

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0661-MWD-E **TCEQ ID:** RN101279412 **CASE NO.:** 33288

RESPONDENT NAME: Young Men's Christian Association of the Greater Houston Area

| | | |
|---|---|--|
| ORDER TYPE: | | |
| <input checked="" type="checkbox"/> 1660 AGREED ORDER | <input type="checkbox"/> FINDINGS AGREED ORDER | <input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING |
| <input type="checkbox"/> FINDINGS DEFAULT ORDER | <input type="checkbox"/> SHUTDOWN ORDER | <input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
| <input type="checkbox"/> AMENDED ORDER | <input type="checkbox"/> EMERGENCY ORDER | |
| CASE TYPE: | | |
| <input type="checkbox"/> AIR | <input type="checkbox"/> MULTI-MEDIA (check all that apply) | <input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE |
| <input type="checkbox"/> PUBLIC WATER SUPPLY | <input type="checkbox"/> PETROLEUM STORAGE TANKS | <input type="checkbox"/> OCCUPATIONAL CERTIFICATION |
| <input checked="" type="checkbox"/> WATER QUALITY | <input type="checkbox"/> SEWAGE SLUDGE | <input type="checkbox"/> UNDERGROUND INJECTION CONTROL |
| <input type="checkbox"/> MUNICIPAL SOLID WASTE | <input type="checkbox"/> RADIOACTIVE WASTE | <input type="checkbox"/> DRY CLEANER REGISTRATION |
| <p>SITE WHERE VIOLATION(S) OCCURRED: YMCA Camp Cullen Wastewater Treatment Facility, located approximately 1,000 feet north of Farm-to-Market Road 356, 4.5 miles east of State Highway 19 and 5.0 miles southeast of the intersection of State Highway 19 and Farm-to Market Road 230, Trinity County</p> <p>TYPE OF OPERATION: Wastewater treatment plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on September 10, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Suzanne Walrath, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-2134; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Steven King, Facility Director, Young Men's Christian Association of the Greater Houston Area, 460 Cullen Loop, Suite A, Trinity, Texas 75862-8834; Mr. Ron Ware, V.P. Facilities, Young Men's Christian Association of the Greater Houston Area, 460 Cullen Loop, Suite A, Trinity, Texas 75862-8834 Respondent's Attorney: Not represented by counsel on this enforcement matter</p> | | |

DOCKET NO.: 2007-0661-MWD-E

VIOLATION SUMMARY CHART:

| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
|--|---|---|
| <p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 28, 2007</p> <p>Date of NOE Relating to this Case: April 18, 2007 (NOE)</p> <p>Background Facts: This was a routine records review. Two violations were documented.</p> <p>WATER</p> <p>1) Failure to comply with the permitted effluent limits as documented during a record review conducted on March 28, 2007. [30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a), TPDES Permit No. 11644001, Final Effluent Limitations and Monitoring Requirements No. 1 and 2 for Outfall 001A].</p> <p>2) Failure to submit the parameter data on the DMR for the pH daily maximum for the monitoring periods ending September 30, 2006 and October 31, 2006, Total Suspended Solids maximum single grab for the monitoring period ending March 31, 2006, Flow daily maximum and Biochemical Oxygen Demand daily average for the monitoring period ending August 31, 2006 [30 TEX. ADMIN. CODE § 305.125(1), TPDES Permit No. 11644001, Monitoring and Reporting Requirements No. 1 for Outfall 001A].</p> | <p>Total Assessed: \$7,700</p> <p>Total Deferred: \$1,540 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$6,160</p> <p>Total Paid (Due) to General Revenue: \$0</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> | <p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP) (See Attachment A).</p> <p>2) The Order will also require the Respondent to:</p> <p>Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with effluent limits of TPDES Permit No. 11644001.</p> |

Attachment A

Docket Number: 2007-0661-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Young Men's Christian Association of the Greater Houston Area

Payable Penalty Amount: Six Thousand One Hundred Sixty Dollars (\$6,160)

SEP Amount: Six Thousand One Hundred Sixty Dollars (\$6,160)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Wastewater Treatment Assistance

Location of SEP: Trinity County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 17, 2006

TCEQ

| | | | | | | |
|--------------|-----------------|-------------|------------------|-------------|----------------|--|
| DATES | Assigned | 23-Apr-2007 | Screening | 24-Apr-2007 | EPA Due | |
| | PCW | 30-Apr-2007 | | | | |

| | | | |
|--|---|---------------------------|-------|
| RESPONDENT/FACILITY INFORMATION | | | |
| Respondent | Young Men's Christian Association of the Greater Houston Area | | |
| Reg. Ent. Ref. No. | RN101279412 | | |
| Facility/Site Region | 10-Beaumont | Major/Minor Source | Minor |

| | | | |
|--|-----------------|--------------------------|-----------------------|
| CASE INFORMATION | | | |
| Enf./Case ID No. | 33288 | No. of Violations | 2 |
| Docket No. | 2007-0661-MWD-E | Order Type | 1660 |
| Media Program(s) | Water Quality | Enf. Coordinator | Cari-Michel La Caille |
| Multi-Media | | EC's Team | EnforcementTeam 4 |
| Admin. Penalty \$ Limit Minimum | \$0 | Maximum | \$10,000 |

Penalty Calculation Section

| | | |
|---|-------------------|---------|
| TOTAL BASE PENALTY (Sum of violation base penalties) | Subtotal 1 | \$4,400 |
|---|-------------------|---------|

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

| | | | |
|---------------------------|-----------------|--------------------------------|---------|
| Compliance History | 90% Enhancement | Subtotals 2, 3, & 7 | \$3,960 |
|---------------------------|-----------------|--------------------------------|---------|

Notes
A 90% enhancement is recommended for having 16 NOVs for self reported effluent data violations and two NOVs with same or similar violations within the last five years.

| | | | | |
|--------------------|----|----------------|-------------------|-----|
| Culpability | No | 0% Enhancement | Subtotal 4 | \$0 |
|--------------------|----|----------------|-------------------|-----|

Notes
The Respondent does not meet the culpability criteria.

| | | | |
|------------------------------------|--------------|-------------------|-----|
| Good Faith Effort to Comply | 0% Reduction | Subtotal 5 | \$0 |
|------------------------------------|--------------|-------------------|-----|

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

Notes
The Respondent does not meet the good faith criteria.

| | | | | |
|-----------------------------------|---------|-----------------------------------|-------------------|-----|
| Total EB Amounts | \$198 | 0% Enhancement* | Subtotal 6 | \$0 |
| Approx. Cost of Compliance | \$2,000 | *Capped at the Total EB \$ Amount | | |

| | | |
|-----------------------------|-----------------------|---------|
| SUM OF SUBTOTALS 1-7 | Final Subtotal | \$8,360 |
|-----------------------------|-----------------------|---------|

| | | | |
|---|-----|-------------------|--------|
| OTHER FACTORS AS JUSTICE MAY REQUIRE | -8% | Adjustment | -\$660 |
|---|-----|-------------------|--------|

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes
Recommended reduction in the penalty so that monthly self reported effluent violations do not overly-impact the penalty amount.

| | |
|-----------------------------|---------|
| Final Penalty Amount | \$7,700 |
|-----------------------------|---------|

| | | |
|-----------------------------------|-------------------------------|---------|
| STATUTORY LIMIT ADJUSTMENT | Final Assessed Penalty | \$7,700 |
|-----------------------------------|-------------------------------|---------|

| | | | |
|-----------------|---------------|-------------------|----------|
| DEFERRAL | 20% Reduction | Adjustment | -\$1,540 |
|-----------------|---------------|-------------------|----------|

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

Notes
Deferral offered for expedited settlement.

| | |
|------------------------|---------|
| PAYABLE PENALTY | \$6,160 |
|------------------------|---------|

Screening Date 24-Apr-2007

Docket No. 2007-0661-MWD-E

PCW

Respondent Young Men's Christian Association of the Greater Houston

Policy Revision 2 (September 2002)

Case ID No. 33288

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101279412

Media [Statute] Water Quality

Enf. Coordinator Carl-Michel La Caille

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

| Component | Number of... | Enter Number Here | Adjust. |
|-------------------------------|--|-------------------|---------|
| NOVs | Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria) | 18 | 90% |
| | Other written NOVs | 0 | 0% |
| Orders | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 0 | 0% |
| | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 0 | 0% |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria) | 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 (number of counts) | 0 | 0% |
| Emissions | Chronic excessive emissions events (number of events) | 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 (number of audits for which notices were submitted) | 0 | 0% |
| | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) | 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)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

A 90% enhancement is recommended for having 16 NOVs for self reported effluent data violations and two NOVs with same or similar violations within the last five years.

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

Screening Date 24-Apr-2007

Docket No. 2007-0661-MWD-E

PCW

Respondent Young Men's Christian Association of the Greater Houston Area

Policy Revision 2 (September 2002)

Case ID No. 33288

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101279412

Media [Statute] Water Quality

Enf. Coordinator Cari-Michel La Caille

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), and Tex. Water Code § 26.121(a), TPDES Permit No. 11644001, Final Effluent Limitations and Monitoring Requirements No. 1 and 2 for Outfall 001A

Violation Description Failed to comply with the permitted effluent limits as documented during a record review conducted on March 28, 2007. See attached effluent violation table.

Base Penalty

>> Environmental, Property and Human Health Matrix

| OR | Release | Harm | | | Percent |
|----|-----------|----------------------|----------------------|-------------------------------------|----------------------------------|
| | | Major | Moderate | Minor | |
| | Actual | <input type="text"/> | <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text" value="10%"/> |
| | Potential | <input type="text"/> | <input type="text"/> | <input type="text"/> | |

>> Programmatic Matrix

| Matrix Notes | Falsification | Major | Moderate | Minor | Percent |
|--------------|---------------|-------|----------|-------|---------|
| | | | | | |

A simplified model was used to evaluate biochemical oxygen demand ("BOD"), Total Suspended Solids ("TSS") and total chlorine residual to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Daily average flow and ammonia nitrogen ("NH3-N") values were also considered. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

| | | |
|-------------------------|--------------|-------------------------------------|
| mark only one with an x | daily | <input type="text"/> |
| | monthly | <input type="text"/> |
| | quarterly | <input checked="" type="checkbox"/> |
| | semiannual | <input type="text"/> |
| | annual | <input type="text"/> |
| | single event | <input type="text"/> |

Violation Base Penalty

Four quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: Young Men's Christian Association of the Greater Houston Area
Case ID No.: 33288
Reg. Ent. Reference No.: RN101279412
Media: Water Quality
Violation No.: 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0 | 15 |

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

No commas or \$

Delayed Costs

| | | | | | | | |
|--------------------------|---------|-------------|-------------|-----|-------|-----|-------|
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | n/a | \$0 |
| Other (as needed) | \$2,000 | 31-Dec-2005 | 24-Dec-2007 | 2.0 | \$198 | n/a | \$198 |

Notes for DELAYED costs

The estimated cost for additional oversight and sampling which could have reduced or alleviated the exceedances. Date required is the date the noncompliance started and the final date is the projected date of compliance.

Avoided Costs

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

| | | | | | | | |
|-------------------------------|--|--|--|-----|-----|-----|-----|
| Disposal | | | | 0.0 | \$0 | \$0 | \$0 |
| Personnel | | | | 0.0 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | \$0 |
| Supplies/equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Financial Assurance [2] | | | | 0.0 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3] | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$198

Screening Date 24-Apr-2007

Docket No. 2007-0661-MWD-E

PCW

Respondent Young Men's Christian Association of the Greater Houston Area

Policy Revision 2 (September 2002)

Case ID No. 33288

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101279412

Media [Statute] Water Quality

Enf. Coordinator Cari-Michel La Caille

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), TPDES Permit No. 11644001, Monitoring and Reporting Requirements No. 1 for Outfall 001A

Violation Description Failed to submit the parameter data on the DMR for the pH daily maximum for the monitoring periods ending September 30, 2006 and October 31, 2006, Total Suspended Solids maximum single grab for the monitoring period ending March 31, 2006, Flow daily maximum and Biochemical Oxygen Demand daily average for the monitoring period ending August 31, 2006, as documented during a record review conducted on March 28, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| OR | Release | Harm | | | Percent |
|----|-----------|-------|----------|-------|---------|
| | | Major | Moderate | Minor | |
| | Actual | | | | 0% |
| | Potential | | | | |

>> Programmatic Matrix

| | Falsification | Major | Moderate | Minor | Percent |
|--|---------------|-------|----------|-------|---------|
| | | | | x | 1% |

Matrix Notes 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 4 Number of violation days 420

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

Violation Base Penalty \$400

Four single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$14

Violation Final Penalty Total \$700

This violation Final Assessed Penalty (adjusted for limits) \$700

Economic Benefit Worksheet

Respondent: Young Men's Christian Association of the Greater Houston Area
Case ID No.: 33288
Reg. Ent. Reference No.: RN101279412
Media: Water Quality
Violation No.: 2

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0 | 15 |

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

No commas or \$

Delayed Costs

| | | | | | | | |
|--------------------------|-------|-------------|-------------|-----|------|-----|------|
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | n/a | \$0 |
| Other (as needed) | \$250 | 28-Feb-2006 | 24-Apr-2007 | 1.2 | \$14 | n/a | \$14 |

Notes for DELAYED costs

The estimated cost associated with submitting data on a DMR. The date required is the date the reporting period ended for the required DMR data and the final date is the date of compliance.

Avoided Costs

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

| | | | | | | | |
|-------------------------------|--|--|--|-----|-----|-----|-----|
| Disposal | | | | 0.0 | \$0 | \$0 | \$0 |
| Personnel | | | | 0.0 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | \$0 |
| Supplies/equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Financial Assurance [2] | | | | 0.0 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3] | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$14

Effluent Violation Table
Young Men's Christian Association of the Greater Houston Area
TPDES Permit No. 11644001
Docket No. 2007-0661-MWD-E

| Permitted Effluent Limits Outfall 001A | Monitoring Period End Date | | | | | | | |
|--|----------------------------|----------|----------|----------|----------|----------|----------|----------|
| | 12/31/05 | 02/28/06 | 05/31/06 | 06/30/06 | 07/31/06 | 08/31/06 | 09/30/06 | 11/30/06 |
| TSS Daily Avg. 15 mg/L | 20.67 | C | C | 20.5 | C | 20.46 | C | C |
| Total Chlorine Residual 1.0 mg/L minimum | C | C | 0.84 | C | C | C | C | C |
| BOD Daily Avg. 10 mg/L | C | 13 | C | 23.75 | 13.25 | C | 24.5 | 17.6 |
| BOD Single Grab 35 mg/L | C | 36 | C | 38 | C | C | 36 | C |

| | | | |
|-----------------------------|--------------|-------------------------------|-----------------------------|
| TSS= Total Suspended Solids | C= Compliant | BOD=Biochemical Oxygen Demand | mg/L = Milligrams per liter |
|-----------------------------|--------------|-------------------------------|-----------------------------|

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
YOUNG MEN'S CHRISTIAN
ASSOCIATION OF THE GREATER
HOUSTON AREA
RN101279412

§
§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-0661-MWD-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Young Men's Christian Association of the Greater Houston Area ("YMCA") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and YMCA appear before the Commission and together stipulate that:

1. YMCA owns and operates a wastewater treatment plant located approximately 1,000 feet north of Farm-to-Market Road 356, 4.5 miles east of State Highway 19 and 5.0 miles southeast of the intersection of State Highway 19 and Farm-to Market Road 230 in Trinity County, Texas (the "Facility").
2. YMCA has discharged wastewater into or adjacent to any water in the state under TEX. WATER CODE ch. 26
3. The Commission and YMCA agree that the Commission has jurisdiction to enter this Agreed Order, and that YMCA is subject to the Commission's jurisdiction.
4. YMCA received notice of the violations alleged in Section II ("Allegations") on or about April 23, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by YMCA of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Seven Thousand Seven Hundred Dollars (\$7,700) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). One Thousand Five Hundred Forty Dollars (\$1,540) is deferred contingent upon YMCA's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If YMCA fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require YMCA to pay all or part of the deferred penalty. Six Thousand One Hundred Sixty Dollars (\$6,160) will be conditionally offset by YMCA's completion of a Supplemental Environmental Project.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and YMCA have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on April 24, 2007, YMCA submitted to the TCEQ the parameter data for the pH daily maximum for the monitoring periods ending September 30, 2006 and October 31, 2006, Total Suspended Solids maximum single grab for the monitoring period ending March 31, 2006, Flow daily maximum and Biochemical Oxygen Demand daily average for the monitoring period ending August 31, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that YMCA has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner of the Facility, YMCA is alleged to have:

1. Failed to comply with the permitted effluent limits, in violation of 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a), TPDES Permit No. 11644001, Final Effluent Limitations and Monitoring Requirements No. 1 and 2 for Outfall 001A, as documented during a record review conducted on March 28, 2007, as indicated in the table below.

| Effluent Violation Table | | | | | | | | |
|---|----------------------------|----------|----------|----------|----------|----------|----------|----------|
| Young Men's Christian Association of the Greater Houston Area | | | | | | | | |
| TPDES Permit No. 11644001 | | | | | | | | |
| Docket No. 2007-0661-MWD-E | | | | | | | | |
| Permitted Effluent Limits Outfall 001A | Monitoring Period End Date | | | | | | | |
| | 12/31/05 | 02/28/06 | 05/31/06 | 06/30/06 | 07/31/06 | 08/31/06 | 09/30/06 | 11/30/06 |
| TSS Daily Avg. 15 mg/L | 20.67 | C | C | 20.5 | C | 20.46 | C | C |
| Total Chlorine Residual 1.0 mg/L minimum | C | C | 0.84 | C | C | C | C | C |
| BOD Daily Avg. 10 mg/L | C | 13 | C | 23.75 | 13.25 | C | 24.5 | 17.6 |
| BOD Single Grab 35 mg/L | C | 36 | C | 38 | C | C | 36 | C |

| | | | |
|-----------------------------|--------------|-------------------------------|-----------------------------|
| TSS= Total Suspended Solids | C= Compliant | BOD=Biochemical Oxygen Demand | mg/L = Milligrams per liter |
|-----------------------------|--------------|-------------------------------|-----------------------------|

- Failed to submit the parameter data on the Discharge Monitoring Report ("DMR") for the pH daily maximum for the monitoring periods ending September 30, 2006 and October 31, 2006, Total Suspended Solids maximum single grab for the monitoring period ending March 31, 2006, Flow daily maximum and Biochemical Oxygen Demand daily average for the monitoring period ending August 31, 2006, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TPDES Permit No. 11644001, Monitoring and Reporting Requirements No. 1 for Outfall 001A, as documented during a record review conducted on March 28, 2007.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that YMCA pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and YMCA's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Young Men's Christian Association of the Greater Houston Area, Docket No. 2007-0661-MWD-E" to:

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

2. YMCA shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Six Thousand One Hundred Sixty Dollars (\$6,160) of the assessed administrative penalty shall be offset with the condition that YMCA implement the SEP defined in Attachment A, incorporated herein by reference. YMCA's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon full completion of all provisions of the SEP agreement.

3. It is further ordered that YMCA shall undertake the following technical requirements:

- a. Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with effluent limits of TPDES Permit No. 11644001. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine 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
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon YMCA. YMCA is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the operations referenced in this Agreed Order.
5. If YMCA fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, YMCA's failure to comply is not a violation of this Agreed Order. YMCA shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. YMCA shall notify the Executive Director within seven days after YMCA becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. 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 YMCA shall be made in writing to the Executive Director. Extensions are not effective until YMCA receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against YMCA 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 agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to YMCA, or three days after the date on which the Commission mails notice of the Order to YMCA, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Szdlar
For the Executive Director

8/27/07
Date

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

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

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

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

Ben Wark
Signature

7-5-07
Date

BEN WARK
Name (Printed or typed)
Authorized Representative of
Young Men's Christian Association of the Greater Houston Area

V.P. FACILITIES
Title Y.M.C.A. OF GREATER HOUSTON

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

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Attachment A

Docket Number: 2007-0661-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Young Men's Christian Association of the Greater Houston Area

Payable Penalty Amount: Six Thousand One Hundred Sixty Dollars (\$6,160)

SEP Amount: Six Thousand One Hundred Sixty Dollars (\$6,160)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Wastewater Treatment Assistance

Location of SEP: Trinity County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Compliance History

| | | | |
|---|--|----------------------------------|---|
| Customer/Respondent/Owner-Operator: | CN601720626 Young Men's Christian Association of The Greater Houston Area | Classification: AVERAGE | Rating: 0.95 |
| Regulated Entity: | RN101279412 YMCA CAMP CULLEN | Classification: AVERAGE | Site Rating: 0.95 |
| ID Number(s): | PUBLIC WATER SYSTEM/SUPPLY WASTEWATER WASTEWATER | REGISTRATION PERMIT PERMIT | 2280019 WQ0011644001 TPDES0059579 |
| Location: | LOCATED APPROX. 1000 FEET NORTH OF FM 356,4.5 MILES E OF SH 19 AND 5.0 MILES SE OF THE INTERSECTION OF SH 19 AND FM 230, IN TRINITY COUNTY | Rating Date: 9/1/2006 | Repeat Violator: NO |
| TCEQ Region: | REGION 10 - BEAUMONT | | |
| Date Compliance History Prepared: | April 23, 2007 | | |
| Agency Decision Requiring Compliance History: | Enforcement | | |
| Compliance Period: | April 23, 2002 to April 23, 2007 | | |

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

Name: Cari-Michel La Caille Phone: 512-239-1387

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
 - 1 06/03/2002 (190734)
 - 2 06/21/2002 (190737)
 - 3 07/26/2002 (190740)
 - 4 08/23/2002 (190742)
 - 5 09/03/2002 (7804)
 - 6 09/18/2002 (190745)
 - 7 10/21/2002 (190748)
 - 8 11/26/2002 (190751)
 - 9 12/19/2002 (190753)
 - 10 01/27/2003 (357729)
 - 11 02/27/2003 (190725)
 - 12 03/24/2003 (190728)
 - 13 04/16/2003 (190731)
 - 14 05/21/2003 (309267)
 - 15 06/20/2003 (309268)
 - 16 07/21/2003 (309269)
 - 17 09/12/2003 (309270)
 - 18 09/19/2003 (309271)
 - 19 10/21/2003 (309272)
 - 20 11/21/2003 (309273)
 - 21 12/19/2003 (309274)
 - 22 01/23/2004 (309275)
 - 23 02/17/2004 (309264)

24 03/17/2004 (309265)
 25 04/08/2004 (262271)
 26 04/26/2004 (309266)
 27 05/19/2004 (357723)
 28 06/25/2004 (357724)
 29 07/20/2004 (357725)
 30 07/20/2004 (357726)
 31 10/20/2004 (357727)
 32 10/20/2004 (357728)
 33 11/08/2004 (384934)
 34 12/20/2004 (443822)
 35 01/14/2005 (384935)
 36 02/14/2005 (384932)
 37 03/14/2005 (384933)
 38 04/15/2005 (422917)
 39 05/12/2005 (422918)
 40 06/13/2005 (422919)
 41 07/15/2005 (443819)
 42 08/24/2005 (443820)
 43 09/19/2005 (443821)
 44 10/21/2005 (473960)
 45 11/21/2005 (473961)
 46 12/27/2005 (473962)
 47 12/29/2005 (436538)
 48 01/13/2006 (473963)
 49 02/23/2006 (473958)
 50 03/20/2006 (473959)
 51 04/19/2006 (501920)
 52 05/22/2006 (501921)
 53 06/19/2006 (501922)
 54 07/20/2006 (524201)
 55 09/15/2006 (524202)
 56 09/15/2006 (524203)
 57 10/16/2006 (549160)
 58 11/22/2006 (549161)
 59 12/08/2006 (511506)
 60 02/09/2007 (536962)
 61 04/19/2007 (555327)

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

| | | | | |
|--------------|--|----------|----------------|----------|
| Date | 11/30/2002 | (190753) | | |
| Self Report? | YES | | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | | |
| Description: | Failure to meet the limit for one or more permit parameter | | | |
| Date | 12/31/2002 | (357729) | | |
| Self Report? | YES | | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | | |
| Description: | Failure to meet the limit for one or more permit parameter | | | |
| Date | 05/31/2003 | (309268) | | |
| Self Report? | YES | | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | | |
| Description: | Failure to meet the limit for one or more permit parameter | | | |
| Date | 02/29/2004 | (309265) | | |
| Self Report? | YES | | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | | |
| Description: | Failure to meet the limit for one or more permit parameter | | | |
| Date | 05/31/2004 | (357724) | | |
| Self Report? | YES | | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | | |
| Description: | Failure to meet the limit for one or more permit parameter | | | |
| Date | 11/30/2004 | (443822) | | |

| | | | |
|--------------|---|----------------|----------|
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 12/31/2004 (384935) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 03/31/2005 (422917) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 12/29/2005 (436538) | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT M&RR 3b | | |
| Description: | Failure by the permittee to have the annual backflow prevention device (RPZ) test results and grease trap manifests available for review during the investigation. Failure by the permittee to have the annual backflow prevention device (RPZ) test results available for review during the investigation | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OT 6 | | |
| Description: | Failure by the permittee to submit a copy of the annual sludge report (ASR) to the TCEQ Region 10 office by September 1 of each year and have the ASRs readily available for review. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR 1 | | |
| Description: | Failure by the permittee to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. | | |
| Self Report? | NO | Classification | Minor |
| Citation: | 30 TAC Chapter 317 317.4(a)(7) | | |
| Description: | Failure by the permittee to provide a stairway to basins having vertical walls terminating four or more feet above ground level. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR 1 | | |
| Description: | Failure by the permittee to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR 1 | | |
| Description: | Failure by the permittee to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT FEL&MR 2 | | |
| Description: | Failure by the permittee to discharge effluent that is compliant with permitted limitations. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT M&RR 2 | | |
| Description: | Failure by the permittee to check the colorimeter used for chlorine residual analysis against secondary standards. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR 2 | | |
| Description: | Failure by the permittee to have sludge hauled by a sludge transporter registered to haul WWTP sludge. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT OpR 1 | | |
| Description: | Failure by the permittee to properly manage the solids inventory in the wastewater treatment plant. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT FEL&MR 1 | | |
| Description: | Failure by the permittee to discharge effluent that is compliant with permitted limitations. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT PC 1a | | |
| Description: | Failure by the permittee to properly complete the discharge monitoring reports (DMRs). | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT M&RR 3b | | |

| | | | |
|--------------|--|----------------|----------|
| Description: | Failure by the permittee to maintain the required records and have them available for review during the investigation. | Classification | Moderate |
| Self Report? | NO | | |
| Rqmt Prov: | PERMIT FEL&MR 4 | | |
| Description: | Failure by the permittee to prevent the discharge of floating solids into the receiving stream. | Classification | Minor |
| Self Report? | NO | | |
| Rqmt Prov: | PERMIT M&RR 7c | | |
| Description: | Failure by the permittee to notify the TCEQ Region 10 Office and the Manager of the Enforcement Section III (MC 149) of the Enforcement Division, within the required notification period, for each effluent violation which deviated from the permitted effluent limitation by more than 40%. | | |
| Date | 12/31/2005 (473963) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 02/28/2006 (473959) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 05/31/2006 (501922) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 06/30/2006 (524201) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 07/31/2006 (524202) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 08/31/2006 (524203) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 09/30/2006 (549160) | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 11/30/2006 | | |
| Self Report? | YES | Classification | Moderate |
| Citation: | 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] | | |
| Description: | Failure to meet the limit for one or more permit parameter | | |
| Date | 02/09/2007 (536962) | | |
| Self Report? | NO | Classification | Minor |
| Citation: | 30 TAC Chapter 317 317.4(a)(7) | | |
| Description: | Failure by the permittee to provide a stairway to basins having vertical walls terminating four or more feet above ground level. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR 1 | | |
| Description: | Failure by the permittee to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT FEL&MR 2 | | |
| Description: | Failure by the permittee to discharge effluent that is compliant with permitted limitations. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT OpR 1 | | |

| | | | |
|--------------|---|----------------|----------|
| Description: | Failure by the permittee to properly manage the solids inventory in the wastewater treatment plant. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT OpR Pg. 11, No. 9 | | |
| Description: | Failure by the permittee to employ a licensed operator with a valid license to operate the wastewater treatment facility. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT OpR1 | | |
| Description: | Failure by YMCA Camp Cullen to ensure that all systems of collection, treatment, and disposal are properly operated and maintained. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT EL&MR1 | | |
| Description: | Failure by YMCA Camp Cullen to discharge effluent that is compliant with permitted limitations. | | |
| Self Report? | NO | Classification | Moderate |
| Rqmt Prov: | PERMIT EL&MR1&2 | | |
| Description: | Failure by the YMCA Camp Cullen to discharge effluent that is compliant with permitted limitations. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT M&RR1 | | |
| Description: | Failure by YMCA Camp Cullen to use all analytical data collected for total chlorine reporting purposes. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT M&RR2 | | |
| Description: | Failure by YMCA Camp Cullen to accurately conduct measurements in a representative manner. | | |
| Self Report? | NO | Classification | Minor |
| Rqmt Prov: | PERMIT PC1a | | |
| Description: | Failure by the permittee to accurately complete the discharge monitoring reports (DMRs). | | |

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

