

Executive Summary – Enforcement Matter – Case No. 41933
SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
RN101458990
Docket No. 2015-0723-PWS-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).

Indifference to legal duty based on violation of a previous order.

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Shady Acres Trailer Park, 5520 Randolph Boulevard near San Antonio, Bexar County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: December 25, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$3,841

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$1,921

Total Due to General Revenue: \$1,920

Payment Plan: 1 payment of \$1,920

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and April 2014

**Executive Summary – Enforcement Matter – Case No. 41933
SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
RN101458990
Docket No. 2015-0723-PWS-E**

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 14 through 25, 2014, January 26 through 30, 2015, and March 27, 2015

Date(s) of NOE(s): July 28, 2014 and April 13, 2015

Violation Information

1. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director ("ED") each quarter by the tenth day of the month following the end of each quarter and failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a DLQOR to the ED [30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f) and TCEQ Agreed Order Docket No. 2011-1045-PWS-E, Ordering Provision Nos. 2.a. and 2.c.].
2. Failed to collect triennial radionuclide samples [30 TEX. ADMIN. CODE § 290.108(c)].
3. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the ED [30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1)].
4. 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 TCEQ 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 [30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c)].
5. Failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect nitrate samples [30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:

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SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
RN101458990
Docket No. 2015-0723-PWS-E

- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs;
 - ii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future radionuclide samples are collected and analyzed by an approved laboratory;
 - iii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the ED;
 - iv. Provide public notification regarding the failure to submit DLQORs for the first quarter of 2013 through the first quarter of 2014 and the failure to collect nitrate samples for the 2012 monitoring period, and provide a copy of each public notification to the ED;
 - v. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory and the results reported to the ED within ten days following the end of each monitoring period; and
 - vi. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 or for the most current calendar year to each bill paying customer and make a good faith effort to deliver the CCR to non-bill paying customers.
- b. Within 45 days:
- i. Submit written certification to demonstrate compliance with a.; 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.
- c. Within 60 days, submit written certification to demonstrate compliance with b.ii.
- d. Within 90 days:
- i. Begin submitting DLQORs to the ED each quarter by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting; and

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- ii. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period. This provision will be satisfied upon one annual compliant monitoring period.
- e. Within 285 days, submit written certification to demonstrate compliance with d.i.
- f. Within 470 days, submit written certification to demonstrate compliance with d.ii.

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: Katy Montgomery, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4016; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483
TCEQ SEP Coordinator: N/A
Respondent: Ashish Patel, Partner, Shady Acres Trailer Park, 23 Champions Run, San Antonio, Texas 78258
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	28-Jul-2014	Screening	31-Jul-2014	EPA Due	30-Sep-2013
	PCW	11-Jun-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park		
Reg. Ent. Ref. No.	RN101458990		
Facility/Site Region	13-San Antonio	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	41933	No. of Violations	1
Docket No.	2015-0723-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Katy Montgomery
		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**

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: Enhancement for eight NOV's with the same/similar violations and two agreed orders without a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

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

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$368
Estimated Cost of Compliance	\$568

*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: Enhancement to recover the avoided cost of compliance associated with Violation No. 1.

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: No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 31-Jul-2014

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

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>)	8	40%
	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	2	50%
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%
<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) 90%

>> 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 eight NOVs with the same/similar violations and two agreed orders without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 90%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 90%

Screening Date 31-Jul-2014

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f) and TCEQ Agreed Order Docket No. 2011-1045-PWS-E, Ordering Provision Nos. 2.a. and 2.c.

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 each quarter for the second quarter of 2012 through the fourth quarter of 2013 and the second and third quarters of 2014 and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR to the Executive Director for the first quarter of 2013 through the first quarter of 2014.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

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 requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 10 Number of violation days 847

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

Violation Base Penalty \$500

Ten quarterly events are recommended, calculated from the effective date of TCEQ Agreed Order, Docket No. 2011-1045-PWS-E, April 5, 2012, to the screening date, July 31, 2014.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

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

Violation Subtotal \$500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$368

Violation Final Penalty Total \$1,182

This violation Final Assessed Penalty (adjusted for limits) \$1,182

Economic Benefit Worksheet

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
Case ID No. 41933
Reg. Ent. Reference No. RN101458990
Media Public Water Supply
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
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	14-Jul-2014	31-Dec-2015	1.47	\$0	\$10	\$10
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	5-Apr-2012	31-Dec-2015	3.74	\$8	n/a	\$8
Training/Sampling	\$100	5-Apr-2012	31-Dec-2015	3.74	\$19	n/a	\$19
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$125	10-Jul-2013	31-Dec-2015	2.48	\$15	n/a	\$15

The record keeping system and training/sampling delayed costs include the estimated amounts to 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, calculated from the effective date of TCEQ Agreed Order, Docket No. 2011-1045-PWS-E to the estimated date of compliance.

Notes for DELAYED costs

The other delayed cost includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from the date of the record review initially documenting the violation to the estimated date of compliance.

The other delayed cost includes the estimated amount to ensure that all delinquent public notifications (\$25 per notification x five missed notifications) are provided to persons served by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the earliest public notification 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]	\$198	5-Apr-2012	10-Oct-2014	3.43	\$34	\$198	\$232
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and submit the DLQORs (\$22 per report x nine missed reports), calculated from the effective date of TCEQ Agreed Order Docket No. 2011-1045-PWS-E to the date the DLQOR was due for the third quarter of 2014.

Approx. Cost of Compliance

\$568

TOTAL

\$368



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	28-Jul-2014	Screening	31-Jul-2014	EPA Due	30-Sep-2013
	PCW	1-Jun-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park		
Reg. Ent. Ref. No.	RN101458990		
Facility/Site Region	13-San Antonio	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	41933	No. of Violations	1
Docket No.	2015-0723-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Katy Montgomery
		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**

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: Enhancement for eight NOVs with the same/similar violations and two agreed orders without a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

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

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$251
Estimated Cost of Compliance	\$304

*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: Enhancement to recover the avoided cost of compliance associated with Violation No. 1.

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: No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 31-Jul-2014

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 2 (September 2002)

Case ID No. 41933

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

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>)	8	40%
	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	2	50%
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%
<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)

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

Enhancement for eight NOVs with the same/similar violations and two agreed orders without a denial of liability.

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

Screening Date 31-Jul-2014

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 2 (September 2002)

Case ID No. 41933

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.108(c)

Violation Description Failed to collect triennial radionuclide samples for the January 1, 2007 through December 31, 2009 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes Failure to conduct radionuclide sampling could expose persons served by the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1 1095 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

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

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$251

Violation Final Penalty Total \$719

This violation Final Assessed Penalty (adjusted for limits) \$719

Economic Benefit Worksheet

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
Case ID No. 41933
Reg. Ent. Reference No. RN101458990
Media Public Water Supply
Violation No. 1

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$100	14-Jul-2014	31-Dec-2015	1.47	\$7	n/a	\$7
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 cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future drinking water chemical samples are collected and analyzed by an approved laboratory, 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)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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]	\$204	1-Jan-2007	31-Dec-2009	3.92	\$40	\$204	\$244
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed chemical analysis samples (\$204 for radionuclides), calculated for the period in which sampling was required.

Approx. Cost of Compliance

\$304

TOTAL

\$251



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	13-Apr-2015	Screening	6-May-2015	EPA Due	30-Sep-2013
	PCW	11-Jun-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park		
Reg. Ent. Ref. No.	RN101458990		
Facility/Site Region	13-San Antonio	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	41933	No. of Violations	3
Docket No.	2015-0723-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Katy Montgomery
		EC's Team	Enforcement Team 2

Admin. Penalty \$ Limit	Minimum	\$50	Maximum	\$1,000
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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	<input type="text" value="\$716"/>	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	<input type="text" value="\$741"/>	

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 6-May-2015

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

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>)	8	40%
	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	2	50%
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%
<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)

>> **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 6-May-2015

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(B) and (i)(1)

Violation Description Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the 2011, 2013, and 2014 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 3 1095 Number of violation days

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

Violation Base Penalty \$450

Three annual events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$515

Violation Final Penalty Total \$1,343

This violation Final Assessed Penalty (adjusted for limits) \$1,343

Economic Benefit Worksheet

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
Case ID No. 41933
Reg. Ent. Reference No. RN101458990
Media Public Water Supply
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	\$100	14-Jul-2014	31-Dec-2015	1.47	\$7	n/a	\$7
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 cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel, analyzed by the Facility's laboratories and reported to the Executive Director, calculated from the date of the record review initially documenting the violation 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]	\$150	1-Jan-2011	31-Dec-2011	1.92	\$14	\$150	\$164
Other (as needed)	\$300	1-Jan-2013	31-Dec-2014	2.92	\$44	\$300	\$344

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples (\$30 per sample x five required samples x three monitoring periods), calculated for the monitoring periods in which sampling was required.

Approx. Cost of Compliance

\$550

TOTAL

\$515

Screening Date 6-May-2015

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)

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 TCEQ 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 for the years 2011, 2012, and 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (0.0%).

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and Percent (5.0%).

Matrix Notes 100% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 3 Number of violation days 1095

Table for frequency: daily, weekly, monthly, quarterly, semiannual, annual, single event. 'x' is marked under 'single event'.

Violation Base Penalty \$150

Three single events are recommended.

Good Faith Efforts to Comply

0.0% Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A. 'x' is marked under 'N/A'.

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

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$197

Violation Final Penalty Total \$448

This violation Final Assessed Penalty (adjusted for limits) \$448

Economic Benefit Worksheet

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
Case ID No. 41933
Reg. Ent. Reference No. RN101458990
Media Public Water Supply
Violation No. 2

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	0.00			0.00	\$0	\$0	\$0
Buildings	0.00			0.00	\$0	\$0	\$0
Other (as needed)	0.00			0.00	\$0	\$0	\$0
Engineering/Construction	0.00			0.00	\$0	\$0	\$0
Land	0.00			0.00	\$0	n/a	\$0
Record Keeping System	0.00			0.00	\$0	n/a	\$0
Training/Sampling	0.00			0.00	\$0	n/a	\$0
Remediation/Disposal	0.00			0.00	\$0	n/a	\$0
Permit Costs	0.00			0.00	\$0	n/a	\$0
Other (as needed)	0.00			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)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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]	\$166	1-Jul-2012	6-May-2015	3.76	\$31	\$166	\$197
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and mail or directly deliver the 2011, 2012 and 2013 CCRs to the customers of the Facility and to the TCEQ [(((\$0.50 x 11 connections) + \$50) x three years)], calculated from the date the 2011 report was due to the screening date.

Approx. Cost of Compliance \$166

TOTAL \$197

Screening Date 6-May-2015

Docket No. 2015-0723-PWS-E

PCW

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

Policy Revision 4 (April 2014)

Case ID No. 41933

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101458990

Media [Statute] Public Water Supply

Enf. Coordinator Katy Montgomery

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.122(c)(2)(A) and (f)

Violation Description Failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect nitrate samples for the 2012 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		x	

Percent 5.0%

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

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

89 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$149

This violation Final Assessed Penalty (adjusted for limits) \$149

Economic Benefit Worksheet

Respondent SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park
Case ID No. 41933
Reg. Ent. Reference No. RN101458990
Media Public Water Supply
Violation No. 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)			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)	\$25	31-Mar-2013	31-Dec-2015	2.75	\$3	n/a

Notes for DELAYED costs

The other delayed costs of compliance are captured in the Economic Benefit Worksheet for Violation No. 1 of the other Revision 4 PCW. The delayed cost includes the estimated amount to ensure that all delinquent public notifications (\$25 per notification x one missed notification) are provided to persons served by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the public notification 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)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25

TOTAL

\$3

The TCEQ is committed to accessibility.

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



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN602763088, RN101458990, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN602763088, SAHIL MANAGEMENT LTD. **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101458990, SHADY ACRES TRAILER PARK **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: 5520 RANDOLPH BOULEVARD NEAR SAN ANTONIO, BEXAR COUNTY, TEXAS

TCEQ Region: REGION 13 - SAN ANTONIO

ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0150253

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: May 06, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 06, 2010 to May 06, 2015

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

Name: Katy Montgomery

Phone: (210) 403-4016

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: 12/04/2010 ADMINORDER 2010-0572-PWS-E (Findings Order-Agreed Order Without Denial)
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 for the 2006 CCR year.
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

for the 2007 CCR year.

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 for the 2008 CCR year.

2 Effective Date: 04/05/2012 ADMINORDER 2011-1045-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010. This system also failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third and fourth quarters of 2009 and the first and second quarters of 2010 but notices of violation were not sent.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2009.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

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

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

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

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2006.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second quarter of 2006.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the first quarter of 2006.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second quarter of 2009.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2008. This system also failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second, third, and fourth quarters of 2007 as well as the first, second, and third quarters of 2008, but notices

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the second quarter of 2009.

9 Date: 06/01/2011 (923501) CN602763088

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third quarter of 2010. This system also failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the third and fourth quarters of 2009 and the first and second quarters of 2010 but notices of violation were not sent.

10 Date: 06/01/2011 (923745) CN602763088

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: This system failed to monitor and/or failed to report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2010.

11 Date: 06/14/2013 (1184750) CN602763088

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)

Description: CCR 2011 - The system failed to provide the Consumer Confidence Report (CCR) for 2011 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

12* Date: 10/21/2013 (1129136) CN602763088

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)

Description: Failure to provide facility security. Specifically, the section of the fence surrounding the ground storage and pressure tank had fallen to the ground causing the facility security to be compromised.

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain vegetation within the facility and fencing.

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(6)

Description: Failure to maintain the ground storage tank in a water-tight condition.

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(1)(F)

Description: Failure to minimize leaks in disinfectant feed line.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to maintain watertight conditions. Specifically, the foundation of the ground storage tank, the side of the pressure tank and the service pumps were leaking.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(d)(1)
Description: Failure to provide a method to measure the disinfectant residual. Specifically, the entity no test kit was observed.
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
Description: Failure to calibrate the well meter at least once every three years or provide documentation indicating that the meter has been replaced within three year period.
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)
Description: Failure to completely cover the top of the hypochlorination solution container. Specifically, the top of the hypochlorination solution container had openings that were not covered.
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)
Description: Failure to provide an ownership sign. Specifically, no ownership sign was posted at the water plant.
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(n)(2)
Description: Failure to provide a distribution map.

13* Date: 11/14/2013 (1184750) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 2Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2013 within the required timeline.
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 1Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2013 within the required timeline.
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following year.

14* Date: 01/14/2014 (1129136) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(vii)
Description: Failure to provide copies of the Consumer Confidence Reports for review.
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failure to provide a minimum pressure of at least 35 psi throughout the distribution system under normal operation conditions. Specifically, the pressure measured at the outside faucet of the Lone Star Bar & Grill was 32 psi.
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to properly maintain the water system facilities. Specifically, the barbed wire on the fence around the ground storage and pressure tank was loose and not turned outward at a 45 degree angle and the waste consisting of wood and various debris were improperly disposed of, and the cover to the electrical boxes located in the pump house were missing.

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)

Description: Failure to equip the ground storage tank with a water level indicator. Specifically, no water level indicator observed on the ground storage tank.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(2)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iii)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(v)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(vi)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(i)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)

Description: Failure to make adequate records available for review. Specifically, the records for the amount of water treated and chemicals used each week, complaint information, the dates that dead-end mains were flushed and storage tanks and other facilities were cleaned maintenance records for water system equipment and facilities, weekly chorine logs and Disinfectant Level Quarterly Operating Reports, and the annual ground storage tank inspection were not provided.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter D 290.39(e)
30 TAC Chapter 290, SubChapter D 290.39(h)(1)
30 TAC Chapter 290, SubChapter D 290.46(n)(1)

Description: Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failure to compile and provide a plant operations manual.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to provide an up-to-date system monitoring plan. Specifically, no system monitoring plan was provided.

15*

Date: 02/26/2014 (1184750) CN602763088

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 2nd quarter of 2013.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DLQOR MR PN 1Q2013 Posting and Reporting Violation - Failure to submit a

signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 1st quarter of 2013.

16* Date: 03/17/2014 (1184750) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: NO3 MR PN YR2012 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a nitrate monitoring and reporting violation for the annual monitoring period from 01/01/2012 to 12/31/2012.

17* Date: 05/20/2014 (1184750) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 4Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 4th quarter of 2013 within the required timeline.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 3Q2013 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2013 within the required timeline.

18* Date: 07/02/2014 (1184750) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 1Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2014 within the required timeline.

19 Date: 09/12/2014 (1221974) CN602763088
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 4Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 4th quarter of 2013.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 3Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting

violation during the 3rd quarter of 2013.

- 20 Date: 10/13/2014 (1221974) CN602763088
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 1Q2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 1st quarter of 2014.
- 21 Date: 10/16/2014 (1221974) CN602763088
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter H 290.271(b)
30 TAC Chapter 290, SubChapter H 290.274(a)
30 TAC Chapter 290, SubChapter H 290.274(c)
Description: CCR 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following year.
- 22 Date: 10/23/2014 (1221974) CN602763088
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 2Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 2nd quarter of 2014 within the required timeline.
- 23 Date: 11/10/2014 (1221974) CN602763088
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.
- 24 Date: 01/14/2015 (1221974) CN602763088
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 3Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 3rd quarter of 2014 within the required timeline.

* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

Appendix B

All Investigations Conducted During Component Period May 06, 2010 and May 06, 2015

- (923501)
Item 1 June 03, 2011** **For Informational Purposes Only**
- (934000)
Item 2 June 20, 2011** **For Informational Purposes Only**
- (1129136)
Item 3 January 09, 2014** **For Informational Purposes Only**

Item 4	July 24, 2014**	(1184750) For Informational Purposes Only
Item 5	July 25, 2014**	(1185057) For Informational Purposes Only
Item 6	January 23, 2015	(1221974) For Informational Purposes Only
Item 7	April 10, 2015	(1240959) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SAHIL MANAGEMENT LTD. DBA	§	
SHADY ACRES TRAILER PARK	§	ENVIRONMENTAL QUALITY
RN101458990	§	

AGREED ORDER
DOCKET NO. 2015-0723-PWS-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 SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. 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 public water supply located at 5520 Randolph Boulevard near San Antonio, Bexar County, Texas (the "Facility") that has approximately 11 service connections and serves at least 25 people per day for at least 60 days per year.
2. During record reviews conducted from July 14, 2014 through July 25, 2014, from January 26, 2015 through January 30, 2015 and on March 27, 2015, TCEQ staff documented that the Respondent did not 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 each quarter for the second quarter of 2012 through the fourth quarter of 2013 and the second and third quarters of 2014 and did not provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR to the Executive Director for the first quarter of 2013 through the first quarter of 2014.
3. During a record review conducted from July 14, 2014 through July 25, 2014, TCEQ staff documented that the Respondent did not collect triennial radionuclide samples for the January 1, 2007 through December 31, 2009 monitoring period.
4. During record reviews conducted from July 14, 2014 through July 25, 2014 and from January 26, 2015 through January 30, 2015, TCEQ staff documented that the Respondent did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director for the 2011, 2013, and 2014 monitoring periods.
5. During record reviews conducted from July 14, 2014 through July 25, 2014 and from January 26, 2015 through January 30, 2015, TCEQ staff documented that the Respondent did not mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and did not submit to the TCEQ 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 for the years 2011, 2012, and 2013.
6. During a record review conducted from July 14, 2014 through July 25, 2014, TCEQ staff documented that the Respondent did not provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect nitrate samples for the 2012 monitoring period.
7. The Respondent received notices of the violations on July 28, 2014 and April 13, 2015.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of each quarter and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit a DLQOR to the Executive Director, in violation of 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f) and TCEQ Agreed Order Docket No. 2011-1045-PWS-E, Ordering Provision Nos. 2.a. and 2.c.
3. As evidenced by Findings of Fact No. 3, the Respondent failed to collect triennial radionuclide samples, in violation of 30 TEX. ADMIN. CODE § 290.108(c).
4. As evidenced by Findings of Fact No. 4, the Respondent failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory and submit the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1).
5. As evidenced by Findings of Fact No. 5, the Respondent failed to 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 TCEQ 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, in violation of 30 TEX. ADMIN. CODE §§ 290.271(b) and 290.274(a) and (c).
6. As evidenced by Findings of Fact No. 6, the Respondent failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to collect nitrate samples, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
7. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, 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.
8. An administrative penalty in the amount of Three Thousand Eight Hundred Forty-One Dollars (\$3,841) 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(b). The Respondent has paid One Thousand Nine Hundred Twenty-One Dollars (\$1,921) of the administrative penalty. The remaining amount of One Thousand Nine Hundred Twenty Dollars (\$1,920) of the administrative penalty shall be payable in one monthly payment of One Thousand Nine Hundred Twenty Dollars (\$1,920). The next monthly payment

shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's 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, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

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 Three Thousand Eight Hundred Forty-One Dollars (\$3,841) as set forth in Section II, Paragraph 8 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: SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park, Docket No. 2015-0723-PWS-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:
 - i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110;
 - ii. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future radionuclide samples are collected and analyzed by an approved laboratory, in accordance with 30 TEX. ADMIN. CODE § 290.108;

- iii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;
 - iv. Provide public notification regarding the failure to submit DLQORs for the first quarter of 2013 through the first quarter of 2014 and the failure to collect nitrate samples for the 2012 monitoring period, and provide a copy of each public notification to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;
 - v. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory and the results reported to the Executive Director within ten days following the end of each monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117; and
 - vi. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 or for the most current calendar year 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.
- b. Within 45 days after the effective date of this Agreed Order:
- i. Submit written certification as described in Ordering Provision No. 2.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records 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, 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 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.f. below, and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.b.ii.;

- d. Within 90 days after the effective date of this Agreed Order:
- i. 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
 - ii. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one annual compliant monitoring period.
- e. Within 285 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d.i.; and
- f. Within 470 days after the effective date of this Agreed Order, 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.ii. 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:

Public Drinking Water Section Manager
Water Supply Division, MC 155
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 Facility operations referenced in this Agreed Order.
4. 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.
5. 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.
6. 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.
7. 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.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission,

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

9. Pursuant to TEX. GOV'T CODE § 2001.144, the effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Marvin
For the Executive Director

6/29/16
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park. I am authorized to agree to the attached Agreed Order on behalf of SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park, 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, SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park 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]
Signature

10-5-15
Date

ASHISH PATEL
Name (Printed or typed)
Authorized Representative of
SAHIL MANAGEMENT LTD. dba Shady Acres Trailer Park

L. Partner
Title

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.