

**Executive Summary – Enforcement Matter – Case No. 48492
Parkside at Mayfield Ranch, Ltd.
RN106876873
Docket No. 2014-0469-EAQ-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

EAQ

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Parkside at Mayfield Ranch Section 7, located east of Parkside Parkway and south of Garner Park Drive, Williamson County

Type of Operation:

Residential subdivision

Other Significant Matters:

Additional Pending Enforcement Actions: Yes 2013-2197-EAQ-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 17, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,276

Amount Deferred for Expedited Settlement: \$3,055

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$12,221

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 - Unclassified

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: December 19, 2013

Date(s) of NOE(s): February 20, 2014

Executive Summary – Enforcement Matter – Case No. 48492
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RN106876873
Docket No. 2014-0469-EAQ-E

Violation Information

Failed to maintain flow to a naturally occurring sensitive feature identified in either the geologic assessment, Executive Director review, or during excavation, blasting, or construction. Specifically, sensitive feature F-1, identified in the 2006 geologic assessment, was removed during installation of a water line. The sensitive feature could not be located. Gravel backfill and new grass growth covered the area [30 TEX. ADMIN. CODE § 213.5(b)(4)(C)(iv)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, the Respondent shall submit to the TCEQ, a proposed method or plan (“Project”) to make up for the loss of the recharge to the aquifer and to ensure measures are taken to assure that the water quality of enhanced or induced recharge is adequate.
- b. The Executive Director may, at his discretion, revise the proposed Project. The Executive Director will provide the Respondent an opportunity to review and submit comments on the revisions, which shall be submitted to the Executive Director, within ten days after Respondent’s receipt of the proposed revisions. The Executive Director may, at his discretion, revise the proposed Project after consideration of the Respondent’s comments.
- c. The Respondent shall respond completely, adequately, and to the satisfaction of the Executive Director, to all requests for information concerning the Project within 10 days after the date of such requests, or by any other reasonable deadline specified in writing by the Executive Director.
- d. Within 45 days after the Respondent receives notice of the Executive Director’s approval of the Project, the Respondent shall implement the Project, as approved by the Executive Director, in accordance with the approved schedule.
- e. Within 10 working days after the Respondent’s completion of the Project, the Respondent shall submit written certification including detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance..

**Executive Summary – Enforcement Matter – Case No. 48492
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Litigation Information

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

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Cheryl Thompson, Enforcement Division,
Enforcement Team 3, MC R-04, (817) 588-5886; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Blake Magee, President, Parkside at Mayfield Ranch, Ltd., 1011 North
Lamar Boulevard, Austin, Texas 78703
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	24-Mar-2014	Screening	26-Mar-2014	EPA Due	
	PCW	26-Mar-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Parkside at Mayfield Ranch, Ltd.		
Reg. Ent. Ref. No.	RN106876873		
Facility/Site Region	11-Austin	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	48492	No. of Violations	1
Docket No.	2014-0469-EAQ-E	Order Type	1660
Media Program(s)	Edwards Aquifer	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Cheryl Thompson
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance **Capped at the Total EB \$ Amount*

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 26-Mar-2014

Docket No. 2014-0469-EAQ-E

PCW

Respondent Parkside at Mayfield Ranch, Ltd.

Policy Revision 3 (September 2011)

Case ID No. 48492

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN106876873

Media [Statute] Edwards Aquifer

Enf. Coordinator Cheryl Thompson

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments 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)

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

Screening Date 26-Mar-2014

Docket No. 2014-0469-EAQ-E

PCW

Respondent Parkside at Mayfield Ranch, Ltd.

Policy Revision 3 (September 2011)

Case ID No. 48492

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN106876873

Media [Statute] Edwards Aquifer

Enf. Coordinator Cheryl Thompson

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 213.5(b)(4)(C)(iv)

Violation Description Failed to maintain flow to a naturally occurring sensitive feature identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction, as documented during an investigation conducted on December 19, 2013. Specifically, sensitive feature F-1, identified in the 2006 geologic assessment, was removed during installation of a water line. The sensitive feature could not be located. Gravel backfill and new grass growth covered the area.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (15.0%). Includes 'OR' label.

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and Percent (0.0%).

Matrix Notes Sealing of the sensitive feature prevents maintaining flow to and impedes recharge of the Edwards Aquifer.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2 Number of violation days 97

Table for event frequency: daily, weekly, monthly, quarterly (marked with x), semiannual, annual, single event.

Violation Base Penalty \$7,500

Two quarterly events are recommended from December 19, 2013 (investigation date) to March 26, 2014 (screening date).

Good Faith Efforts to Comply

0.0% Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with x).

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8,292

Violation Final Penalty Total \$15,276

This violation Final Assessed Penalty (adjusted for limits) \$15,276

Economic Benefit Worksheet

Respondent Parkside at Mayfield Ranch, Ltd.
Case ID No. 48492
Reg. Ent. Reference No. RN106876873
Media Edwards Aquifer
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	19-Dec-2013	31-Dec-2014	1.03	\$516	n/a	\$516

Notes for DELAYED costs

Estimated cost to implement a schedule of activities, prohibitions, practices, maintenance procedures, and other management practices to ensure that sensitive features are protected and to provide alternatives to make up for the loss of the recharge to the aquifer and to ensure measures are taken to assure that the water quality of enhanced or induced recharge is adequate. Date required is the investigation date. Final date is the expected date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$7,776	19-Dec-2013	19-Dec-2013	0.00	\$0	\$7,776	\$7,776
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to provide a buffer around sensitive feature F-1 with a minimum 50 foot radius (\$.99 x 7853.98 square feet = \$7776). Date required and final date are the investigation date.

Approx. Cost of Compliance

\$17,776

TOTAL

\$8,292



Compliance History Report

PUBLISHED Compliance History Report for CN603159716, RN106876873, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN603159716, Parkside at Mayfield Ranch, Ltd. **Classification:** SATISFACTORY **Rating:** 3.33

Regulated Entity: RN106876873, PARKSIDE AT MAYFIELD RANCH SECTION 7 **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 09 - Construction

Location: EAST OF PARKSIDE PARKWAY AND SOUTH OF GARNER PARK DRIVE WILLIAMSON, TX, WILLIAMSON COUNTY

TCEQ Region: REGION 11 - AUSTIN

ID Number(s):
EDWARDS AQUIFER REGISTRATION 11-13092301 EDWARDS AQUIFER REGISTRATION 11-13092302
WATER QUALITY NON PERMITTED ID NUMBER
R11106876873

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: March 26, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 26, 2009 to March 26, 2014

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

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

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 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:**
N/A
- B. Criminal convictions:**
N/A
- C. Chronic excessive emissions events:**
N/A
- D. The approval dates of investigations (CCEDS Inv. Track. No.):**
N/A
- E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
PARKSIDE AT MAYFIELD
RANCH, LTD.
RN106876873**

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

**AGREED ORDER
DOCKET NO. 2014-0469-EAQ-E**

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Parkside at Mayfield Ranch, Ltd. ("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 together stipulate that:

1. The Respondent owns and operates a residential subdivision located east of Parkside Parkway and south of Garner Park Drive in Williamson County, Texas (the "Site").
2. The Site adjoins, is contiguous with, surrounds, or is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
3. TEX. WATER CODE §§ 5.102 and 7.002, and 30 TEX. ADMIN. CODE § 213.1(2), authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes and rules within its jurisdiction.
4. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
5. The Respondent received notice of the violations alleged in Section II ("Allegations") on March 17, 2014.

6. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
7. An administrative penalty in the amount of Fifteen Thousand Two Hundred Seventy-Six Dollars (\$15,276) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Twelve Thousand Two Hundred Twenty-One Dollars (\$12,221) of the administrative penalty and Three Thousand Fifty-Five Dollars (\$3,055) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
8. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
9. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Site, the Respondent is alleged to have failed to maintain flow to a naturally occurring sensitive feature identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction, in violation of 30 TEX. ADMIN. CODE § 213.5(b)(4)(C)(iv), as documented during an investigation conducted on December 19, 2013. Specifically, sensitive feature F-1, identified in the 2006 geologic assessment, was removed during installation of a water line. The sensitive feature could not be located. Gravel backfill and new grass growth covered the area.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 7 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Parkside at Mayfield Ranch, Ltd., Docket No. 2014-0469-EAQ-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective of this Agreed Order, the Respondent shall submit to the TCEQ at the addresses listed in Ordering Provision No. 2.e., below, a proposed method or plan ("Project") to make up for the loss of the recharge to the aquifer and to ensure measures are taken to assure that the water quality of enhanced or induced recharge is adequate.
 - b. The Executive Director may, at his discretion, revise the proposed Project. The Executive Director will provide the Respondent an opportunity to review and submit comments on the revisions, which shall be submitted to the Executive Director at the address listed in Order Provision No. 2.e., below, within ten days after Respondent's receipt of the proposed revisions. The Executive Director may, at his discretion, revise the proposed Project after consideration of the Respondent's comments.
 - c. The Respondent shall respond completely, adequately, and to the satisfaction of the Executive Director, to all requests for information concerning the Project within 10 days after the date of such requests, or by any other reasonable deadline specified in writing by the Executive Director. The responses shall be sent to the address listed in Order Provision No. 2.e., below.
 - d. Within 45 days after the Respondent receives notice of the Executive Director's approval of the Project, the Respondent shall implement the Project, as approved by the Executive Director, in accordance with the approved schedule.
 - e. Within 10 working days after the Respondent's completion of the Project, the Respondent shall submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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 Site operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

6/11/15

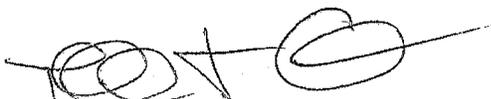
Date

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

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

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

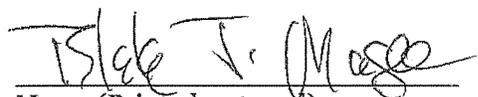
In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

3/20/15

Date



Name (Printed or typed)
Authorized Representative of
Parkside at Mayfield Ranch, Ltd.



Title

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