# EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 4

**DOCKET NO.:** 2005-1996-MLM-E **TCEQ ID:** RN100524099 and RN103026043 **CASE NO.:** 27420

**RESPONDENT NAME:** City of Laredo

ORDER TYPE:			A NOTE OF THE PROPERTY OF THE
_1660 AGREED ORDER	X FINDINGS AGREED ORDER	AMENDED ORDER	IMMINENT AND SUBSTANTIAL
_SHUTDOWN ORDER	FINDINGS DEFAULT ORDER	_EMERGENCY ORDER	ENDANGERMENT ORDER
CASE TYPE:			·
AGRICULTURE	AIR	INDUSTRIAL AND HAZARDOUS WASTE	MUNICIPAL SOLID WASTE
OCCUPATIONAL CERTIFICATION	PETROLEUM STORAGE TANKS	X PUBLIC WATER SUPPLY	RADIOACTIVE WASTE
X MULTI-MEDIA (check all that apply)	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL	USED OIL
USED OIL FILTER	X WATER QUALITY		
south of Willow Street, Laredo, Webb	County and City of Laredo Water System, er system and waste water treatment plant	eek WWTP, on the banks of the Rio Grande River, 2519 Jefferson Street, Laredo, Webb County	
	X No		
OTHER SIGNIFICANT MATTERS	3: There are no complaints. There is no rec	cord of additional pending enforcement actions re	garding this facility location.
INTERESTED PARTIES: No one of	ther than the ED and the Respondent has ex	xpressed an interest in this matter.	
COMMENTS RECEIVED: The Text	as Register comment period expired on Jul	ly 10, 2006. No comments were received.	
CONTACTS AND MAILING LIST	•		
SEP Coordinator: Ms. Melis	ssa Keller, Enforcement Division, MC 219	9, (512) 239-1768	COOLAR D. HALL G. (F.C. (Division
TCEQ Enforcement Coordin	nator: Ms. Anita Keese, Enforcement Divis	sion, Enforcement Section I, MC R-15, (956) 430-	6034; Mr. David Van Soest, Enforcement Division
Enforcement Section I, MC 3	29, (512) 239-0408 Is. Elsa Hull, Laredo Regional Office, MC	CR-16 (956) 791-6611	
Despendent: The Henorable	Elizabeth G. Flores Mayor City of Lared	lo, Post Office Box 579, Laredo, Texas 78042	
Mr. Larry Dová	alina, City Manager, City of Laredo, Post C	Office Box 579, Laredo, Texas 78042	
	t represented by counsel on this enforcement		•

# RESPONDENT'S NAME: City of Laredo DOCKET NO.: 2005-1996-MLM-E

#### **VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: Complaint Routine	Total Assessed: \$45,300	Corrective Actions Taken
Enforcement Follow-up X Records Review  Date of Complaints Relating to this Case: None	Total Deferred: \$0Expedited Settlement	The Executive Director recognizes that the City has implemented the following corrective measures at the PWS Facility:
Date of Record Reviews Relating to this Case: October 14, 2005 and October 27, 2005	Financial Inability to Pay SEP Conditional Offset: \$45.300	a) Issued a boil water notification to the customers using the prescribed notification format as specified in 30 TEX. ADMIN. CODE § 290.47(e) on August 18, 2005; and
Date of NOEs Relating to this Case: October 31, 2005 and November 3, 2005 (NOE)	Total Paid to General Revenue: \$0	b) Repaired the electronic water level indicator on the Sierra Vista ground storage tank and the Mines Road pump No. 2 to good
Background Facts: These were routine scheduled record review for compliance with the water quality and drinking water	Site Compliance History Classification:High _X_AvgPoor	working condition on October 7, 2005.
programs. Ten significant program violations were observed.	Person Compliance History Classification:High X_AvgPoor	Ordering Provisions
WATER	Major Source: X Yes No	The Order will require the Respondent to implement and complete     Supplemental Environmental Project (SEP) (See SEP Attachment
Pailure to provide an elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per	Applicable Penalty Policy: September 2002	A).
connection for each pressure plane [30 Tex. ADMIN. CODE § 290.45(a) and (b)(2) and Tex. Health & SAFETY CODE	Findings Order Justification: The Respondent had three repeated enforcement actions (NOVs and one order) over the prior five year period.	3) The Order will require the Respondent to:
§ 341.0315(c)].		a) Immediately upon the effective date of this Agreed Order, begin operating the PWS Facility so as to provide a minimum pressure of
Pailure to provide a service pump capacity that provides each pump station or pressure plane with two or more pumps that		35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum
have a total capacity of 2.0 gallons per minute (gpm) per connection or that have a total capacity of at least 1000 gpm and		pressure of 20 psi during emergencies such as fire fighting;
the ability to meet peak hourly demands with the largest pump out of service [30 Tex. ADMIN. CODE § 290.45(b)(2)(F) and		b) Within 15 days after the effective date of this Agreed Order, submit written certification and included detailed supporting
Tex. Health & Safety Code § 341.0315(c)].		documentation to demonstrate compliance with Ordering Provision No. 3.a.;
3) Failure to provide a total storage capacity of 222 gallons per connection for each pressure plane [30 Tex. ADMIN. CODE		c) Within 60 days after the effective date of this Agreed Order:
§ 290.45(a) and (b)(2)(E) and TEX. HEALTH & SAFETY CODE. § 341.0315(c)].		i. Begin to ensure the good working condition and general
4) Failure to acquire plan approval by the Executive Director for		appearance of the system's facilities and equipment, this shall include, but not be limited to repairing and ensuring
service connections that require booster pumps taking suction from the public water system lines [30 Tex. ADMIN. CODE § 290.44(d)(2)].		that raw water pump No. 3, lower plant filter No. 2, and service pump No. 4 are in good working condition;

# RESPONDENT'S NAME: City of Laredo DOCKET NO.: 2005-1996-MLM-E

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
5) Failure to maintain a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions or 20 psi during emergencies [30 Tex. Admin. Code § 290.46(r)].	•	<ol> <li>Provide a flow measuring device to measure the treated water discharged from the plant at the high service pump station consisting of three pumps rated at 10,500 gpm each; and</li> </ol>
6) Failure to issue a boil water notification to the customers within 24 hours using the prescribed notification format as specified in 30 Tex. ADMIN. CODE § 290.47(e) [30 Tex. ADMIN. CODE § 290.46(q)(1)].		iii. Equip the Lyons and Milmo ground storage tanks with overflows that comply with current AWWA standards, this shall include, but not be limited to ensuring that the discharge opening of the overflow is above the surface of the ground and not subject to submergence.
7) Failure to ensure the good working condition and general appearance of the system's facilities and equipment [30 Tex. ADMIN. CODE § 290.46(m)].		d) Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision
8) Failure to provide a flow measuring device to measure the treated water discharged from the plant [30 Tex. ADMIN. CODE § 290.42(d)(5) and 290.45(a)].		No. 3.c.  e) Within 90 days after the effective date of this Agreed Order:
9) Failure to design overflows in strict accordance with current American Water Works Association ("AWWA") standards so that the discharge opening of the overflow is above the surface		Ensure that the booster pumps located adjacent to the     Mines Road elevated tank are taking suction only from a     storage tank; and
of the ground and not be subject to submergence [30 Tex. ADMIN. CODE § 290.43(c)(3)].  10) Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data [30 Tex. ADMIN. CODE § 305.125(1), TPDES Permit No. 10681-002, Final Effluent Limitations and Monitoring Requirements, and Tex. WATER CODE § 26.121(a)].		ii. Submit plans and specifications prepared by a registered professional engineer to address system improvements. This submittal shall include, but not be limited to, a description of the existing facilities as well as a schedule of implementation and completion of modifications, not to exceed 365 days after the effective date of this Agreed Order, which are necessary to bring the system into compliance with the following requirements:
		A. An elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per connection for each pressure plane;
		B. A service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less; and

# RESPONDENT'S NAME: City of Laredo DOCKET NO.: 2005-1996-MLM-E

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
		<ul> <li>A total storage capacity of 222 gallons per connection for each pressure plane.</li> </ul>
		f) Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 3.e.;
		g) Within 380 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate that all system improvements required pursuant to Ordering Provision No. 3.e.ii. are completed;
		h) Certifications of compliance required by Ordering Provision Nos. 3.b., 3.d., 3.f., and 3.g. shall be submitted. The certifications shall be notarized by a State of Texas Notary Public.
		4) The City shall, within 180 days after the effective date of this Agreed Order for the WQ Facility, submit written certification of compliance with the effluent limits of TPDES Permit No. 10681-002. The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, and be notarized by a State of Texas Notary Public.
		and be notalized by a State of Texas Indialy Lubite.

# Attachment A Docket Number: 2005-1996-MLM-E

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Laredo

Amount of Payable Penalty: Forty-Five Thousand Three Hundred Dollars (\$45,300)

Amount of Offset for the SEP: Forty-Five Thousand Three Hundred Dollars (\$45,300)

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:** Webb County

The Texas Commission on Environmental Quality ("TCEQ"), agrees to offset a portion of the administrative penalty assessed in this Agreed Order under the condition that the Respondent shall perform and comply with the following Supplemental Environmental Project ("SEP") provisions. The amount of the offset for the SEP is conditioned upon completion of the project in accordance with the terms set forth below.

#### 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 Amount of Offset for the SEP is based upon the Respondent's agreement to spend at least the amount of offset to complete the project described above and to comply with all other provisions of this SEP.

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#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall make the required contribution 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, TX 77802-2700

## 3. Records and Reporting

Concurrent with the payment of the SEP contribution, The Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the contribution 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 expenditure of all required funds and the submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the Amount of Offset for the SEP.

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.

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City of Laredo Agreed Order Attachment A

#### 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.

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	same or similar violations, f	ive previous NOVs for	dissimilar violations,		
Notes	and one previous agreed fin	al enforcement order	containing a denial of		
		liability.			
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No deferral is recommended because this is a Findings order.

\$15,750

Notes

PAYABLE PENALTY

Screening Date 30-Nov-2004 Respondent City of Laredo Docket No. 2005-1996-MLM-E

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

Case ID No. 27420 Reg. Ent. Reference No. RN103026043 Media [Statute] Water Quality Enf. Coordinator Anita Keese

## **Compliance History Worksheet**

# >> Compliance History Site Enhancement (Subtotal 2)

Component	Number of Enter	Number Here	Adjust.
	Written NOVs with same or similar violations as those in the current	16	80%
NOVs	enforcement action (number of NOVs meeting criteria)		
	Other written NOVs	5	10%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
Orders	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	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%
Consent Decrees	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	0.11	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%
	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	0	0%
Audits	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%
		nter Yes or No	
	Environmental management systems in place for one year or more	No.	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	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) 110%
·>	Repeat Violator (Subtotal 3)	The state of the s
	No I	Adjustment Percentage (Subtotal 3) 0%
·>	Compliance History Person Classification (Subtotal 7)	
	Average Performer	Adjustment Percentage (Subtotal 7) 0%
·>	Compliance History Summary	
	History Notes violations, five previous NOVs for dissim	notices of violation (NOVs) for same or similar nilar violations, and one previous agreed final ntaining a denial of liability.

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

This violation Final Assessed Penalty (adjusted for limits)

\$15,750

#### Economic Benefit Worksheet Respondent City of Laredo Case ID No. 27420 Reg. Ent. Reference No. RN103026043 Percent Years of Media [Statute] Water Quality Violation No. 1 Interest Depreciation 5.0 Onetime analoiV EB Item Date Item Cost Costs Amount Description No commas or \$ والاستفادية إلكمائد يوريد **Delayed Costs** 0.0 \$0 \$0 Equipment Buildings 0,0 \$0 \$0 \$98 \$5 \$93 Other (as needed) 2.0 \$0 0.0 \$0 \$0 Engineering/construction \$0 0.0 \$0 Record Keeping System 0.0 n/a \$0 \$0 Training/Sampling 0.0 \$0 n/a 0.0 \$0 \$0 n/a₄... Remediation/Disposal n/a 0.0 \$0 \$0 **Permit Costs** 0,0 \$0 n/a \$0 Other (as needed) This is an estimated cost for additional oversight and sampling which might have reduced or Notes for DELAYED costs alleviated the exceedances. ANNUALIZE [1] avoided costs before entering Item (except for one-time avoided costs) **Avoided Costs** 0.0 Disposal \$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] ONE-TIME avoided costs [3] 0.0 \$0 \$0 \$0 0.0 Other (as needed) \$0 \$0 Notes for AVOIDED costs

TOTAL

\$98

\$700

Approx. Cost of Compliance

Respondent	City of Laredo					
ID Number(s)	RN103026043					
Docket Number	2005-1996-MLM-E .					
Enf. Coordinator	Jaime Garza					
Corresponds to Vi	olation Number: 1					

## EFFLUENT PARAMETER

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						Peri	nit Limit					
	BOD5 daily average	BOD5 daily maximum	TSS daily average	TSS daily maximum				·				
Month/Year	20 mg/L	45 mg/L	20 mg/L	45 mg/L								
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March 2005	22.7	47		77.5								
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Name Abi	breviation
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million gallons per day	MGD
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# **Compliance History**

Classification: AVERAGE Rating: 1.27 CN600131908 Customer/Respondent/Owner-Operator: City of Laredo Site Rating: 0.99 UNITED WATER LAREDO ZACATE Classification: AVERAGE RN103026043 Regulated Entity: **CREEK WWTP** WQ0010681002 **PERMIT** ID Number(s): WASTEWATER TPDES0025461 PERMIT WASTEWATER USED OIL REGISTRATION C86469 WASTE WATER GENERAL PERMIT **PERMIT** 10681002 TXR05N289 **STORMWATER** EPA ID TXR05N289 **STORMWATER PERMIT STORMWATER** EPA ID TXR05H985 STORMWATER **PERMIT** TXR05l638 WASTEWATER LICENSING LICENSE WQ0010681002 Rating Date: 9/1/2005 Repeat Violator: NO ON THE BANKS OF THE RIO GRANDE RIVER, BETWEEN Location: MARCELLA AVENUE AND SPRINGFIELD AVENUE, SOUTH OF WILLOW STREET, LAREDO, WEBB COUNTY **REGION 16 - LAREDO** TCEQ Region: Date Compliance History Prepared: December 20, 2005 Agency Decision Requiring Compliance History: Enforcement Compliance Period: December 20, 2000 to December 20, 2005 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History (956) 430-6030 Jaime Garza Phone: Name: **Site Compliance History Components** 1. Has the site been in existence and/or operation for the full five year compliance period? 2. Has there been a (known) change in ownership of the site during the compliance period? Nο N/A 3. If Yes, who is the current owner? 4. if Yes, who was/were the prior owner(s)? N/A N/A 5. When did the change(s) in ownership occur? Components (Multimedia) for the Site: Α Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. N/A Effective Date: 03/03/2005 ADMINORDER 2003-1285-MWD-E Classification: Minor 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1) Rgmt Prov: Effluent Limits & Monitoring Reg PERMIT Description: Failure to meet permitted effluent limits (TPDES Permit No. 10681-002) in the first months of 2003. including noncompliance with the daily average concentration limit for Five-Day Biochemical Oxygen Any criminal convictions of the state of Texas and the federal government. C. Chronic excessive emissions events. N/A D. The approval dates of investigations. (CCEDS Inv. Track. No.) 1 03/17/2003 (172195)2 03/28/2002 (172194)3 03/23/2001 (172193)4 02/12/2003 (172192)5 02/25/2002 (172191)6 02/23/2001 (172190)(301245)7 08/20/2003 8 09/23/2003 (301247)

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		01/28/2002	(172232)	in de la la companya da distributa di sensi di s Sensi di sensi di se		National section of the section o	and a second control of the second control of the second control of the second control of the second control o	*		
7.9		01/25/2001	(172231)	(1) 70 (1)			Har AWATA DIA			
* 4 .		12/27/2002	(172229)				: IVVVIIIe			
		12/20/2001	(172228)	15 6 <del>14</del> 15 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5			MACAGAS TANAMACAT			
1 1377	25	07/05/2001	(284445)	$u_i \in \mathbb{R}[1]$			· Francisco			
tight .		05/31/2001	(134354)		i serim nagrada.		Company of the Co		rank	isoo, I
		11/18/2002	(172225)		de prákticky si sa Stropická pravsky		y ji ta Sitsa Ayart Vila ili ili ili ya ji est			
	28	11/26/2001	(172224)							
	29	10/23/2002	(172221)						rating the tall	
	30	11/01/2001	(172220)				the state of the second	- Ass.	la villa er er er <mark>likerate</mark> r ba er	120
	31	09/27/2002	(172218)				to the same of	product the Williams	min, an electropid you	FEA
	32	03/31/2003	(29107)		**************************************	esta espera a la d	Postar Postar in Carre		in indicate a male	pflor 1
÷	33	09/24/2001	(172217)		line " ×	and stream of the		aniul tuar ia mina mai na gir.	Government Protection	5.75
	34	04/14/2005	(421015)		Tagada ing malala		a 1		eraturast co	atiod t
	35	08/26/2002	(172215)	A CONTRACTOR OF THE	Andrews III			articles of the second	and the office disk •	
	36	06/03/2005	(421016)	23 to 0.15	rajeranjak	Comprehensive	s da v			
	37	02/15/2005	(383168)	es d'ar		garani.	4 - 4 A - 1 A	Jerry Kreja Kalleria Gelekia	er gelist ist och till i elle sit.	11
	38	03/21/2005	(383169)	70.1	1	er de la companya de	en grange steelt v	Cilir Ando de Egitado (r	aloud a most ocenia	tH (
	39	08/29/2001	(172214)	4 2 V. V.				and the second	eride frii ar ana (287)	13;
	40	06/20/2005	(421017)	201				たいないような 放射的失変	Y. S., with waterus of E.	in the
	41	12/20/2004	(383170)	5.44				and the state of t	sheggers) had <mark>and a</mark> ncee	W.
	42	01/18/2005	(383171)	4 1	•				Secretaria de la companione de la compan	2011
	43	07/27/2004	(284696)	Park Straight of the Straight of the Con-	Tuak yalizhik (* 175	the state of the state of the	and the second second	Billian green are a section.	and Endocutes as	<i>- 6</i>
	44	07/17/2003	(172212)	$M^{3}sh_{ab}(s^{3},s^{1,2}+s^{2}):=\mathbb{C}^{n}$			or Section (1984)	est when	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	
	45	07/22/2002	(172211)					Stands over Lighted		
	46	07/24/2001	(172210)				ndek 26 - Gebber Bega der de Geberalaga		KJ . · .	
	47	07/19/2004	(354461)					for the ACC (vordan	gzł	
	48	08/30/2004	(354462)		1 Mars	A STATE OF	arapeters of the $\mu_{\rm p} \approx \lambda$	gart ar visitir it ji <mark>visitli</mark> ylasi	w/ ii.	
	49	09/21/2004	(354463)		The CeVar I - ROB partilles.	ildi eskuri rijelirilir ri R	िस्कानक विश्वतिक विवास	i opradiquastrion gjibul	DGH.	
	50	06/20/2003	(172208)			Mark Commission		Tarlo campagnetic specific	र्वेष्ण <sub>अ</sub> र्द्धान्तम् ।	
	51	10/29/2004	(354464)							
	52	11/23/2004	(354465)					sediffer a startaentler i	Const. Programme Co.	, "1
	53	06/24/2002	(172207)						AH	
•	54	06/25/2001	(172206)				of Bright and Sec	BING A BROWNING CO	act to Edward gas 647	, į
	55	09/01/2004	(291801)						10.40	
	56	11/04/2005	(435803)					Sales of the latter	P GBARD	
•	57	05/20/2003	(172204)					constitution (in	3 022335	
	58	03/29/2004	(301234)					10 11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	NS1 80 B	
	59	05/23/2002	(172203)					Allefacts Some	3570 6	
	60	05/29/2001	(172202)						ween, a	
	61	02/23/2004	(301237)						Mary State Comment	
	62	04/21/2004	(301238)							
	63	07/21/2005	(441975)						Milas e i	
	64	06/14/2004	(301240)						101 analys	
	65	04/15/2003	(172200)					a graden da	1120; T1	
								The second secon	A A A F A A A	

66 08/22/2005 (441976)67 09/23/2005 (441977)68 04/22/2002 (172199)69 05/24/2005 (393518)70 04/25/2001 (172198)71 07/21/2004 (301243)72 03/08/2005 (373333)73 10/27/2005 (435803)

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

Date: 02/28/2003

(172195)

Self Report? YES 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

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Minor

Classification: Moderate

Date: 01/31/2003

(172192)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Citation:

Failure to meet the limit for one or more permit parameter

Date: 01/31/2001

(172190)

Self Report? YES 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: 06/30/2004

(301243)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

(301250)

Description:

Citation:

Failure to meet the limit for one or more permit parameter

Date: 10/31/2003

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Citation:

Failure to meet the limit for one or more permit parameter

Date: 11/30/2003

(301251)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 04/12/2005

(372789)

Self Report? NO

30 TAC Chapter 305, SubChapter F 305.125(9)[G]

Citation: Rgmt Prov:

PERMIT IA

Description:

Failure to notify the TCEQ Regional Office within 24 hours of becoming aware of a

sanitary sewer overflow.

Self Report? NO

30 TAC Chapter 305, SubChapter F 305.125(5)

Citation: Rgmt Prov:

PERMIT IA

Description:

Failure to prevent additional unauthorized discharges from the sewer collection

system.

Date: 04/14/2003 (29106)

Self Report? NO

Classification: Minor

Way .

STOPHER OF BOARD

ear the arrive

As equipment of the ex-

300 July 1951

Citation:

30 TAC Chapter 317 317.3[G]

Description:

Failure to install a telemetered audiovisual alarm on a lift station.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305,125(4)

Description:

Failure to prevent unauthorized discharges from wastewater collection system.

Date: 05/28/2003

Self Report? NO

Classification; :: Minor, as a comparable to the comparable to the

Citation:

30 TAC Chapter 317 317.3[G]

Description:

Failure to install a telemetered audiovisual alarm on a lift station.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(4)

Description:

Failure to prevent unauthorized discharges from wastewater collection system.

Date: 03/31/2005

(421015)

Self Report? YES

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 and a second and the second

Date: 04/30/2005

Citation:

(421016)

Self Report? YES

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Citation:

Committee and the 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: 05/31/2005

(421017)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 12/31/2004

(383171)

Self Report? YES 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 and the second of the secon

Date: 04/23/2004

 $(269629)^{-1}$ 

Classification: Minor

 1 daspt 2 local 07. 1981 13 / 30

Self Report? NO

Citation:

30 TAC Chapter 305, SubChapter F 305.125(4) (1.86)(1.146)(1.146)

Month of the state

Rqmt Prov:

Description:

Failure to prevent unauthorized dishcarges from the wastewater collection system.

Date: 05/31/2004

(354461)

Self Report? YES

Citation:

30 TAC Chapter 305, SubChapter F 305,125(1) seed to be about 100 to be about 1

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Sample of the State of the

Date: 04/30/2003

Self Report? YES

Classification: Moderate

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: 06/29/2004 (272722)

Self Report? NO Citation:

30 TAC Chapter 305, SubChapter F 305.125(4)

Rgmt Prov:

PERMIT IA

Description: Failure to prevent unauthorized discharges from the wastewater collection system. Classification: Moderate

Self Report? NO

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Ramt Prov:

PERMIT IA

Description:

Failure to prevent exceedences for a Region-documented self-reported effluent

violation for TSS noted during an on-site investigation.

Date: 03/31/2003

(172200)

Self Report? YES

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: 04/30/2004

(301240)

Self Report? YES

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: 07/31/2005

(435803)

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Self Report? YES

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: 08/31/2005

(435803)

Classification: Moderate

Self Report? YES

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

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

Voluntary on-site compliance assessment dates. Н.

Participation in a voluntary pollution reduction program.

N/A

Early compliance. J.

N/A

Sites Outside of Texas

N/A

OWN Sheet 13 The control of a new control of the of promise James Harris and the control of the company of the second 12 34 A 12 DE our arms retraction to or Charlesian parabolis . Politica (1974) in 1988, it was part in 1984 in 1984 Carino 2 WALLS overthaps) result families of the families of the state moderates - 1945 J. L. S. M. HAR And the same 300 folks (50) . 887 Builton CONTRACTOR OF STANDARD SERVICE THE PROPERTY. Tived Otenium 23 98 or (a)(d) a veces of the later to be dithe specific constitution is er to the Magne March 1997, April 2007, April 2007, April 2007, March 2007, March 2007, April in the age of his subspecies the fit and each of the control of the contr Section of the (000 ma) | complying to m 1000 Control of the Committee of the Control Similar Grayering The state of the production of the state of 1000 e de la cri - 1. Fis knowly is manning again is an irran form to English เดียวที่สำคัญสัมผัส สาสสา (ขายน้ำสังสุด) และเกาส์ สุดสารสารสา Communication of the statement of the influence of the statement of the Embyroldyk holl erasecit raadiooleako A194

	Page 1 of 20 07/14/06 H:\Agreed	d Orders\Laredo\Laredo.pws.v	vb3
	Penalty Calculation \	Norksheet (PCW)	
Policy Revision 2		, , , , , , , , , , , , , , , , , , , ,	PCW Revision May 19, 2005
TCEQ			
	07-Nov-2005		
PCW	20-Dec-2005 <b>Screening</b> 30-Nov-2005	EPA Due	
RESPONDENT/FACIL	ITY INFORMATION		***************************************
	City of Laredo		
Reg. Ent. Ref. No.			
Facility/Site Region	16-Laredo	Major/Minor Source	Major Source <
CASE INFORMATION Enf./Case ID No.		No. of Violations	0
	2005-1996-MLM-E	Order Type	3
		< Enf. Coordinator	
Multi-Media			Enforcement Team 8 <
Admin. Penalty \$ L	imit Minimum \$50 Maximum	\$1,000	
	Penalty Calcula	ation Section	
			page-time and the second
TOTAL BASE PEI	NALTY (Sum of violation base penal	lties)	Subtotal 1 \$15,000
	+/-) TO SUBTOTAL 1		
	obtained by multiplying the Total Base Penalty (Subtotal		otals 2, 3, & 7 \$7,050
Compliance I	The respondent has received nine prior not		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Notes	same or similar violations and one prior NC		
	dante of chimal violations and one prior re-		
Culpability	No < 0%	Enhancement	Subtotal 4 \$0
Culpability	140	Elitarioomone	00010101 4
Notes	The respondent does not meet the	culpability criteria.	
			1
Good Faith E	ffort to Comply 0%	Reduction	Subtotal 5 \$0
	Before NOV NOV to EDPRP/Settlement Offer		
Extraordinary			
Ordinary N/A			•
	X (mark with a small x)		
Notes	The respondent is not yet in	compliance.	·
Economic Be	enefit 50%	Enhancement*	Subtotal 6 \$7,500
	Total EB Amounts \$296,464	*Capped at the Total EB \$ Amount	
Approx. C	cost of Compliance \$2,515,600	•	
SUM OF SUBTOT	ALS 1-7		Final Subtotal \$29,550
OTHER EACTOR	C AS HISTICE MAY DECLIDE	•	Adjustment \$6
	S AS JUSTICE MAY REQUIRE Final Subtotal by the indicated percentage. (Enter number	er only: e.g30 for -30% )	Aujustment
Neduces of entitatioes the f	mai Subtotal by the indicated percentage. (Enter number	er Griff, e.g50 tol -6076.)	1
Notes			
-		Final Pe	enalty Amount \$29,550
		( )	
STATUTORY LIM	IT ADJUSTMENT	Final Ass	essed Penalty \$29,550
-			
DEFERRAL		0% Reduction	Adjustment \$6
Reduces the Final Assesse	ed Penalty by the indicted percentage. (Enter number on	lly; e.g. 20 for 20% reduction.)	
Notes	No deferral is recommended because	this is a Findings order.	
		· ·	

PAYABLE PENALTY

\$29,550

Screening Date 30-Nov-2005

## Docket No. 2005-1996-MLM-E

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

e de la decisión de la composition della composi

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May the life is a

Respondent City of Laredo Case ID No. 27420

Reg. Ent. Reference No. RN100524099

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

# Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of Ente	r Number Here	Adjust.	isaha
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	9	45%	
	Other written NOVs	1	2%	
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	THE FIRE
Orders	Any adjudicated final enforcement orders, agreed final enforcement order 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	Any non-adjudicated final court judgments or consent decrees containing denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	a 0	0,%	
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denia of liability, of this state or the federal government	1 (1 × )	0%	(v.)
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	· 5 : 0	.0%	kan i
A	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	0	0%	And the second s
Audits	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%	
The state of the s	The same and the s	Enter Yes or No		
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	NO	0%	
Olitei	Participation in a voluntary pollution reduction program	No	0%	
"·* <sub>6</sub>	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	

•	Adjustment Percentage (Subtotal 2) 47%
Repeat Violator (Subtotal 3)	
No <	Adjustment Percentage (Subtotal 3) 0%
Compliance History Person Classification (Subtotal 7)	in delegios viercióned le loque de carve
Average Peformer	Adjustment Percentage (Subtotal 7) 0%
Compliance History Summary	And the second s
Compliance The respondent has received nine prior not History Notes and one prior NC	ices of violation (NOVs) for same or similar violations DV for dissimilar violations.
Total Adjustm	ent Percentage (Subtotals 2. 3. & 7) 47%

This violation Final Assessed Penalty (adjusted for limits)

\$5,910

#### Economic Benefit Worksheet

Respondent City of Laredo
Case ID No. 27420
Reg. Ent. Reference No. RN100524099
Media [Statute] Public Water Su

Media [Statute] Public Water Supply Violation No. 1

	Percent Years of Interest Depreciation
Intoract	5.0 15

100000000000000000000000000000000000000	ltem	Date	Final	Yrs	Interest	Onetime	⊖ EB
∃ltem	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$		All of the grant	ing pagalan Sagaran	Total Control (1997)		
Delayed Costs	filozofik et iller Kristinger bleveg kralificiere so	i (kiri) b Maria da 1878				(1967年) 88. 新文档	्रहर्वेच २०२५ <b>२</b> हेर्
Equipment		i (alon ini batuli.	lestaves, and a	0.0	\$0	\$0	\$0
Buildings		e e distribui	Mar Salah S	0,0	\$0	\$0	\$0
Other (as needed)	\$1,500,000	14-Oct-2005	30-Jun-2007	1.7	\$8,548	\$170,959	\$179,507
Engineering/construction				0.0	\$0	\$0	\$0
Land	and the first terminal control of the stage and the stage production of		percentage and make a state of a state of	0.0	\$0	n/a	\$0
Record Keeping System		A STATE OF STATE OF SERVICE STATE STATE OF SERVICE STATE STATE OF SERVICE STATE		0.0	\$0	n/a	\$0
Training/Sampling	whole March 4 and State 1 of the control			0.0	\$0	n/a	\$0
Remediation/Disposal			F1 40.	0.0	\$0`	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)		[	77 10 10 11 10	0.0	\$0	n/a	\$0
	This is on	actimated cost	to provide the	roquiro	d playated eta	rage canacity. T	ha Data

This is an estimated cost to provide the required elevated storage capacity. The Date Required is the investigation date and the Final Date is the projected date of compliance.

Avoided Costs	ANNU	ALIZE [1] avoided	l costs before ent	ering it	em (except for o	ne-time avoided c	osts)
Disposal		A STATE OF THE PARTY OF T	7	0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling			A CONTRACTOR OF STATE	0.0	\$0	\$0	\$0
Supplies/equipment		PMAN THE SAME EXPLICATE AND	THE THE PARTY AND THE PARTY AND THE PARTY AND THE	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)	The RESIDENCE CONTRACTOR OF THE PARTY OF THE		And the second s	0.0	\$0	\$0	\$0
Notes for AVOIDED costs	8					The second secon	

Approx. Cost of Compliance \$1,500,00

John L.

Notes for DELAYED costs

TOTAL

100 mg (1985) (1986) (1986)

\$179,507

**Statutory Limit Test** 

This violation Final Assessed Penalty (adjusted for limits)

Violation Final Penalty Total

\$3,940

\$3,940

**Economic Benefit (EB) for this violation** 

\$4,787

Estimated EB Amount

# Economic Benefit Worksheet

Respondent City of Laredo Case ID No. 27420

Reg. Ent. Reference No. RN100524099

Media [Statute] Public Water Supply Violation No. 2

	Percent Years	
	Interest Deprec	iation
97.	5.0	15
: 1	Onetime EB	i

	Item.	Date	Final	Yrs	Intere	st	Onetime	ese¥ EB
ltem	Cost#@@i/c	Required	July Date		Save	d	Costs	Amount
Description 🖃	No commas or \$			横江山		. •	hasir) wasta	erik er yar baryaki
Delayed Costs	Cycle of Willel	erkintencen zu	u60 5 (47-20)	invol.	Oi sietus	- 1		
Equipment		il jestili, barti)	Trian and trian	0.0	:	\$0	\$0	\$0
Buildings	The second secon			0.0	1. 19	\$0	\$0	\$0
Other (as needed)	\$40,000	14-Oct-2005	30-Jun-2007	1.7	1.5	\$228	\$4,559	\$4,787
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			ويدر والمحكمية والمحادث	0.0	and and are were	\$0	n/a	\$0
Permit Costs				0.0		\$0	n/a	\$0
Other (as needed)				0.0		\$0	n/a	\$0
, · · · · ·	This is an astir	nated cost to p	rovide the real	ired se	rvice pu	ımn ca	pacity. The Dat	e Required is

Notes for DELAYED costs This is an estimated cost to provide the required service pump capacity. The Date Required is the investigation date and the Final Date is the projected date of compliance.

g o magaige righ ⊈in least	111 511 62 616	paragana and the sale				. 4	
Avoided Costs	ANNU	JALIZE [1] avoide	d costs before en	tering ite	m (except for o	ie-time avoided c	osts)
Disposal				0.0	\$0	\$0,	\$0
Personnel		A CONTRACTOR OF THE PROPERTY O		0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment		a traditional designation of the second seco		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
N ( . 6 . 4)(O)DED			1.00	* .			
Notes for AVOIDED costs		the transfer of	:			4.54	į

Approx. Cost of Compliance

This violation Final Assessed Penalty (adjusted for limits)

# Economic Benefit Worksheet

Respondent City of Laredo Case ID No. 27420 Reg. Ent. Reference No. RN100524099

Media [Statute] Public Water Supply Violation No. 3

Percent Years of Interest Depreciation 5.0 15

	Item	Date	Final	Yrs	Interest	কেতOnetime⊜া≱৸.	√ <b>EB</b>
Item	Cost	Required	∵i.Date ∷ા	00	Saved	Total Costs	<sub>Π</sub> Αmount
Description	No commas or \$	Wight to the con-	The Secretary Control	na na jina jiya. Na se			
Delayed Costs		1.20		19-11			
Equipment	1			0.0	\$0	\$0	\$0
Buildings			www.composer.etc.	0.0	\$0	\$0	\$0
Other (as needed)	\$900,000	14-Oct-2005	30-Jun-2007	1.7	\$5,129	\$102,575	\$107,704
Engineering/construction				0.0	\$0	\$0	, \$0
Land			100	0.0	\$0	i n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	<b>\$</b> C
Remediation/Disposal				0.0	\$0	n/a	<b>\$</b> C
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	, \$C
Notes for DELAYED costs	This is an estir	nated cost to p	provide the requ	uired tot	al storage ca	pacity. The Date	Required is

Notes for DELAYED costs

This is all estimated cost to provide the required total storage capacity. The Date Required is the investigation date 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)

Avoided Costs	□ ANNU	ALIZE [1] avoide	d costs before enterli	ng iti	em (except for o	ne-time avoided c	osts)
Disposal			C	0.0	\$0	\$0	\$0
Personnel			C	0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]			C	0.0	\$0	·\$0	\$0
ONE-TIME avoided costs [3]			[ C	0.0	\$0	\$0	\$0
Other (as needed)			C	0.0	\$0	\$0	\$0
Notes for AVOIDED costs	harmonia de como de co	3.	April Commission and Commission Commission Commission Commission Commission Commission Commission Commission Co				

Approx. Cost of Compliance

\$900,000

TOTAL

\$107,704

This violation Final Assessed Penalty (adjusted for limits)

\$493

Notes for DELAYED costs

pump station adjacent to the Mines Road elevated tank. The Date Required is the investigation date and the Final Date is the projected date of compliance.

Parried of romanic or provide

ridini de potenciale argenes	Chromodiscal of Section 1997	0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
		0.0	\$0	\$0	\$0
			0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	0.0 \$0 0.0 \$0 0.0 \$0 0.0 \$0 0.0 \$0 0.0 \$0 0.0 \$0 0.0 \$0	0.0

This violation Final Assessed Penalty (adjusted for limits)

\$7,880

	Ec	onomic E	Benefit Wo	rkshe	et	erija grijati	18 18 18 18 18 18 18 18 18 18 18 18 18 1	
Respondent	City of Laredo				Carlo House			
Case ID No.			•.	-		the state of the state of		
Reg. Ent. Reference No.							والأصفوري ووالان	era e e e e
Media [Statute]		Supply				Percent	Years of	
Violation No.	5				¥ 5 5	Interest	Depreciati	
					bed Aghyt	5.0		15
	Item	Date	Final	Yrs	Interest	Onetime		
ltem	Cost	Required	ADate l' (18)		Saved	( Costs	Amount	
Description	No commas or \$					Parkatel Charles and in	an karaneerinis	
	vin i sa kiriba wa	ng aka ining almayapapan	di sing mining 6. A	saur <b>≨</b> n ggåtnig	r Zsi istoralne (* - 1)			
Delayed Costs	territoria de la constantida del constantida de la constantida de la constantida del constantida de la constantida del constantida de la constantida del constantida	<del>,</del>			أنتيع إسماد أحم فتتحت فتحكم			•
Equipment	April 1 to the second second second			0.0	\$0	\$0		\$0
Buildings	The state of the s	tra erutennimai	A Angeniamentation on incide	0.0	\$0	\$0		\$0
Other (as needed)		<u> </u>	<b>_</b>	0.0	\$0	\$0		\$0
Engineering/construction			<b></b>	0.0	\$0	\$0	ļ	\$0
Land			<u> </u>	0.0	\$0	n/a		\$0
Record Keeping System	the season in		<b>.</b>	0.0	\$0	n/a		\$0
Training/Sampling	print the state of	24 1 1 4 4 5 5 170b 1 2 24 1 24 1 24 1 27 1 27 1 2		0.0	\$0 **	n/a		\$0
Remediation/Disposal				0.0	\$0 ***	n/a		\$0
Permit Costs	Name of the last o			0.0	\$0 \$0	n/a		\$0
Other (as needed)		!		0.0	\$0	n/a	) Seminari (1911)	\$0
Notes for DELAYED costs	The ecor	nomic benefit t	or this violation	is addr	essed in viola	tion no. 1 of thi	s PCW.	ē.
	Interior concess	entered in the control of the control			const. m. m. consequence	THE ST. 180 LL.		
	****			section cap	المنظ ويوالما الواليد	i (2015) 101.109/2016 A.	ى ئىلىنى دۇرى سىدى ئارىخى ئىلىنى دۇرى سىدى	
Avoided Costs	Marian and and an array and	JALIZE [1] avoid	ed costs before en		التنافلات المستخدم فالمارات	hallanensi indolo kainna ramata sa alaa	iosts)	
Disposal	PROTECTIVE CONTRACTOR AND ADDRESS OF THE PERSON OF THE PER	en (en proprio de l'imperation)	<b>4</b>	10.0	\$0	\$0		\$0
Personnel	13			0.0	\$0	\$0	<u> </u>	\$0
Inspection/Reporting/Sampling	A THE RESERVE OF THE PROPERTY OF THE PERSON	Contract of the second second second		0.0	\$0	\$0	L Leavent of the comment	\$0
Supplies/equipment		ki akus parangan makaki ma	<b></b>	0.0	\$0	\$0		\$0
Financial Assurance [2]		and the second of the beautiful and the second of the seco		0.0	\$0	\$0	! 	\$0
ONE-TIME avoided costs [3]	ene mesocké akultusti razvenie	aranisma aliabanyahen kata		0.0	\$0	\$0	/1	\$0
Other (as needed)	<u> </u>	Line	<u></u>	0.0	\$0	\$0	l	\$0
Notes for AVOIDED costs							1 1	
			THE STATE OF THE S				In the second se	no per report
	the contract of the contract o					TOTAL	1	ውስ

This violation Final Assessed Penalty (adjusted for limits)

\$985

Case ID No. Reg. Ent. Reference No. Media [Statute] Violation No. Item Description  Delayed Costs  Equipmen Buildings	RN100524099   Public Water S   6	Supply  Date  Required SU  Cort of notice			Interest Saved	Percent Interest 5.0 Onetime Costs	Amount	ion 15
Reg. Ent. Reference No. Media [Statute] Violation No. Item Description Delayed Costs Equipmen Buildings	RN100524099   Public Water S   6	Supply  Date  Required SU  Cort of notice	nia <b>Date</b> E	idalika Maria	Saved	Interest 5.0 Onetime Costs	Depreciati	ion 15
Media [Statute] Violation No Item Description Delayed Costs Equipmen Buildings	Public Water S . 6  Item Cost No commas or \$	Supply  Date  Required SU  Cort of notice	nia <b>Date</b> E	idalika Maria	Saved	Interest 5.0 Onetime Costs	Depreciati	ion 15
Violation No Item Description Delayed Costs Equipmen Buildings	item Cost No commas or \$	Date S Required⊚S O(3 of golles	nia <b>Date</b> E	idalika Maria	Saved	Interest 5.0 Onetime Costs	Depreciati	ion 15
ltem Description Delayed Costs Equipmen Buildings	Item Cost No commas or \$	os (Regulredio C	nia <b>Date</b> E	idalika Maria	Saved	5.0 Onetime	GW EB	15
Description Delayed Costs Equipmen Buildings	Cost 1	os (Regulredio C	nia <b>Date</b> E	idalika Maria	Saved	সংগ <b>Onetime</b> । এই / জেপুত <b>Costs</b> চেন্দ্র ব	anger <b>Amount</b> antenan 1997	
Description Delayed Costs Equipmen Buildings	Cost 1	os (Regulredio C	nia <b>Date</b> E	idalika Maria	Saved	्रकृतिक कर्मसङ्घर प	anger <b>Amount</b> antenan 1997	
Description Delayed Costs Equipmen Buildings	No commas or \$	o out of notice	iitiiea teasw ilos			čajšavji i saženia ve	prijestas reģiji	
Delayed Cösts Equipmen Buildings	Sinsifive ending de					e Kogan a - an		
Equipmen Buildings						<b></b>		
Buildings			Périssier au ber Geral	0.0	\$0	¢η	1.0	
•	)		THE CO.			ψυ		\$0
A4111-4		Committee and the committee of the commi	L	0.0	\$0	\$0		\$0
Other (as needed	ا ا	L		0.0	\$0	\$0		\$0
Engineering/construction				0.0	\$0	\$0		\$0
Land	ı []			0.0	\$0	n/a		\$0
Record Keeping System	1	and the second second second		0.0	\$0	n/a	water to the same the same to	\$0
Training/Sampling				0.0	\$0	n/a		\$0
Remediation/Disposa	1			0.0	\$0	n/a		\$0
Permit Costs	the second second second second second second			0.0	\$0	n/a		\$0
Other (as needed	The state of the s	12-Jul-2005	18-Aug-2005	0.1	\$1	n/a		\$1
Notes for DELAYED costs	rule. The Date	e Required is th	issue a boil wa ne date the notil ondent provided	ication	was due and	the Final Date i	s the date t	
Avoided Costs	ANNU	JALIZE [1] avoide	d costs before en	andre alleren		periode and the second	osts)	
Disposa		eranalista directora		0.0	\$0	\$0		\$0
Personne	the amount of the same of the same	والزارية وتعمية بمعجم سييما	المتاب والمتناور والمتناور والمتناور	0.0	\$0	\$0		\$0
inspection/Reporting/Sampling			to a superior the state of the	0.0	\$0	\$0.		\$0
Supplies/equipmen		CONTRACTOR AND A STATE OF THE S	alaa daa caabbeetaani	0.0	\$0	\$0		\$0
Financial Assurance [2	***************************************	one processes and a state of the	ونبذ كالمناط أحاجا	0.0	\$0	\$0		\$0
ONE-TIME avoided costs [3	THE RESERVE OF THE PERSON NAMED IN	menta sumua minaresturi mitua	,	0.0	\$0	\$0		\$0
Other (as needed	) [			0.0	\$0	\$0		\$0
Notes for AVOIDED costs	9							
Approx. Cost of Compliance	\$100				COLOR RECEIVED CHEMICAL COLOR	TOTAL		\$1

This violation Final Assessed Penalty (adjusted for limits)

\$1,970

#### Economic Benefit Worksheet Respondent City of Laredo Case ID No. 27420 Reg. Ent. Reference No. RN100524099 Percent Years of Media [Statute] Public Water Supply Interest Depreciation Violation No. 7 5.0 . 15 Date Final Interest Onetime EB Item Item Cost Required Date Saved Costs Amount **Description** No commas or \$ នៃដែរស្វែកវិទ្ធាន ក្នុងស្វែក សមាន សាស្រុក is for his tips, the telegraph appropriate was tenderable to the reference in **Delayed Costs** 0.0 \$0 Equipment 0.0 \$0 \$0 Buildings \$0 Other (as needed) 0.0 \$0 \$0 \$0 0.0 \$0 \$0 Engineering/construction \$0 0.0 \$0 n/a 0.0 \$0 \$0 **Record Keeping System** n/a Training/Sampling 0,0 \$0 \$0 n/a Remediation/Disposal 0.0 \$0 n/a: \$0 \$0 Permit Costs 0.0 \$0 n/a \$5,000 14-Oct-2005 31-Aug-2006 0.9 \$220 \$220 Other (as needed) n/a Notes for DELAYED costs This is an estimated cost to repair the pumps that are out of service. The Date Required is the investigation date and the Final Date is the projected date of compliance. Avoided Costs 10 VG ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) 0.0 \$0 \$0 Disposal 0.0 \$0 \$0 \$0 Personnel Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Supplies/equipment 0.0 \$0 \$0 \$0 \$0 \$0 0.0 \$0 Financial Assurance [2] ONE-TIME avoided costs [3] 0.0 \$0 \$0 \$0 Other (as needed) 0.0 \$0 \$0

TOTAL

\$220

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

	Page 17 of 20	07/14/06 H.\Agr	eed Orders\La	aredo\Laredo.pw	s.wb3	
Screenii	ng Date 30-Nov-200	5 <b>D</b> o	cket No. 20	05-1996-MLM-E		PCW
Resp	ondent City of Lared	do			Policy Revision	ı 2 (September 2002)
Case	e ID No. 27420				PCW R	evision May 19, 2005
Reg. Ent. Refere	n <b>ce No.</b> RN1005240	99				
Media [	Statute] Public Wate	r Supply				
Enf. Coor	dinator Anita Keese	<b>;</b>				Mhridedda e
Violation	Number 8					and the second s
Primary Ru	, ,		nin. Code § 29			
Secondary Ru	le Cite(s)	30 Tex. Ad	lmin. Code § 2	90.45(a)		
Violation De	discharg	provide a flow meas ged from the plant. Sof of three pumps rated flow r	Specifically, a	high service pun n each is not pro	np station	
				E	Base Penalty	\$1,000
>> Environme	ntal, Property and		Matrix			
	Release Maior	Harm Moderate Minor				
OR	Release Major Actual	Moderate Millor	7			
	Potential	X	] !	Percent 25	5%	
>> Programm	atic Matrix			•		
	Falsification Major	Moderate Minor	7	Percent	$\neg$	
				Percent		100
Matrix Notes	Failure to provide a fl discharged from the usage data which co	plant prevents the	system from ol e system's abi	otaining accurate		
				Adjustme	ent -\$750	
				Base Pen	alty Subtotal	\$250
Violation E	vents				:	**
Numbe	er of Violation Events [	1				
n n	daily monthly ark only one quarterly	, x		Violation I	Base Penalty	\$250
· .	use a small x   semiannual     annual     single event					
		ent is recommende he November 30, 2				
Economic	Benefit (EB) for the	his violation		tatutory Lim	it Test	
Es	timated EB Amount	\$4,002		Violation Final	Penalty Total	\$493

This violation Final Assessed Penalty (adjusted for limits)

\$493

#### Economic Benefit Worksheet Respondent City of Laredo Case ID No. 27420 Reg. Ent. Reference No. RN100524099 Percent Years of Media [Statute] Public Water Supply Interest Depreciation Violation No. 8 5:0 Item Interest Onetime B Item Cost Required Date Saved \_\.,;Costs División esta II victorio al **用新存储器的国际和外的成本,对:**11 **Delayed Costs** \$65,000 | 14-Oct-2005 | 31-Aug-2006 | Equipment 0.9 \$191 \$3,811 0.0 Buildings \$0 0.0 \$0 \$0 \$0 Other (as needed) \$0 Engineering/construction 0.0 \$0 \$0 \$0 0.0 0.0 \$0 ₩n/a \$0 Record Keeping System 0.0 \$0 \$0 n/a Training/Sampling 0.0 \$0 \$0 Remediation/Disposal n/a **Permit Costs** 0,0 \$0 n/a \$0 0.0 \$0 Other (as needed) n/a \$0 This is an estimated cost to provide a flow measuring device to measure the treated water discharged from the plant. The Date Required is the investigation date and the Final Date is Notes for DELAYED costs the projected date of compliance. ANNUALIZE [1] avoided costs before entering Item (except for one-time avoided costs) **Avoided Costs** \$0 Disposal 0.0 \$0 \$0 \$0 \$0 Personnel 0.0 Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Supplies/equipment 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 .Financial Assurance [2] 0.0 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.0 Other (as needed) \$0 \$0 Notes for AVOIDED costs

TOTAL

\$4,002

Approx. Cost of Compliance

\$65,000

Estimated EB Amount

\$220

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

\$3,940

\$3,940

#### Economic Benefit Worksheet wow to Respondent City of Laredo Case ID No. 27420 Reg. Ent. Reference No. RN100524099 Percent Years of Interest Depreciation Media [Statute] Public Water Supply Violation No. 9 G-08H 0fg/A 74M 5.0 5.0 1000 Onetime 1/15 G/V EB Interest Item Date Final Item Cost Date Saved Costs Amount Required Description No commas or \$ in in the second Delayed Costs \$0 0.0 \$0 Equipment \$0 \$0 \$0 Buildings 0.0 0.0 \$0 \$0 \$0 Other (as needed) Engineering/construction 0.0 \$0 \$0 \$0 0.0 \$0 \$0 **Record Keeping System** 0.0 \$0 n/a Training/Sampling \$0 \$0 0.0 n/a Remediation/Disposal 0.0 \$0 n/a \$0 **Permit Costs** 0.0 **\$**Q. n/a \$0 \$5,000 14-Oct-2005 31-Aug-2006 0.9 \$220 \$220 n/a Other (as needed) This is an estimated cost to provide overflows that meet current AWWA standards. The Date Notes for DELAYED costs Required is the investigation date 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) \$0 Disposal 0.0 \$0 \$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 Financial Assurance [2] \$0 0.0 \$0 \$0 ONE-TIME avoided costs [3] \$0 Other (as needed) 0.0 \$0 Notes for AVOIDED costs \$5,000 TOTAL \$220 Approx. Cost of Compliance

# **Compliance History**

Customer/Respondent/Owner-Operator:	CN600131908 City of Laredo		Classification: AVERAGE Rating: 1.270		
Dogulated Entity	DN100524000	City of Laredo Water System	Classification:	Site Rating:	
Regulated Entity:  ID Number(s):	PUBLIC WATER WASTEWATER WASTEWATER USED OIL	R SYSTEM/SUPPLY R R GENERAL PERMIT R R R	REGISTRATION PERMIT PERMIT REGISTRATION PERMIT EPA ID PERMIT EPA ID PERMIT EPA ID PERMIT LICENSE	2400001 WQ0010681002 TPDES0025461 C86469 10681002 TXR05N289 TXR05N289 TXR05H985 TXR05I638 WQ0010681002	
Location:	2519 JEFFERS	ON ST, LAREDO, TX, 78040 R	ating Date: 9/1/05 Re	peat Violator: NO	
TCEQ Region:	REGION 16 - LAREDO				
Date Compliance History Prepared:	December 14, 2	2005		<del></del>	
Agency Decision Requiring Compliance History:	Enforcement				
Compliance Period:	December 14, 2000 to December 14, 2005				
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History Name:    Jaime Garza   Phone: (956) 430-6030					
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 08/16/2002 (7442) 2 08/21/2003 (133842) 3 12/29/2003 (257338) 4 01/31/2004 (261231) 5 08/30/2004 (274552) 6 07/27/2005 (401500)	) ) )				

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

Date: 08/22/2001

Self Report? NO

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain facilities.

Self Report? NO

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.43(c)(e)

Citation:

Description: Failure to provide proper overflows.

Self Report? NO

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290,43(d)(2)

Description: Failure to provide a pressure release device for a pressure tank.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290,42(a)

Description: Failure to provide the required system capacity

Self Report? NO

Citation:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(e)(2)(C)

Description: Failure to provide a restricted zone of 200 feet radius from the raw water intake works.

Self Report? NO

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)(I)

Citation:

Description: Failure to provide a secondary containment facility for at least the alum bulk storage.

Self Report? NO

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.43(c)(6)

Description: Failure to maintain a storage tank tight against leakage.

Self Report? NO

Classification: Moderate

Classification: Moderate

Classification: Moderate

Classification: Moderate

Citation: 30 TAC Chapter 290. SubChapter D 290.45(b)(2)(F) and (G)

Description: Failure to provide the minimum system capacity requirements.

Date: 08/16/2002 (7442)

Citation:

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)

Description: Failure to provide secondary containment for the alum, polymer, and ferric bulk tanks.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.42(a)

Description: Failure to operate the surface water treatment plant based on the filter capacity with the largest filter off-line below

the system's maximum daily demand.

Self Report? NO

Classification: Moderate

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290,45(b)(2)(G)

Description: Failure to provide and elevated storage capacity of 100 gallons per connection for systems serving greater than

2500 connections.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F)

Description: Failure to provide a service pump capacity of 2,0 gpm/connection for the Lyon/Hendricks and Milmo pressure

planes.

Date: 08/21/2003 (133842)

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290,46(i)

Description: Failure to provide a certified customer service inspector to conduct customer service inspections.

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.42(a)

Description: Failure to operate the surface water treatment plant based on the filter capacity with the largest filter off-line below the system's maximum daily demand.

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.42(d)(2)(A) Citation:

Description: Failure to maintain a minimum of 0.5 mg/l total chlorine residual in the distribution.

Date: 12/18/2003 (257338)

Self Report? NO

· Classification: Moderate

Committee Service and recognitive

Citation:

Citation:

30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)(I)

Description: Failure to provide a secondary containment facility for all liquid chemical storage tanks.

Self Report? NO

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G)

Description: Failure to provide an elevated storage capacity of 100 gallons per connection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F)

Description: Failure to provide a service pump capacity of 2.0 gpm/connection for each pressure plane.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(i)

Description: Failure to provide a certified customer service inspector to conduct customer service inspections.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.44(d)(2)

Description: Failure to acquire plan approval by the executive director for service connections that require booster pumps taking suction from the public water lines.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.43(c)(4) Description: Failure to provide a water level indicator for the elevated tank at Del Mar.

Date: 08/31/2004 (274552)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)(I)

Description: Failure to provide a secondary containment facility for all liquid chemical storage tanks.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G)

Description: Failure to provide an elevated storage capacity of 100 gallons per connection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) Description: Failure to provide a service pump capacity of 2.0 gpm/connection for each pressure plane.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.44(d)(2)

Description: Failure to acquire plan approval by the executive director for service connections that require booster pumps taking suction from the public water lines.

Self Report? NO

Classification: Moderate

Citation:

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

Description: Failure to design overflows in strict accordance with current AWWA standards.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.43(e)

Description: Failure to provide an intruder resistant fence in order to protect all storage tanks.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Failure to provide a flow measuring device to measure the treated water discharged from the plant.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(j)

Description: Failure to provide a certified customer service inspector to conduct customer service inspections.

Self Report? NO Citation:

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)

Description: Failure to maintain a minimum of 0.5 mg/l total chlorine residual in the distribution.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to conduct annual inspections fo the water storage tanks.

Date: 08/31/2004 (398125)

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating

conditions or 20 psi during emergencies.

Date: 07/12/2005 (399831)

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(r)

Citation: Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating

conditions or 20 psi during emergencies.

Date: 07/13/2005 (399893)

Classification: Moderate

Self Report? NO Citation: 30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating

conditions or 20 psi during emergencies.

Date: 07/27/2005 (401500)

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G) Citation:

Description: Fallure to provide an elevated storage capacity of 100 gallons per connection.

Self Report? NO

Classification: Moderate

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) Citation:

Description: Fallure to provide a service pump capacity of 2.0 gpm/connection for each pressure plane.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.44(d)(2)

nda no la sistema de la secono especifica del Classification. Moderate e la discreta

Citation: Description: Failure to acquire plan approval by the executive director for service connections that require booster pumps taking suction from the public water lines.

Self Report? NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290,43(c)(4) Citation:

Description: Fallure to design overflows in strict accordance with current AWWA standards.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Fallure to provide a flow measuring device to measure the treated water discharged from the plant.

Self Report? NO

Citation:

Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions or 20 psi during emergencies.

Self Report? NO

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

Classification: Moderate

Classification: Moderate

Description: Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

Self Report? NO

Citation:

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Description: Fallure to submit routine reports and any additional documentation that the executive director may require.

Self Report? NO work has see to be a selected and a selected selected Classification; Moderate in the contract

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(E)

Description: Fallure to provide a total storage capacity of 222 gallons per connection for each pressure plane.

Citation:

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(r)

Description: Fallure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions or 20 psi during emergencies.

F. Environmental audits.

N/A

Description:

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

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	. §	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF LAREDO	§	
RN100524099 and RN103026043	§	ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2005-1996-MLM-E

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Laredo ("the City") under the authority of TEX. WATER CODE chs. 7 and 26 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the City presented this agreement to the Commission.

The City understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the City agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the City.

The Commission makes the following Findings of Fact and Conclusions of Law:

#### I. FINDINGS OF FACT

- 1. The City owns and operates a public water supply that has approximately 64,573 service connections and serves at least 25 people per day for at least 60 days per year (the "PWS Facility") and a wastewater treatment plant (the "WQ Facility"). The PWS Facility is located at 2519 Jefferson Street, Laredo, Webb County. The WQ Facility is located on the banks of the Rio Grande River, between Marcella Avenue and Springfield Avenue, south of Willow Street, Laredo, Webb County.
- 2. The City has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

- 3. During a record review of the PWS Facility on October 14, 2005, TCEQ staff documented a failure to:
  - a. Provide the required elevated storage capacity or pressure storage capacity for three pressure planes as follows:
    - i. The Larga Vista pressure plane, which has approximately 1,235 connections and requires 0.0274 million gallons ("MG") of pressure storage capacity or 0.1271 MG of elevated storage capacity, is not provided with any elevated storage capacity;
    - ii. The East Corridor pressure plane, which has approximately 4,252 connections and requires 0.472 MG elevated storage capacity, is not provided with any elevated storage capacity; and
    - iii. The Sierra Vista pressure plane, which has approximately 3,553 connections and requires 0.394 MG of elevated storage capacity, is provided with only 0.01 MG of pressure storage capacity.
  - b. Provide the required service pump capacity for two pressure planes as follows:
    - i. The Larga Vista pressure plane, which requires 1,530.80 gallons per minute ("gpm") per connection of service pump capacity is provided with only 600 gpm per connection of service pump capacity; and
    - ii. The East Corridor pressure plane, which requires 5,270.40 gpm per connection of service pump capacity, is provided with only 2,080 gpm per connection of service pump capacity.
  - c. Provide the required total storage capacity for two pressure planes as follows:
    - i. The Larga Vista pressure plane, which requires 0.1371 MG of total storage capacity, is provided with only 0.033 MG of total storage capacity; and
    - ii. The East Corridor pressure plane, which requires 0.944 MG of total storage capacity, is provided with only 0.25 MG of total storage capacity.
  - d. Obtain Executive Director approval for the in-line booster pumps located adjacent to the Mines Road elevated tank that are taking suction from distribution lines ins a line dedicated to the tank;
  - e. Maintain a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions or 20 psi during emergencies. Specifically, the water pressure level was recorded as 0 psi on July 11, 12, 13, and 14, 2005, and 7 psi on July 15, 2005 at the Larga Vista area and 6 psi on July 11, 2005, and 12 psi on July 12 and 13, 2005 at the Sierra Vista area;

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- f. Issue a boil water notification to the customers within 24 hours using the prescribed notification format as specified in 30 TEX. ADMIN. CODE § 290.47(e);
- g. Ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, it was documented that raw water pump no. 3 was in disrepair and offline. Mines Road pump no. 2 and lower plant filter no. 2 have both been offline for longer than one year and the electronic water level indicator on the Sierra Vista ground storage tank had been offline for an undetermined amount of time. Additionally, service pump no. 4 was out of service for 6 days;
- h. Provide a flow measuring device to measure the treated water discharged from the plant for a high service pump station consisting of three pumps rated at 10,500 gpm each; and
- i. Design overflows in strict accordance with current American Water Works Association ("AWWA") standards so that the discharge opening of the overflow is above the surface of the ground and is not subject to submergence. Specifically, the overflows for the Lyons and Milmo ground storage tanks are located inside the tanks, run below ground, discharge into a storm drain, and are subject to submergence.
- 4. During a record review of the WQ Facility on October 27, 2005, TCEQ staff documented a failure to comply with permit effluent limits. Specifically, during the record review conducted on October 27, 2005, it was documented that the City failed to comply with the following permitted effluent limits at outfall 001A:
  - a. Five-Day Biochemical Oxygen Demand ("BOD5") daily average permit limit of 20 milligrams per liter ("mg/L") for December 2004, March 2005, April 2005, May 2005, and July 2005 (22.40 mg/L, 22.70 mg/L, 23.30 mg/L, 22.50 mg/L, and 22.20 mg/L reported, respectively);
  - b. BOD5 daily maximum permit limit of 45 mg/L for March 2005 (47.00 mg/L reported);
  - c. Total Suspended Solids ("TSS") daily average permit limit of 20 mg/L for May 2005 and August 2005 (21.50 mg/L and 23.50 mg/L reported, respectively); and
  - d. TSS daily maximum permit limit of 45 mg/L for March 2005 and May 2005 (77.50 mg/L and 59.00 mg/l reported, respectively).
- 5. The City received notices of the violations on November 2, 2005 and November 8, 2005.
- 6. The Executive Director recognizes that the City has implemented the following corrective measures at the PWS Facility:
  - a. Issued a boil water notification to the customers using the prescribed notification format as specified in 30 TEX. ADMIN. CODE § 290.47(e) on August 18, 2005; and

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residente de la companya de la grante de la companya de la companya de la companya de la companya de la compan La companya de la co b. Repaired the electronic water level indicator on the Sierra Vista ground storage tank and the Mines Road pump No. 2 to good working condition on October 7, 2005.

#### II. CONCLUSIONS OF LAW

- 1. The City is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002 and ch. 26, TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the Commission.
- 2. As evidenced by Finding of Fact No. 3.a., the City failed to provide an elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per connection for each pressure plane, in violation of 30 Tex. ADMIN. CODE § 290.45(a) and (b)(2) and Tex. Health & SAFETY CODE § 341.0315(c).
- 3. As evidenced by Finding of Fact No. 3.b., the City failed to provide a service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(2)(F) and Tex. Health & Safety Code § 341.0315(c).
- 4. As evidenced by Finding of Fact No. 3.c., the City failed to provide a total storage capacity of 222 gallons per connection for each pressure plane, in violation of 30 Tex. ADMIN. CODE § 290.45(a) and (b)(2)(E) and Tex. Health & Safety Code § 341.0315(c).
- 5. As evidenced by Finding of Fact No. 3.d., the City failed to acquire plan approval by the Executive Director for service connections that require booster pumps taking suction from the public water system lines, in violation of 30 Tex. Admin. Code § 290.44(d)(2).
- 6. As evidenced by Finding of Fact No. 3.e., the City failed to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions or 20 psi during emergencies, in violation of 30 Tex. ADMIN. CODE § 290.46(r).
- 7. As evidenced by Finding of Fact No. 3.f., the City failed to issue a boil water notification to the customers within 24 hours using the prescribed notification format as specified in 30 Tex. ADMIN. CODE § 290.47(e), in violation of 30 Tex. ADMIN. CODE § 290.46(q)(1).
- 8. As evidenced by Finding of Fact No. 3.g., the City failed to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m).
- 9. As evidenced by Finding of Fact No. 3.h., the City failed to provide a flow measuring device to measure the treated water discharged from the plant, in violation of 30 Tex. ADMIN. CODE § 290.42(d)(5) and 290.45(a).
- 10. As evidenced by Finding of Fact No. 3.i., the City failed to design overflows in strict accordance with current AWWA standards so that the discharge opening of the overflow is above the surface

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of the ground and is not subject to submergence, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(3).

- 11. As evidenced by Finding of Fact No. 4., the City failed to comply with permit effluent limits as documented by a TCEQ record review of self-reported data, in violation of 30 Tex. ADMIN. CODE § 305.125(1), TPDES Permit No. 10681-002, Final Effluent Limitations and Monitoring Requirements, and Tex. WATER CODE § 26.121(a).
- 12. Pursuant to TEX. WATER CODE § 7.051 and TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the City for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- An administrative penalty in the amount of Forty-Five Thousand Three Hundred Dollars (\$45,300) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053 and Tex. Health & Safety Code § 341.049(b). Forty-Five Thousand Three Hundred Dollars (\$45,300) shall be conditionally offset by the City's completion of a Supplemental Environmental Project.

#### III. ORDERING PROVISIONS

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

1. The City is assessed an administrative penalty in the amount of Forty-Five Thousand Three Hundred Dollars (\$45,300), as set forth in Section II, Paragraph 13 above, for violations of TCEQ rules and state statutes. The imposition of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Laredo, Docket No. 2005-1996-MLM-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 City shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 13 above, Forty-Five Thousand Three Hundred Dollars (\$45,300) of the assessed administrative penalty shall be offset with the condition that the City implement the SEP defined in Attachment A, incorporated herein by reference. The City's obligation to pay the conditionally offset portion of the

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administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

- 3. The City shall undertake the following technical requirements at the PWS Facility:
  - a. Immediately upon the effective date of this Agreed Order, begin operating the PWS Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum pressure of 20 psi during emergencies such as fire fighting, in accordance with 30 TEX. ADMIN. CODE § 290.46(r).
  - b. Within 15 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 3.a.
  - c. Within 60 days after the effective date of this Agreed Order:
    - i. Begin to ensure the good working condition and general appearance of the system's facilities and equipment, this shall include, but not be limited to repairing and ensuring that raw water pump no. 3, lower plant filter no. 2, and service pump no. 4 are in good working condition, as required by 30 TEX. ADMIN. CODE § 290.46(m);
    - ii. Provide a flow measuring device to measure the treated water discharged from the plant at the high service pump station consisting of three pumps rated at 10,500 gpm each, as required by 30 Tex. ADMIN. CODE § 290.42(d)(5) and 290.45(a); and
    - iii. Equip the Lyons and Milmo ground storage tanks with overflows that comply with current AWWA standards, this shall include, but not be limited to ensuring that the discharge opening of the overflow is above the surface of the ground and not subject to submergence, as required by 30 Tex. ADMIN. CODE § 290.43(c)(3).
  - d. Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 3.c.
  - e. Within 90 days after the effective date of this Agreed Order:
    - i. Ensure that the booster pumps located adjacent to the Mines Road elevated tank are taking suction only from a storage tank, as required by 30 Tex. ADMIN. CODE § 290.44(d)(2); and
    - Submit plans and specifications prepared by a registered professional engineer to address system improvements. This submittal shall include, but not be limited to, a description of the existing facilities as well as a schedule of implementation and completion of modifications, not to exceed 365 days after the effective date of this

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- A. An elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per connection for each pressure plane, as required by 30 Tex. ADMIN. CODE § 290.45(a) and (b)(2);
- B. A service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, as required by 30 Tex. ADMIN. CODE § 290.45(b)(2)(F); and
- C. A total storage capacity of 222 gallons per connection for each pressure plane, as required by 30 TEX. ADMIN. CODE § 290.45(a) and (b)(2)(E).
- f. Submit plans and specifications to:

Public Water System Plan Review Team Water Supply Division, MC 153 Texas Commission on Environmental Quality P. O. Box 13087 Austin, TX 78711-3087

- g. Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 3.e.
- h. Within 380 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate that all system improvements required pursuant to Ordering Provision No. 3.e.ii. are completed.
- i. Certifications of compliance required by Ordering Provision Nos. 3.b., 3.d., 3.g., and 3.h. shall be submitted to the address listed below. The certifications shall be notarized by a State of Texas Notary Public and include the following certification language:
  - "I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- 4. The City shall, within 180 days after the effective date of this Agreed Order for the WQ Facility, submit written certification of compliance with the effluent limits of TPDES Permit No. 10681-002.

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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."

5. Submit all correspondence, reports, and documentation required by these Ordering Provisions to:

Order Compliance Team
Team 7, Section IV
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager Laredo Regional Office Texas Commission on Environmental Quality 707 East Calton Road, Suite 304 Laredo, Texas 78041

- 6. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the PWS Facility and WQ Facility operations referenced in this Agreed Order.
- 7. If the City fails to comply with any of the Ordering Provisions in this Agreed Order for the WQ Facility within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the City's failure to comply is not a violation of this Agreed Order. The City has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The City shall notify the Executive Director within seven days after the City becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 8. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written approval from the

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City of Laredo DOCKET NO. 2005-1996-MLM-E Page 9

Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 9. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the City if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

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For the Commission

Authorized Representative

in Ordering Provision 1 of this Agreed Order.

City of Laredo

### SIGNATURE PAGE

I, the undersigned, have read and understand the attached Agreed Order in the matter of City of Laredo. I am authorized to agree to the attached Agreed Order on behalf of City of Laredo, and do agree to the specified terms and conditions. I further acknowledge that the TCEO, in accepting payment for the penalty

I understand that by entering into this Agreed Order, City of Laredo waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

amount, is materially relying on such representation.

by the Commission of the violations set forth in this Agreed Order.

randle to timely pay the penalty amount, may result	L III.			
A negative impact on my compliance histor	ry;			
Greater scrutiny of any permit applications submitted by me;				
•	al's Office for contempt, injunctive relief, additional			
penalties, and/or attorney fees, or to	o a collection agency;			
<ul> <li>Increased penalties in any future enforcement</li> </ul>	ent actions against me;			
<ul> <li>Automatic referral to the Attorney General me; and</li> </ul>	's Office of any future enforcement actions against			
<ul> <li>TCEQ seeking other relief as authorized by</li> </ul>	law.			
In addition, any falsification of any compliance doc	cuments may result in criminal prosecution.			
Laus Bolisa	5/16/06			
Signature	Date			
Larry Dovalina	City Manager			
Name (printed or typed)	Title			

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address

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# Attachment A Docket Number: 2005-1996-MLM-E

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Laredo

Amount of Payable Penalty: Forty-Five Thousand Three Hundred Dollars (\$45,300)

Amount of Offset for the SEP: Forty-Five Thousand Three Hundred Dollars (\$45,300)

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: Webb County

The Texas Commission on Environmental Quality ("TCEQ"), agrees to offset a portion of the administrative penalty assessed in this Agreed Order under the condition that the Respondent shall perform and comply with the following Supplemental Environmental Project ("SEP") provisions. The amount of the offset for the SEP is conditioned upon completion of the project in accordance with the terms set forth below.

### 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. <u>Minimum Expenditure</u>

The Amount of Offset for the SEP is based upon the Respondent's agreement to spend at least the amount of offset to complete the project described above and to comply with all other provisions of this SEP.

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City of Laredo Agreed Order Attachment A

#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall make the required contribution 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, TX 77802-2700

#### 3. Records and Reporting

Concurrent with the payment of the SEP contribution, The Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the contribution 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 expenditure of all required funds and the submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the Amount of Offset for the SEP.

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.

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City of Laredo Agreed Order Attachment A

### 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.

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