RANCH, L.L.C.
Case ID No. 46553
Reg. Ent. Reference No. RN104813605
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	1-Nov-2012	31-Dec-2013	1.16	\$291	n/a	\$291

Notes for DELAYED costs
 Estimated cost to determine the cause of noncompliance and to make necessary adjustments to achieve compliance with the permitted effluent limits. Date required is the initial month of noncompliance. Final date is the anticipated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$5,000	TOTAL	\$291
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Respondent: SOUTH FORT WORTH RV RANCH, L.L.C.

ID Number(s): TPDES Permit No. WQ0014680001

Docket Number: 2013-0649-MWD-E

<i>EFFLUENT PARAMETER</i>		
<i>Permit Limit</i>		
	Chlorine Residual Minimum Concentration 1.0 milligrams per Liter	Total Suspended Solids Daily Average Concentration 20 milligrams per Liter
<i>Month/Year</i>		
November 2012	c	27
December 2012	c	30
January 2013	0.4	26
February 2013	0.91	c

c = compliant



TCEQ Compliance History Report

Customer, Respondent, or Owner/Operator: CN602960197, SOUTH FORT WORTH RV RANCH, L.L.C. **Classification:** SATISFACTORY **Rating:** 12.86

Regulated Entity: RN104813605, RV RANCH WWTP **Classification:** SATISFACTORY **Rating:** 12.86

Complexity Points: 8 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: LOCATED AT 2301 SOUTH INTERSTATE HIGHWAY 35 WEST, ON THE EAST SIDE OF INTERSTATE HWY 35 WEST, APPROXIMATELY 5/8 MILE NORTH OF THE INTERSECTION OF BETHESDA ROAD AND INTERSTATE HIGHWAY 35 WEST IN JOHNSON COUNTY, TEXAS

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s): **WASTEWATER PERMIT** WQ0014680001 **WASTEWATER EPA ID** TX0128490

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

Date Compliance History Report Prepared: June 21, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 21, 2008 to June 21, 2013

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

Name: Heather Brister

Phone: (254) 761-3034

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, 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 Are Listed in Sections A - J

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

- 1 Effective Date: **02/22/2009** ADMINORDER 2008-1285-MWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:Effluent Limits PERMIT
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.
- 2 Effective Date: **11/06/2011** ADMINORDER 2011-0193-MWD-E (Findings Order-Default)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:Interim Eff. Lim. & Mon. Req. No. 1 PERMIT
Description: Failed to comply with permitted effluent limitations.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 28, 2009	(821895)
Item 2	November 19, 2009	(821897)
Item 3	January 04, 2010	(821900)
Item 4	March 23, 2010	(821896)
Item 5	July 22, 2010	(862632)
Item 6	August 20, 2010	(869207)
Item 7	September 20, 2010	(876091)
Item 8	October 20, 2010	(883685)
Item 9	November 20, 2010	(890040)
Item 10	December 20, 2010	(898454)
Item 11	February 19, 2011	(911177)
Item 12	September 02, 2011	(1040258)
Item 13	October 19, 2011	(973486)
Item 14	June 20, 2012	(1026374)
Item 15	July 19, 2012	(1033710)
Item 16	October 19, 2012	(1070811)
Item 17	November 20, 2012	(1070812)

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

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

- Date: **08/31/2012** (1070810) CN602960197

Self Report? YES Classification: Moderate

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

Description: Failure to meet the limit for one or more permit parameter
- Date: **09/06/2012** (1027308) CN602960197

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
TPDES Permit WQ0014680001 PERMIT

Description: Failure to maintain individual units of treatment.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0014680001 PERMIT

Description: Failure to maintain a consistent minimum chlorine residual of 1.0 mg/L.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(7)
30 TAC Chapter 305, SubChapter F 305.126(b)
TPDES Permit WQ0014680001 PERMIT

Description: Failure to give notice to the executive director before physical alterations or additions are made to the treatment facility.
- Date: **11/30/2012** (1070813) CN602960197

Self Report? YES Classification: Moderate

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

Description: Failure to meet the limit for one or more permit parameter
- Date: **12/31/2012** (1083650) CN602960197

Self Report? YES Classification: Moderate

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

Description: Failure to meet the limit for one or more permit parameter

- 5 Date: **01/31/2013** (1083649) CN602960197
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 6 Date: **02/28/2013** (1091557) CN602960197
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 7 Date: **03/31/2013** (1097902) CN602960197
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

- 9 Date: **12/31/2008** (757014) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 10 Date: **01/31/2009** (757013) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 11 Date: **02/28/2009** (773832) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 12 Date: **03/31/2009** (773833) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 13 Date: **05/31/2009** (821894) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 14 Date: **10/31/2009** (821899) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 15 Date: **12/31/2009** (821901) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 16 Date: **01/31/2010** (821893) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 17 Date: **02/28/2010** (836998) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 18 Date: **03/03/2010** (794571) CN602960197
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(11)(B)
30 TAC Chapter 305, SubChapter F 305.125(11)(C)
Sludge Provisions, Section III, page 22 PERMIT
Description: Failure to submit the 2008-2009 Annual Sludge Report.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
Monitoring and Reporting Rqmts #3(c) PERMIT
Description: Failure to document analysis time for grab samples.
- 19 Date: **03/31/2010** (836999) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 20 Date: **04/16/2010** (794571) CN602960197
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Interim Effluent Limitations and Monitor PERMIT
Description: Failure to meet the permit effluent limits.
- 21 Date: **04/30/2010** (837000) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 22 Date: **05/31/2010** (848144) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 23 Date: **12/31/2010** (904297) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 24 Date: **02/28/2011** (918464) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

25 Date: **03/31/2011** (931632) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

26 Date: **04/30/2011** (940200) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

27 Date: **05/31/2011** (947581) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

28 Date: **06/30/2011** (954840) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

29 Date: **08/31/2011** (967552) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

30* Date: **10/31/2011** (979611) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

31* Date: **11/30/2011** (986468) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

32* Date: **12/31/2011** (992841) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

33* Date: **01/31/2012** (1000192) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

34* Date: **02/29/2012** (1005675) CN602960197
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

35* Date: **03/05/2012** (988334) CN602960197
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 317 317.4(a)(8)
30 TAC Chapter 317 317.7(i)
Description: Failure to have RPZ backflow assembly inspected and calibrated on an annual basis.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(11)(B)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to maintain and make available sludge disposal records.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to maintain area immediately surrounding the package plant.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to maintain the secondary flow measuring device.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.4
TPDES Permit WQ0014680001 PERMIT
Description: Failure to sample for and analyze for E. coli.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to record sampling and analyses times.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to submit monthly effluent DMR's.
Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
30 TAC Chapter 319, SubChapter A 319.11(c)
Description: Failed to perform a manganese correction during chlorine residual analyses.
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to adhere to BOD and TSS permit limits.
Classification: Moderate

For Informational Purposes Only

Self Report? NO
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to document and submit a noncompliance notification form for effluent exceedance in excess of 40%.

36* Date: 03/31/2012 (1012243) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

37* Date: 04/30/2012 (1018645) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

38* Date: 08/31/2012 (1070810) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

39 Date: 09/06/2012 (1027308) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? NO
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to maintain individual units of treatment.
Classification: Minor

For Informational Purposes Only

Self Report? NO
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to maintain a consistant minimum chlorine residual of 1.0 mg/L.
Classification: Moderate

For Informational Purposes Only

Self Report? NO
Citation: 30 TAC Chapter 305, SubChapter F 305.125(7)
30 TAC Chapter 305, SubChapter F 305.126(b)
TPDES Permit WQ0014680001 PERMIT
Description: Failure to give notice to the executive director before physical alterations or additions are made to the treatment facility.

40 Date: 11/30/2012 (1070813) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

41 Date: 12/31/2012 (1083650) CN602960197
Classification: Moderate

For Informational Purposes Only

Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

42 Date: 01/31/2013 (1083649) CN602960197
Classification: Moderate

Self Report? YES For Informational Purposes Only

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

Description: Failure to meet the limit for one or more permit parameter

43

Date: **02/28/2013** (1091557) CN602960197

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

Description: Failure to meet the limit for one or more permit parameter

44

Date: **03/31/2013** (1097902) CN602960197

Classification: Moderate

Self Report? YES For Informational Purposes Only

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

Description: Failure to meet the limit for one or more permit parameter

* NOVs applicable for the Compliance History rating period 9/1/2007 to 8/31/2012

Appendix B**All Investigations Conducted During Component Period June 21, 2008 and June 21, 2013**

Item 1	July 03, 2008**	(718697) For Informational Purposes Only
Item 2	July 25, 2008**	(669941) For Informational Purposes Only
Item 3	August 08, 2008**	(718698) For Informational Purposes Only
Item 4	September 15, 2008**	(718699) For Informational Purposes Only
Item 5	September 30, 2008**	(733908) For Informational Purposes Only
Item 6	October 10, 2008**	(733909) For Informational Purposes Only
Item 7	November 10, 2008**	(733910) For Informational Purposes Only
Item 8	December 10, 2008**	(733911) For Informational Purposes Only
Item 9	January 12, 2009**	(757014) For Informational Purposes Only
Item 10	February 12, 2009**	(757013) For Informational Purposes Only
Item 11	March 12, 2009**	(773832) For Informational Purposes Only
Item 12	April 09, 2009**	(773833) For Informational Purposes Only
Item 13	July 06, 2009**	(821894) For Informational Purposes Only
Item 14*	July 28, 2009**	(821895) For Informational Purposes Only
Item 15*	November 19, 2009**	(821897) For Informational Purposes Only
Item 16	December 02, 2009**	(821899) For Informational Purposes Only
Item 17*	January 04, 2010**	(821900) For Informational Purposes Only
Item 18	January 15, 2010**	(787733) For Informational Purposes Only
Item 19	February 19, 2010**	(821901) For Informational Purposes Only
Item 20*	March 23, 2010**	(821896) For Informational Purposes Only
		(821893)

Item 21	March 26, 2010**	For Informational Purposes Only (794571)
Item 22	April 16, 2010**	For Informational Purposes Only (837000)
Item 23	May 18, 2010**	For Informational Purposes Only (803626)
Item 24	May 21, 2010**	For Informational Purposes Only (848144)
Item 25	July 22, 2010**	For Informational Purposes Only (869207)
Item 26*	August 20, 2010**	For Informational Purposes Only (876091)
Item 27*	September 20, 2010**	For Informational Purposes Only (883685)
Item 28*	October 20, 2010**	For Informational Purposes Only (890040)
Item 29*	November 20, 2010**	For Informational Purposes Only (898454)
Item 30*	December 20, 2010**	For Informational Purposes Only (904297)
Item 31	January 20, 2011**	For Informational Purposes Only (880822)
Item 32	January 21, 2011**	For Informational Purposes Only (911177)
Item 33*	February 19, 2011**	For Informational Purposes Only (918464)
Item 34	March 21, 2011**	For Informational Purposes Only (931632)
Item 35	April 21, 2011**	For Informational Purposes Only (940200)
Item 36	June 20, 2011**	For Informational Purposes Only (954840)
Item 37	July 20, 2011**	For Informational Purposes Only (1040258)
Item 38*	September 02, 2011**	For Informational Purposes Only (967552)
Item 39	September 21, 2011**	For Informational Purposes Only (973486)
Item 40*	October 19, 2011**	For Informational Purposes Only (979611)
Item 41	November 21, 2011**	For Informational Purposes Only (986468)

Item 42	December 20, 2011**	For Informational Purposes Only (992841)
Item 43	January 20, 2012**	For Informational Purposes Only (1000192)
Item 44	February 17, 2012**	For Informational Purposes Only (988334)
Item 45	March 01, 2012**	For Informational Purposes Only (1005675)
Item 46	March 20, 2012**	For Informational Purposes Only (1012243)
Item 47	May 03, 2012**	For Informational Purposes Only (1018645)
Item 48	May 18, 2012**	For Informational Purposes Only (1026374)
Item 49*	June 20, 2012**	For Informational Purposes Only (1033710)
Item 50*	July 19, 2012**	For Informational Purposes Only (1008616)
Item 51	September 07, 2012	For Informational Purposes Only (1070810)
Item 52	September 20, 2012	For Informational Purposes Only (1070811)
Item 53*	October 19, 2012	For Informational Purposes Only (1042714)
Item 54	November 19, 2012	For Informational Purposes Only (1070812)
Item 55*	November 20, 2012	For Informational Purposes Only (1070813)
Item 56	December 21, 2012	For Informational Purposes Only (1083650)
Item 57	January 18, 2013	For Informational Purposes Only (1083649)
Item 58	February 20, 2013	For Informational Purposes Only (1043727)
Item 59	March 05, 2013	For Informational Purposes Only (1091557)
Item 60	March 20, 2013	For Informational Purposes Only (1076856)
Item 61	April 11, 2013	For Informational Purposes Only (1097902)
Item 62	April 19, 2013	For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2007 and 08/31/2012.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SOUTH FORT WORTH RV RANCH,	§	
L.L.C.	§	
RN104813605	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2013-0649-MWD-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SOUTH FORT WORTH RV RANCH, L.L.C. ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has 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, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement 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 the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment plant at located at 2301 South Interstate Highway 35 West, on the east side of Interstate Highway 35 West,

approximately 5/8 mile north of the intersection of Bethesda Road and Interstate Highway 35 West in Johnson County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During an investigation conducted on February 25, 2013, TCEQ staff documented that a settling basin had been installed adjacent to the existing package plant without providing notification.
4. During an investigation conducted on February 25, 2013, TCEQ staff documented the following effluent values based on the self-reported discharge monitoring reports ("DMRs"):

EFFLUENT PARAMETER		
Permit Limit		
	Chlorine Residual Minimum Concentration 1.0 milligrams per Liter	Total Suspended Solids Daily Average Concentration 20 milligrams per Liter
Month/Year		
November 2012	c	27
December 2012	c	30
January 2013	0.4	26
February 2013	0.91	c

c = compliant

5. The Respondent received notice of the violations on March 8, 2013.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to give notice to the Executive Director before physical alterations or additions were made to the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(7) and 305.126(b), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014680001, Permit Conditions No. 4(a).

3. As evidenced by Findings of Fact No. 4, the Respondent failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0014680001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2.
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of Six Thousand Seven Hundred Fifty Dollars (\$6,750) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Six Thousand Seven Hundred Fifty Dollar (\$6,750) administrative penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Six Thousand Seven Hundred Fifty Dollars (\$6,750) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SOUTH FORT WORTH RV RANCH, L.L.C., Docket No. 2013-0649-MWD-E" to:

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

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit a notice that physical alterations or additions to the Facility have occurred, in accordance with TPDES Permit No. WQ0014680001, Permit Conditions No. 4(a) to:

Texas Commission on Environmental Quality
Water Quality Division
Applications Review and Processing Team, MC148
P.O. Box 13087
Austin, Texas 78711-3087

- b. Within 45 days after the effective date of this Agreed Order, submit certification of compliance with Ordering Provision No. 2.a, in accordance with Ordering Provision No. 2.d below;
- c. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0014680001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitation, in accordance with Ordering Provision No. 2.d below; and
- d. The certifications of compliance required by Ordering Provision Nos. 2.b and 2.c, shall be notarized by a State of Texas Notary Public and include the following certification language and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

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

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
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. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

2/17/15

Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of SOUTH FORT WORTH RV RANCH, L.L.C. I am authorized to agree to the attached Agreed Order on behalf of SOUTH FORT WORTH RV RANCH, L.L.C., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, SOUTH FORT WORTH RV RANCH, L.L.C. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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



Signature

1/16/15

Date

Ronald Bowyer

Name (Printed or typed)

member

Title

Authorized Representative of
SOUTH FORT WORTH RV RANCH, L.L.C.

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