

**Executive Summary – Enforcement Matter – Case No. 44279**  
**SAHIL VENTURES, INC. dba Paradise Food Mart**  
**RN105996771**  
**Docket No. 2017-0998-PWS-E**

**Order Type:**

Findings

**Findings Order Justification:**

A violation of a commission issued enforcement order or court order.

**Media:**

PWS

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

Paradise Food Mart, 13796 Farm-to-Market Road 1314, southeast of Conroe,  
Montgomery 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: No

**Texas Register Publication Date:** January 5, 2018

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$7,725

**Total Paid to General Revenue:** \$235

**Total Due to General Revenue:** \$7,490

Payment Plan: 35 payments of \$214 each

**Compliance History Classifications:**

Person/CN - High

Site/RN - N/A

**Major/Minor Source:** Minor

**Statutory Limit Adjustment:** \$19

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** February 8, 2017 and June 22, 2017

**Date(s) of NOE(s):** June 7, 2017

***Violation Information***

1. Failed to develop, maintain and make available for Executive Director review upon request an accurate and up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the

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**SAHIL VENTURES, INC. dba Paradise Food Mart**  
**RN105996771**  
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analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.a.iv].

2. Failed to provide a minimum pressure tank capacity of 220 gallons [30 TEX. ADMIN. CODE § 290.45(c)(1)(A)(ii), TEX. HEALTH & SAFETY CODE § 341.0315(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.g].

3. Failed to equip the air compressor injection lines with filters or other devices to prevent compressor lubricants or other contaminants from entering the Facility's pressure tank [30 TEX. ADMIN. CODE § 290.43(d)(3) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.a.i].

4. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(1)].

5. Failed to calibrate the Facility's well meter at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].

6. Failed to inspect the Facility's pressure tank annually [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].

7. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)].

8. Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply [30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1), TEX. HEALTH & SAFETY CODE § 341.035(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.e].

9. Failed to pay Public Health Service Fees and associated late fees for TCEQ Financial Administration Account No. 91700809 for Fiscal Year 2017 [30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent has implemented the following:

- a. On July 20, 2017, the Respondent conducted the well meter calibration.
- b. By August 23, 2017, the Respondent:
  - i. Compiled a thorough and up-to-date plant operations manual; and

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ii. Inspected the Facility's pressure tank.

c. By August 24, 2017, the Respondent developed an accurate and up-to-date chemical and microbiological monitoring plan.

**Technical Requirements:**

The Order will also require the Respondent to:

a. Within 30 days:

i. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 91700809; and

ii. Provide an inline filter for the air compressor injector line on the Facility's pressure tank.

b. Within 45 days, submit written certification of compliance with a.ii.

c. Within 60 days, initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility's facilities and equipment and maintain the grounds and facilities in a manner so to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water, including removing trash and debris from the concrete sealing block.

d. Within 75 days, submit written certification of compliance with c.

e. Within 180 days:

i. Provide a minimum pressure tank capacity of 220 gallons; and

ii. Submit plans and specifications prepared by a licensed, professional engineer for review and approval by the Executive Director.

f. Within 195 days, submit written certification of compliance with e.

g. Within 270 days, obtain approval of the plans and specifications for the public water supply system.

h. Within 285 days, submit written certification to demonstrate compliance with g.

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**Docket No. 2017-0998-PWS-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Jason Fraley, Enforcement Division,  
Enforcement Team 2, MC 219, (512) 239-2552; Michael Parrish, Enforcement Division,  
MC 219, (512) 239-2548

**Respondent:** Mohammed Amin, President, SAHIL VENTURES, INC. dba Paradise  
Food Mart, 13796 Farm-to-Market Road 1314, Conroe, Texas 77302

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

**DATES** Assigned  PCW  Screening  EPA Due

## RESPONDENT/FACILITY INFORMATION

Respondent   
 Reg. Ent. Ref. No.   
 Facility/Site Region  Major/Minor Source

## CASE INFORMATION

Enf./Case ID No.  No. of Violations   
 Docket No.  Order Type   
 Media Program(s)  Government/Non-Profit   
 Multi-Media  Enf. Coordinator   
 Admin. Penalty \$ Limit Minimum  Maximum  EC's Team

## 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**  Adjustment *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  \*Capped at the Total EB \$ Amount  
 Estimated Cost of Compliance

**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.

Notes

**PAYABLE PENALTY**

Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	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> )	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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%
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) 20%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Enhancement for one agreed order containing a denial of liability and a reduction for a High Performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 10%

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Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

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PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.121(a) and (b) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.a.IV

Violation Description Failed to develop, maintain and make available for Executive Director review upon request an accurate and up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.

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 1 Number of violation days 1172

Table with columns: Frequency (daily, weekly, monthly, quarterly, semiannual, annual, single event) and a selection column (single event is marked with 'x').

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Reduction \$0

Table with columns: Effort (Extraordinary, Ordinary, N/A) and a selection column (N/A is marked with 'x').

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

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Estimated EB Amount \$30

Statutory Limit Test

Violation Final Penalty Total \$56

This violation Final Assessed Penalty (adjusted for limits) \$56

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart  
**Case ID No.** 44279  
**Reg. Ent. Reference No.** RN105996771  
**Media** Public Water Supply  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
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	\$180	7-Apr-2014	24-Aug-2017	3.38	\$30	n/a	\$30
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to develop, maintain and make available for Executive Director review upon request an accurate and up-to-date chemical and microbiological monitoring plan, calculated from the effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E to the 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 \$180

**TOTAL** \$30



Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.45(c)(1)(A)(II), Tex. Health & Safety Code § 341.0315(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.g

Violation Description

Failed to provide a minimum pressure tank capacity of 220 gallons. Specifically, the Facility is a transient/non-community public water system that requires a minimum pressure tank capacity of 220 gallons; however, the Facility only provided a pressure tank capacity of 20 gallons, indicating a 90.9% deficiency.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide adequate pressure tank capacity may cause back siphonage and low pressure that could expose customers of the Facility to contaminants that would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 39

1172 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$5,850

Thirty-nine monthly events are recommended, calculated from the April 7, 2014 effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E to the June 22, 2017 screening date.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary	
Ordinary	
N/A	x

Notes

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

Violation Subtotal \$5,850

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$613

Violation Final Penalty Total \$6,508

This violation Final Assessed Penalty (adjusted for limits) \$6,508

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart

**Case ID No.** 44279

**Reg. Ent. Reference No.** RN105996771

**Media** Public Water Supply

**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$2,000	7-Apr-2014	21-Aug-2018	4.38	\$29	\$583	\$613
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a minimum pressure tank capacity of 220 gallons, calculated from the effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E 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

\$2,000

**TOTAL**

\$613

Screening Date 22-Jun-2017

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PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 290.43(d)(3) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provislon No. 2.a.I

Violation Description

Failed to equip the air compressor Injection lines with filters or other devices to prevent compressor lubricants or other contaminants from entering the Facility's pressure tank.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				5.0%
	Potential		X		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Failure to equip air Injection lines with filters could expose persons served by the Facility to lubricants and other contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 13 1172 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$650

Thirteen quarterly events are recommended, calculated from the April 7, 2014 effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E to the June 22, 2017 screening date.

Good Faith Efforts to Comply

0.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Reduction \$0

Extraordinary		
Ordinary		
N/A	X	

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

Violation Subtotal \$650

Economic Benefit (EB) for this violation

Estimated EB Amount \$42

Statutory Limit Test

Violation Final Penalty Total \$723

This violation Final Assessed Penalty (adjusted for limits) \$723

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart

**Case ID No.** 44279

**Reg. Ent. Reference No.** RN105996771

**Media** Public Water Supply

**Violation No.** 3

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$150	7-Apr-2014	24-Mar-2018	3.96	\$2	\$40	\$42
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to provide an inline filter for the air compressor injector line for the Facility's pressure tank, calculated from the effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E 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** \$150

**TOTAL** \$42

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PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

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PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.42(l)

Violation Description

Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Harm		
	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

134 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	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

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 \$10

Violation Final Penalty Total \$56

This violation Final Assessed Penalty (adjusted for limits) \$56

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart  
**Case ID No.** 44279  
**Reg. Ent. Reference No.** RN105996771  
**Media** Public Water Supply  
**Violation No.** 4

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
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)	\$180	12-Jul-2016	23-Aug-2017	1.12	\$10	n/a	\$10

**Notes for DELAYED costs**

The delayed cost includes the estimated amount to complete and begin maintaining a thorough and up-to-date plant operations manual, calculated from the date the violation was initially documented to the 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**

\$180

**TOTAL**

\$10

Screening Date 22-Jun-2017

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PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

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PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 290.46(s)(1)

Violation Description Failed to calibrate the Facility's well meter at least once every three years.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				3.0%
Potential			x	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to calibrate the Facility's well meters could result in inaccurate or unavailable water usage and production data, resulting in persons served by the Facility being exposed to an insignificant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$970

\$30

Violation Events

Number of Violation Events 1 134 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$30

One single event is recommended.

Good Faith Efforts to Comply

10.0% Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Reduction \$3

Extraordinary	
Ordinary	x
N/A	

Notes The Respondent achieved compliance on July 20, 2017.

Violation Subtotal \$27

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$39

Violation Final Penalty Total \$30

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

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart

**Case ID No.** 44279

**Reg. Ent. Reference No.** RN105996771

**Media** Public Water Supply

**Violation No.** 5

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

**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
<b>ONE-TIME avoided costs [3]</b>	<b>\$31</b>	<b>12-Jul-2013</b>	<b>20-Jul-2017</b>	<b>4.94</b>	<b>\$8</b>	<b>\$31</b>	<b>\$39</b>
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to calibrate the Facility's well meter (\$31 per calibration x one well meter), calculated from three years prior from the date the violation was initially documented to the date the Facility's well meter was calibrated.

Approx. Cost of Compliance

\$31

**TOTAL**

\$39



Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)(1)(B)

Violation Description Failed to inspect the Facility's pressure tank annually.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to inspect the pressure tank could cause non-detection of defects resulting in a loss of tank integrity and could expose persons served by the Facility to contaminants which would exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1 Number of violation days 365

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$150

One annual 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	

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 \$47

Violation Final Penalty Total \$167

This violation Final Assessed Penalty (adjusted for limits) \$167

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart  
**Case ID No.** 44279  
**Reg. Ent. Reference No.** RN105996771  
**Media** Public Water Supply  
**Violation No.** 6

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

Notes for DELAYED costs

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

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]	\$41	12-Jul-2015	23-Aug-2017	3.04	\$6	\$41	\$47
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount necessary to conduct an inspection of the pressure tank (\$41 per tank x one tank), calculated from one year prior from the date the violation was initially documented to the date the pressure tank was inspected.

Approx. Cost of Compliance \$41

**TOTAL** \$47

Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 290.46(m)

Violation Description Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the concrete sealing block was covered in trash and debris.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				5.0%
Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Failure to maintain the good working condition and general appearance of the Facility and its equipment could result in persons served by the Facility being exposed to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 2 Number of violation days 134

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$100

Two quarterly events are recommended, calculated from the February 8, 2017 investigation date to the June 22, 2017 screening date.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

Extraordinary	
Ordinary	
N/A	x

Notes

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

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$22

Violation Final Penalty Total \$111

This violation Final Assessed Penalty (adjusted for limits) \$111

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart  
**Case ID No.** 44279  
**Reg. Ent. Reference No.** RN105996771  
**Media** Public Water Supply  
**Violation No.** 7

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
<b>Delayed Costs</b>							
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)	\$250	12-Jul-2016	23-Apr-2018	1.78	\$22	n/a	\$22

Notes for DELAYED costs

The delayed cost includes the estimated amount to keep the sealing block free of trash and debris and in good general appearance, calculated from the date the violation was initially documented 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 \$250

**TOTAL** \$22

Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.39(e)(1) and (h)(1), Tex. Health & Safety Code § 341.035(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.e

Violation Description Failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply. Specifically, the Respondent was operating a business that meets the criteria of a transient/non-community water system and has not received approval from the Executive Director for the Facility's "as-built" plans and specifications.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
	x			5.0%

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

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1 1172 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	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	

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 \$1,032

Violation Final Penalty Total \$56

This violation Final Assessed Penalty (adjusted for limits) \$56

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart  
**Case ID No.** 44279  
**Reg. Ent. Reference No.** RN105996771  
**Media** Public Water Supply  
**Violation No.** 8

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	7-Apr-2014	23-May-2018	4.13	\$1,032	n/a	\$1,032

**Notes for DELAYED costs**  
 The delayed cost includes the estimated amount to have a licensed professional engineer prepare and submit "as-built" plans and specifications for the existing Facility to the TCEQ for review and approval, calculated from the effective date of TCEQ Agreed Order Docket No. 2012-1131-PWS-E 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**

<b>Approx. Cost of Compliance</b>	\$5,000	<b>TOTAL</b>	\$1,032
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Screening Date 22-Jun-2017

Docket No. 2017-0998-PWS-E

PCW

Respondent SAHIL VENTURES, INC. dba Paradise Food Mart

Policy Revision 4 (April 2014)

Case ID No. 44279

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105996771

Media [Statute] Public Water Supply

Enf. Coordinator Jason Fraley

Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.51(a)(6) and Tex. Water Code § 5.702

Violation Description Failed to pay Public Health Service Fees and associated late fees for TCEQ Financial Administration Account No. 91700809 for Fiscal Year 2017.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

Empty box for Matrix Notes

Adjustment \$1,000

\$0

Violation Events

Number of Violation Events

Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$0

All penalties and fees will be determined by the Financial Administration Division at the next billing cycle.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

Extraordinary		
Ordinary		
N/A	x	

Notes

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

Violation Subtotal \$0

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$0

This violation Final Assessed Penalty (adjusted for limits) \$0

# Economic Benefit Worksheet

**Respondent** SAHIL VENTURES, INC. dba Paradise Food Mart

**Case ID No.** 44279

**Reg. Ent. Reference No.** RN105996771

**Media** Public Water Supply

**Violation No.** 9

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

Notes for DELAYED costs

N/A
-----

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

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

Notes for AVOIDED costs

N/A
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Approx. Cost of Compliance

\$0
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**TOTAL**

\$0
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To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# TCEQ Compliance History Report

Compliance History Report for CN603571274, RN105996771, Rating Year 2016 which includes Compliance History (CH) components from September 1, 2011, through August 31, 2016.

**Customer, Respondent, or Owner/Operator:** CN603571274, SAHIL VENTURES, INC.    **Classification:** HIGH    **Rating:** 0.00

**Regulated Entity:** RN105996771, PARADISE FOOD MART    **Classification:** NOT APPLICABLE    **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** 13796 FARM-TO-MARKET ROAD 1314, SOUTHEAST OF CONROE, MONTGOMERY COUNTY, TEXAS

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1700809

**Compliance History Period:** September 01, 2011 to August 31, 2016    **Rating Year:** 2016    **Rating Date:** 09/01/2016

**Date Compliance History Report Prepared:** June 22, 2017

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** June 22, 2012 to June 22, 2017

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Jason Fraley    **Phone:** (512) 239-2552

## 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

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

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

- 1    Effective Date: 04/07/2014    ADMINORDER 2012-1131-PWS-E (1660 Order-Agreed Order With Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.39(c)  
30 TAC Chapter 290, SubChapter D 290.39(h)(1)  
5A THSC Chapter 341, SubChapter A 341.035(c)
- Description: Failure to secure the services of a registered professional engineer well versed in the design and construction of public water systems so that "as built" plans and specifications can be prepared and submitted for our review.
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)
- Description: Failure to protect the well unit with an intruder resistant fence with locked gates, or a locked, ventilated well house to exclude possible contamination or damage to the facilities by trespassers.
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(3)
- Description: Failure to equip all air compressor injection lines for the pressure tank with a filter or other device to prevent compressor lubricants and other contaminants from entering the pressure tank.
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M)
- Description: Failure to provide a suitable sampling tap on the well discharge to facilitate the collection of samples for chemical and bacteriological analysis directly from the well.
- Classification: Moderate
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)
- Description: Failure to provide the well with a concrete sealing block extending at least 3 feet from the exterior well casing in all directions.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(c)(1)(A)(ii)  
5A THSC Chapter 341, SubChapter A 341.035(c)

Description: Failure to provide a minimum pressure tank capacity of 220 gallons, with additional capacity if necessary.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(A)

Description: Failure to establish a program to provide protection against backflow and siphonage, potential contamination and health hazards.

Classification: Moderate

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

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failure to develop and maintain an up to date system monitoring plan.

**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

**Component Appendices**

**Appendix A**

**All NOVs Issued During Component Period 6/22/2012 and 6/22/2017**

N/A

**For Informational Purposes Only**

**Appendix B**

**All Investigations Conducted During Component Period June 22, 2012 and June 22, 2017**

(1344810)

Item 1

August 31, 2016\*\*

**For Informational Purposes Only**

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2011 and 08/31/2016.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
SAHIL VENTURES, INC. DBA  
PARADISE FOOD MART  
RN105996771

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

**AGREED ORDER  
DOCKET NO. 2017-0998-PWS-E**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SAHIL VENTURES, INC. dba Paradise Food Mart (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 and TEX. WATER CODE ch. 5. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including 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 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 agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this 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 13796 Farm-to-Market Road 1314 southeast of Conroe, Montgomery County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately one service connection, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(69).<sup>1</sup>
2. During an investigation conducted on February 8, 2017, an investigator documented that:
  - a. The Respondent did not develop, maintain and make available for Executive Director review upon request an accurate and up-to-date chemical and

<sup>1</sup> Effective March 30, 2017, 30 TEX. ADMIN. CODE ch. 290 was amended and as a result, the definition for a public water system was renumbered from § 290.38(69) to § 290.38(71) (42 TEX. REG. 1466).

microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.

- b. The Facility is a transient/non-community public water system that requires a minimum pressure tank capacity of 220 gallons; however, the Facility only provided a pressure tank capacity of 20 gallons, indicating a 90.9% deficiency.
  - c. The Respondent did not equip the air compressor injection lines with filters or other devices to prevent compressor lubricants or other contaminants from entering the Facility's pressure tank.
  - d. The Respondent did not compile and maintain a thorough and up-to-date plant operations manual for operator review and reference.
  - e. The Respondent did not calibrate the Facility's well meter at least once every three years.
  - f. The Respondent did not inspect the Facility's pressure tank annually.
  - g. The concrete sealing block was covered in trash and debris.
  - h. The Respondent was operating a business that meets the criteria of a transient/non-community water system and has not received approval from the Executive Director for the Facility's "as-built" plans and specifications.
3. During an investigation conducted on June 22, 2017, an investigator documented that the Respondent did not pay Public Health Service Fees and associated late fees for TCEQ Financial Administration Account No. 91700809 for Fiscal Year 2017.
  4. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
    - a. On July 20, 2017, the Respondent conducted the well meter calibration;
    - b. By August 23, 2017, the Respondent:
      - i. Compiled a thorough and up-to-date plant operations manual; and
      - ii. Inspected the Facility's pressure tank.
    - c. By August 24, 2017, the Respondent developed an accurate and up-to-date chemical and microbiological monitoring plan.

## II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341, TEX. WATER CODE ch. 5, and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to develop, maintain and make available for Executive Director review upon request an accurate and up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.a.iv.
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide a minimum pressure tank capacity of 220 gallons, in violation of 30 TEX. ADMIN. CODE § 290.45(c)(1)(A)(ii), TEX. HEALTH & SAFETY CODE § 341.0315(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.g.
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to equip the air compressor injection lines with filters or other devices to prevent compressor lubricants or other contaminants from entering the Facility's pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.43(d)(3) and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.a.i.
5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to calibrate the Facility's well meter at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to inspect the Facility's pressure tank annually, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
9. As evidenced by Finding of Fact No. 2.h, the Respondent failed to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply, in violation of 30 TEX. ADMIN. CODE § 290.39(e)(1) and (h)(1), TEX. HEALTH & SAFETY CODE § 341.035(c), and TCEQ Agreed Order Docket No. 2012-1131-PWS-E, Ordering Provision No. 2.e.

10. As evidenced by Finding of Fact No. 3, the Respondent failed to pay Public Health Service Fees and associated late fees for TCEQ Financial Administration Account No. 91700809 for Fiscal Year 2017, in violation of 30 TEX. ADMIN. CODE § 290.51(a)(6) and TEX. WATER CODE § 5.702.
11. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
12. An administrative penalty in the amount of \$7,725 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent paid \$235 of the penalty. The remaining amount of \$7,490 shall be paid in 35 monthly payments of \$214 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 12 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SAHIL VENTURES, INC. dba Paradise Food Mart, Docket No. 2017-0998-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 Order:
  - i. Submit payment for all outstanding fees, interest, and penalties for TCEQ Financial Administration Account No. 91700809. The payment shall be sent with the notation "SAHIL VENTURES, INC. dba Paradise Food Mart, Financial Administration Account No. 91700809" to the address listed in Ordering Provision No. 1; and
  - ii. Provide an inline filter for the air compressor injector line on the Facility's pressure tank, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- b. Within 45 days after the effective date of this Order, submit written certification of compliance with Ordering Provision No. 2.a.ii, in accordance with Ordering Provision No. 2.h. The written certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.
- c. Within 60 days after the effective date of this Order, initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility's facilities and equipment and maintain the grounds and facilities in a manner so to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water, including removing trash and debris from the concrete sealing block, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- d. Within 75 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 2.c, in accordance with Ordering Provision No. 2.h. The written certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.
- e. Within 180 days after the effective date of this Order:
  - i. Provide a minimum pressure tank capacity of 220 gallons, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
  - ii. Submit plans and specifications prepared by a licensed, professional engineer for review and approval by the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.39. The plans and specifications shall be submitted to:

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

Respond completely and adequately to all requests for additional information regarding the "as-built" plans within 30 days or by any other deadline specified by the TCEQ in writing.

- f. Within 195 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 2.e.i and 2.e.ii, in accordance with Ordering Provision No. 2.h. The written certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.
- g. Within 270 days after the effective date of this Order, obtain approval of the plans and specifications for the public water supply system, in accordance with 30 Tex. Admin. Code § 290.39.
- h. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.g. The certification shall be signed by the Respondent and shall include the following certification language:

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

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  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Street, Suite H  
Houston, Texas 77023-1452

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

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.
6. 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 in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. This 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 Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this 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 Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The 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

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
For the Executive Director

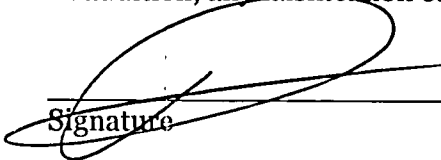
6/25/18  
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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

10-24-17  
\_\_\_\_\_  
Date

MOHAMMED Amin  
\_\_\_\_\_  
Name (Printed or typed)

Owner  
\_\_\_\_\_  
Title

Authorized Representative of  
SAHIL VENTURES, INC. dba Paradise Food Mart

*If mailing address has changed, please check this box and provide the new address below:*