

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2006-1879-MWD-E    **TCEQ ID:** RN102079696    **CASE NO.:** 31562  
**RESPONDENT NAME:** City of White Oak

**ORDER TYPE:**

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

**CASE TYPE:**

<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input checked="" type="checkbox"/> WATER QUALITY		

**SITE WHERE VIOLATION(S) OCCURRED:** City of White Oak Wastewater Treatment System, located approximately 1,500 feet east of State Highway 42 and 3,800 feet south of United States Highway 80, Gregg County

**TYPE OF OPERATION:** Wastewater treatment system

**SMALL BUSINESS:**     Yes     No

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent has expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on February 26, 2007. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None

**TCEQ Enforcement Coordinator:** Ms. Lynley Doyen, Enforcement Division, Enforcement Section I, MC 169, (512) 239-1364; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

**Respondent:** The Honorable Tim Vaughn, Mayor, City of White Oak, 906 South White Oak Road, White Oak, Texas 75693  
Mr. Ralph Weaver, City Coordinator, City of White Oak, 906 South White Oak Road, White Oak, Texas 75693

**Respondent's Attorney:** Not represented by counsel on this enforcement matter

RESPONDENT'S NAME: City of White Oak  
 DOCKET NO.: 2006-1879-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 of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: September 14, 2006</p> <p>Date of NOE Relating to this Case: October 10, 2006 (NOE)</p> <p>Background Facts: This was a routine record review of self-reported Discharge Monitoring Reports. One violation was documented.</p> <p><b>WATER</b></p> <p>Failed to comply with the permitted effluent limitations of 5.0 milligrams per liter ("mg/L") daily average concentration ("avg. conc.") of ammonia nitrogen ("NH<sub>3</sub>-N") and 7.0 mg/L daily maximum concentration ("max. conc.") of NH<sub>3</sub>-N. Specifically, the reported values for April 2006 were 6.36 mg/L daily avg. conc. and 13.10 mg/L daily max. conc. and the reported values for May 2006 were 7.16 daily avg. conc. and 17.70 mg/L daily max. conc. [TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System Permit No. 10940001, Interim Effluent Limitations and Monitoring Requirements No. 1, Outfall 001].</p>	<p>Total Assessed: \$2,600</p> <p>Total Deferred: \$520  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$2,080</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the City has implemented the following corrective measures at the Facility:</p> <p>a. On June 30, 2006, achieved compliance with the permitted effluent limitations; and</p> <p>b. On or around September 30, 2006, finished repairing the aeration rotors in the racetrack.</p>



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	16-Oct-2006	Screening	26-Oct-2006	EPA Due	05-Dec-2006
	PCW	02-Nov-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	City of White Oak
Reg. Ent. Ref. No.	RN102079696
Facility/Site Region	5-Tyler
Major/Minor Source	Major Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	31562	No. of Violations	1
Docket No.	2006-1879-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Enf. Coordinator	Lynley Doyen
Multi-Media		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	Subtotal 1	\$2,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	29% Enhancement	Subtotal 2, 3, & 7	\$725
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Notes: The penalty is enhanced because the Respondent self-reported five months of effluent violations and received two NOV's with violations not the same or similar to those cited in this action.

<b>Culpability</b>	No	0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply</b>	25% Reduction	Subtotal 5	-\$625
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Before NOV      NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	X	
N/A		(mark with a small x)

Notes: The Respondent achieved compliance on or around September 30, 2006.

<b>Economic Benefit</b>	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$794	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$27,200	

<b>SUM OF SUBTOTALS 1-7</b>	Final Subtotal	\$2,600
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

<b>Final Penalty Amount</b>	\$2,600
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<b>STATUTORY LIMIT ADJUSTMENT</b>	Final Assessed Penalty	\$2,600
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<b>DEFERRAL</b>	20% Reduction	Adjustment	-\$520
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$2,080
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<b>Screening Date</b>	26-Oct-2006	<b>Docket No.</b>	2006-1879-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of White Oak	<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b>	31562	<i>PCW Revision May 19, 2005</i>		
<b>Reg. Ent. Reference No.</b>	RN102079696			
<b>Media [Statute]</b>	Water Quality			
<b>Enf. Coordinator</b>	Lynley Doyen			

**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 ( <i>number of NOVs meeting criteria</i> )	5	25%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events (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 ( <i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2) 29%**

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

No	<b>Adjustment Percentage (Subtotal 3) 0%</b>
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>> **Compliance History Person Classification (Subtotal 7)**

Average Performer	<b>Adjustment Percentage (Subtotal 7) 0%</b>
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>> **Compliance History Summary**

**Compliance History Notes**

The penalty is enhanced because the Respondent self-reported five months of effluent violations and received two NOVs with violations not the same or similar to those cited in this action.

**Total Adjustment Percentage (Subtotals 2, 3, & 7) 29%**

<b>Screening Date</b>	26-Oct-2006	<b>Docket No.</b>	2006-1879-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of White Oak	Policy Revision 2 (September 2002)		
<b>Case ID No.</b>	31562	PCW Revision May 19, 2005		
<b>Reg. Ent. Reference No.</b>	RN102079696			
<b>Media [Statute]</b>	Water Quality			
<b>Enf. Coordinator</b>	Lynley Doyen			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	Tex. Water Code § 26.121(a), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System Permit No. 10940001, Interim Effluent Limitations and Monitoring Requirements No. 1, Outfall 001			
<b>Secondary Rule Cite(s)</b>				
<b>Violation Description</b>	Failure to comply with the permitted effluent limitations of 5.0 milligrams per liter ("mg/L") daily average concentration ("avg. conc.") for ammonia nitrogen ("NH <sub>3</sub> -N") and 7.0 mg/L daily maximum concentration ("max. conc.") for NH <sub>3</sub> -N. Specifically, the reported values for April 2006 were 6.36 mg/L daily avg. conc. and 13.10 mg/L daily max. conc. and the reported values for May 2006 were 7.16 daily avg. conc. and 17.70 daily max. conc.			
<b>Base Penalty</b>	\$10,000			

>> **Environmental, Property and Human Health Matrix**

OR	<b>Harm</b>			Percent <input type="text" value="25%"/>	
	<b>Release</b>	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input checked="" type="checkbox"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input type="text"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**Matrix Notes**

A simplified model was used to evaluate NH<sub>3</sub>-N to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels protective of human health or environmental receptors.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

mark only one use a small 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**

One quarterly event is recommended.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$794"/>	Violation Final Penalty Total <input type="text" value="\$2,600"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,600"/>	

### Economic Benefit Worksheet

Respondent: City of White Oak  
 Case ID No: 31562  
 Reg. Ent. Reference No: RN102079696  
 Media [Statute]: Water Quality  
 Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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**Delayed Costs**

Equipment	\$27,000	30-Apr-2006	30-Sep-2006	0.4	\$38	\$755	\$792
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	\$200	30-Apr-2006	30-Jun-2006	0.2	\$2	n/a	\$2
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Equipment cost is the amount the Respondent paid to repair the aeration rotors. Training/sampling cost is estimated for additional oversight and sampling which may have alleviated or prevented the noncompliance.

**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: N/A

Approx. Cost of Compliance \$27,200

**TOTAL** \$794

# Compliance History

Customer/Respondent/Owner-Operator: CN600739684 City of White Oak Classification: AVERAGE Rating: 0.32  
Regulated Entity: RN102079696 CITY OF WHITE OAK Classification: AVERAGE Site Rating: 0.32  
ID Number(s): WASTEWATER PERMIT WQ0010940001  
WASTEWATER PERMIT TPDES0026531  
WASTEWATER PERMIT TX0026531  
SLUDGE REGISTRATION 21967  
WASTEWATER LICENSING LICENSE WQ0010940001  
Location: LOCATED APPRX 1,500 FT E OF SH 42 AND Rating Date: 9/1/2006  
3,800 FT S OF US HWY 80, GREGG COUNTY, TX Repeat Violator: NO  
TCEQ Region: REGION 05 - TYLER  
Date Compliance History Prepared: October 26, 2006  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: October 26, 2001 to October 26, 2006  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Lynley Doyen Phone: 512-239-1364

## 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? N/A
4. If Yes, who was/were the prior owner(s)? N/A
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 01/14/2003 (174139)  
2 06/27/2003 (119134)  
3 06/17/2004 (302147)  
4 06/17/2005 (421181)  
5 06/18/2004 (302149)  
6 05/23/2005 (421182)  
7 05/23/2005 (421183)  
8 08/11/2003 (302151)  
9 12/08/2003 (254118)  
10 09/05/2003 (302153)  
11 02/17/2005 (383352)  
12 03/16/2005 (383353)  
13 10/09/2003 (302155)  
14 12/17/2001 (246859)  
15 12/13/2004 (383354)  
16 11/12/2003 (302156)  
17 12/15/2003 (302157)  
18 12/08/2003 (302158)  
19 02/16/2006 (471065)  
20 03/09/2006 (451703)  
21 10/11/2006 (512787)  
22 02/14/2002 (174097)  
23 03/13/2006 (471066)  
24 05/17/2006 (499911)  
25 02/17/2003 (174098)  
26 08/19/2004 (354802)  
27 09/20/2004 (354803)  
28 06/19/2006 (499912)  
29 10/11/2004 (354804)  
30 04/14/2006 (471067)  
31 11/08/2004 (354805)  
32 03/11/2002 (174100)

33 11/12/2004 (354806)  
34 02/21/2006 (471068)  
35 03/10/2003 (174101)  
36 10/14/2005 (471069)  
37 11/14/2005 (471070)  
38 04/05/2002 (174105)  
39 04/14/2003 (174106)  
40 12/14/2005 (471071)  
41 10/07/2005 (471072)  
42 05/15/2002 (174109)  
43 05/09/2003 (174110)  
44 06/13/2002 (174113)  
45 06/06/2003 (174114)  
46 07/11/2002 (174117)  
47 07/07/2003 (174118)  
48 08/15/2002 (174121)  
49 04/27/2006 (464007)  
50 09/12/2002 (174124)  
51 10/09/2002 (174127)  
52 08/17/2005 (442162)  
53 09/16/2005 (442163)  
54 11/12/2001 (174130)  
55 11/14/2002 (174131)  
56 12/13/2001 (174134)  
57 12/16/2002 (174135)  
58 02/05/2004 (302140)  
59 03/12/2004 (302142)  
60 04/12/2004 (302143)  
61 05/10/2004 (302145)  
62 04/11/2005 (421179)  
63 01/11/2002 (174138)  
64 05/18/2005 (421180)

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

Date: 05/31/2005 (421181)

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: 09/30/2003 (302155)

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: 12/17/2001 (246859)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 04/30/2006 (499911)

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 (499912)

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: 03/31/2002 (174105)

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: 03/03/2006 (451703)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)  
Description: Failure to obtain a Multi-Sector Industrial Permit for storm water as required for Sector T, Treatment Works, facilities.

F. Environmental audits.

N/A



G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CITY OF WHITE OAK  
RN102079696**

§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2006-1879-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 the City of White Oak (the "City") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the City appear before the Commission and together stipulate that:

1. The City owns and operates a wastewater treatment system located approximately 1,500 feet east of State Highway 42 and 3,800 feet south of United States Highway 80 in Gregg County, Texas (the "Facility").
2. The City has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of TEX. WATER CODE ch. 26 or any rule, permit, or order of the Commission.
3. The Commission and the City agree that the Commission has jurisdiction to enter this Agreed Order, and that the City is subject to the Commission's jurisdiction.
4. The City received notice of the violations alleged in Section II ("Allegations") on or about October 15, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the City of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Six Hundred Dollars (\$2,600) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The City has paid Two Thousand Eighty Dollars (\$2,080) of the administrative penalty and Five Hundred Twenty Dollars (\$520) is deferred contingent upon the City's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the



- terms of this Agreed Order. If the City fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the City to pay all or part of the deferred penalty.
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 the City 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 the City has implemented the following corrective measures at the Facility:
    - a. On June 30, 2006, achieved compliance with the permitted effluent limitations; and
    - b. On or around September 30, 2006, finished repairing the aeration rotors in the racetrack.
  10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
  11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
  12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Facility, the City is alleged to have failed to comply with the permitted effluent limitations of 5.0 milligrams per liter ("mg/L") daily average concentration ("avg. conc.") of ammonia nitrogen ("NH<sub>3</sub>-N") and 7.0 mg/L daily maximum concentration ("max. conc.") of NH<sub>3</sub>-N, in violation of TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 10940001, Interim Effluent Limitations and Monitoring Requirements No. 1, Outfall 001, as documented during a record review conducted on September 14, 2006. Specifically, the reported values for April 2006 were 6.36 mg/L daily avg. conc. and 13.10 mg/L daily max. conc. and the reported values for May 2006 were 7.16 daily avg. conc. and 17.70 mg/L daily max. conc.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy auditing of the accounts. The text also mentions that regular reconciliations should be performed to identify any discrepancies between the recorded amounts and the actual bank statements.

Furthermore, it is noted that the accounting system should be designed to be user-friendly and efficient. This helps in reducing the chances of human error and speeds up the data entry process. The document also touches upon the need for proper segregation of duties to prevent fraud and ensure the integrity of the financial data.

In addition, the importance of keeping up-to-date with the latest accounting standards and regulations is highlighted. This ensures that the financial statements are prepared in accordance with the applicable laws and provide a true and fair view of the company's financial position.

The second part of the document provides a detailed overview of the accounting cycle. It lists the eight steps involved in the process, from identifying the accounting entity to preparing the financial statements. Each step is explained in detail, including the necessary documents and procedures to be followed. This section serves as a practical guide for anyone involved in the accounting process.

Finally, the document concludes by reiterating the importance of accuracy and reliability in financial reporting. It stresses that the information provided in the financial statements should be trustworthy and useful for decision-making by the management and other stakeholders.

### Appendix A: Sample Receipt

This section contains a sample receipt form that can be used as a template for recording transactions. The form includes fields for the date, description of the goods or services provided, the quantity, and the amount. It also has a space for the signature of the provider and the recipient. The receipt is designed to be simple and easy to fill out, ensuring that all necessary information is captured for accurate accounting.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the City pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the City'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: City of White Oak, Docket No. 2006-1879-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. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the City 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.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

### THE STATE OF THE ART

The first part of the paper reviews the current state of the art in the field of [topic]. It discusses the various approaches that have been taken to address the problem, and highlights the strengths and weaknesses of each. The authors argue that while there has been significant progress in understanding the underlying mechanisms, there is still a need for more comprehensive and integrated research.

In the second part, the authors present a new framework for understanding [topic]. This framework is based on the integration of [theoretical concepts] and [empirical findings]. It provides a more holistic view of the phenomenon, and offers a clear path forward for future research. The authors also discuss the implications of this framework for practice and policy.

The third part of the paper focuses on the methodological challenges associated with studying [topic]. The authors discuss the limitations of traditional methods and propose alternative approaches that are more suited to the complexity of the phenomenon. They also provide a detailed description of the methods used in their own study, and discuss the strengths and limitations of these methods.

In the fourth part, the authors present the results of their study. They discuss the findings in detail, and compare them to the existing literature. The authors argue that their findings provide strong support for their framework, and offer new insights into the underlying mechanisms of [topic].

The fifth part of the paper discusses the implications of the findings for practice and policy. The authors argue that the results have important implications for [relevant areas], and offer specific recommendations for how these implications can be put into practice. They also discuss the need for further research to address the remaining gaps in our understanding of [topic].

In the sixth part, the authors discuss the broader context of their research. They discuss the relationship between their work and the larger field of [relevant area], and highlight the contributions of their study to the field. They also discuss the potential for future research to build on their findings and advance our understanding of [topic].

The seventh part of the paper is a conclusion. The authors summarize the main findings of their study, and reiterate the importance of their work. They also discuss the limitations of their study and offer suggestions for future research. Finally, they express their hope that their work will contribute to a better understanding of [topic] and lead to more effective interventions.

The authors thank the following individuals and organizations for their support and assistance during the course of this research: [names and organizations]. They also thank the reviewers for their helpful comments and suggestions.


Correspondence should be addressed to [author name], [address], [city], [state], [zip].  
E-mail: [email address]  
Phone: [phone number]  
Fax: [fax number]



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

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


3/7/07  
\_\_\_\_\_  
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, if any, 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 my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- 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 against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

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

  
\_\_\_\_\_  
Signature

11-21-06  
\_\_\_\_\_  
Date

Ralph WEAVER  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
City of White Oak

City Coordinator  
\_\_\_\_\_  
Title

**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.

Handwritten text at the top of the page, possibly a header or introductory paragraph.

Second line of handwritten text.

Third line of handwritten text.

Fourth line of handwritten text.

Fifth line of handwritten text.

Sixth line of handwritten text.

Seventh line of handwritten text.

Eighth line of handwritten text.

Ninth line of handwritten text.

Tenth line of handwritten text.

Eleventh line of handwritten text.

Twelfth line of handwritten text.

Thirteenth line of handwritten text.

Fourteenth line of handwritten text at the bottom of the page.