

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2004-1696-MWD-E **TCEQ ID:** Texas Pollutant Discharge Elimination System ("TPDES") No. 10534001 and RN101918480

CASE NO.: 21003

RESPONDENT NAME: City of Hubbard

ORDER TYPE:

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

CASE TYPE:

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

SITE WHERE VIOLATION(S) OCCURRED: City of Hubbard Wastewater Treatment Plant, approximately two miles south of the intersection of State Highways 31 and 171, Hill County

TYPE OF OPERATION: Wastewater treatment plant

SMALL BUSINESS: Yes No

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

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

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

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, Enforcement Division, MC 219, (512) 239-1768

TCEQ Enforcement Coordinator: Ms. Merrilee Hupp, Enforcement Division, Enforcement Section I, MC 169, (512) 239-4490; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Timothy Blackmon, Waco Regional Office, MC R-09, (254) 761-3006

Respondent: The Honorable Terry Redell, Mayor, City of Hubbard, 118 Magnolia Street, Hubbard, Texas 76648

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

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 29, 2004</p> <p>Date of NOE Relating to this Case: August 25, 2004 (NOE)</p> <p>Background Facts: This was a routine investigation. Three violations were documented.</p> <p>WATER</p> <p>1) Failed to prevent an unauthorized discharge of wastewater from the collection system [30 TEX. ADMIN. CODE § 305.125(4), TPDES Permit No. 10534001, Permit Condition 2(g) and TEX. WATER CODE § 26.121].</p> <p>2) Failed to orally notify the TCEQ of an unauthorized discharge within 24 hours and provide written notification within 5 days of becoming aware of the noncompliance [30 TEX. ADMIN. CODE § 305.125(9) and TPDES Permit No. 10534001, Monitoring and Reporting Requirements 7(b)(i)].</p> <p>3) Failed to erect an intruder-resistant fence around the Facility by June 12, 2003 [Agreed Order No. 2001-0373-MWD-E, Ordering Provision 3.c.ii, and 30 TEX. ADMIN. CODE §§ 305.124(1) and 317.7(e)].</p>	<p>Total Assessed: \$8,400</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$8,400</p> <p>Total Paid (Due) to General Revenue: \$0</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: The Respondent has demonstrated a pattern of disregard for environmental laws.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A).</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 15 days after the effective date of this Agreed Order, complete the construction of the intruder-resistant fence around the Facility;</p> <p>b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a;</p> <p>c. Within 60 days after the effective date of this Agreed Order, develop written Standard Operating Procedures (SOP) for the operation and routine scheduled and preventative maintenance of all components of the wastewater collection system to prevent future unauthorized discharges of wastewater. The SOP shall be prepared by a Texas registered professional engineer;</p> <p>d. Within 90 days after the effective date of this Agreed Order, the engineer shall review the SOP in the field with Hubbard's wastewater treatment facility's operator(s). Immediately following the review, Hubbard shall implement the SOP, and the SOP shall be made readily available upon request to TCEQ staff for review and copying; and</p> <p>e. Within 105 days after the effective date of this Agreed Order, submit written certification of compliance with ordering provision 2.d.</p>

Attachment A

Docket Number: 2004-1696-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Hubbard
Payable Penalty Amount: Eight Thousand Four Hundred Dollars (\$8,400)
SEP Amount: Eight Thousand Four Hundred Dollars (\$8,400)
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: Hill County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

THE HISTORY OF THE

CHAPTER I

The first part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

The second part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

CHAPTER II

The third part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

The fourth part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

CHAPTER III

The fifth part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

The sixth part of the history of the world is the history of the human race. It is a history of progress, of improvement, of civilization. It is a history of the human mind, of the human heart, of the human soul. It is a history of the human race, of the human race, of the human race.

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

CONFIDENTIAL - SECURITY INFORMATION

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.



DATES

PCW Screening Priority Due EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent
Reg. Ent. Ref. No.
Additional ID No(s)
Facility/Site Region Major/Minor Source

CASE INFORMATION

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

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement Subtotals 2, 3, & 7

Notes

Culpability 25% Enhancement Subtotal 4

Notes

Good Faith Effort to Comply 0% Reduction Subtotal 5

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A (mark with a small x)

Notes

Economic Benefit 0% Enhancement* Subtotal 6

Total EB Amounts *Capped at the Total EB \$ Amount
Approx. Cost of Compliance

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

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

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL Reduction Adjustment

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

Notes

PAYABLE PENALTY

Screening Date	05-Oct-2004	Docket No.	2004-1696-MWD-E	PCW
Respondent	City of Hubbard	Policy Revision 2 (September 2002)		
Case ID No.	21003	PCW Revision May 17, 2004		
Reg. Ent. Reference No.	RN101918480			
Additional ID No(s)	TPDES Permit No. 10534001			
Media [Statute]	Water Quality			
Enf. Coordinator	Merrilee Hupp			
Site Address	South of the City of Hubbard approximately 2 miles from the intersection of State Highway 31 and 171, Hill County			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	37	185%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 211%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes Enhancement due to 37 self-reported effluent violations and 3 NOVs without same or similar violations within the past 5 years and one previous Agreed Order, No. 2001-0373-MWD-E.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 211%

Screening Date 05-Oct-2004

Docket No. 2004-1696-MWD-E

PCW

Respondent City of Hubbard

Policy Revision 2 (September 2002)

Case ID No. 21003

PCW Revision May 17, 2004

Reg. Ent. Reference No. RN101918480

Additional ID No(s) TPDES Permit No. 10534001

Media [Statute] Water Quality

Enf. Coordinator Merrilee Hupp

Violation Number 1

Primary Rule Cite(s)
Secondary Rule Cite(s)

30 Tex. Admin. Code § 305.125(4); Tex. Water Code § 26.121; TPDES Permit No. 10534001, Permit Condition 2(g)

Violation Description

Failure to prevent an unauthorized discharge of wastewater from the collection system, as documented during an investigation conducted June 29, 2004.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	10%
Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
Matrix Notes					

Human health and the environment were exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or the environment.

Adjustment -\$9,000

Base Penalty Subtotal \$1,000

Violation Events

Number of Violation Events 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one use a small x

Violation Base Penalty \$1,000

One single event is recommended based on the findings of the investigation on June 29, 2004.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$50

Violation Final Penalty Total \$3,360

This violation Final Assessed Penalty (adjusted for limits) \$3,360

Economic Benefit Worksheet

Respondent: City of Hubbard
 Case ID No: 21003
 Reg. Ent. Reference No: RN101918480
 Additional ID No(s): TPDES Permit No. 10534001
 Media [Statute]: Water Quality
 Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

Item	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	\$1,000	29-Jun-2004	01-Jul-2005	1.0	\$50	n/a	\$50
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to properly contain the unauthorized discharge. Date required is date of investigation and final date is date of expected compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance \$1,000

TOTAL \$50

Screening Date 05-Oct-2004

Docket No. 2004-1696-MWD-E

PCW

Respondent City of Hubbard

Policy Revision 2 (September 2002)

Case ID No. 21003

PCW Revision May 17, 2004

Reg. Ent. Reference No. RN101918480

Additional ID No(s) TPDES Permit No. 10534001

Media [Statute] Water Quality

Enf. Coordinator Merrilee Hupp

Violation Number 2

Primary Rule Cite(s)
Secondary Rule Cite(s)

30 Tex. Admin Code § 305.125(9); TPDES Permit No. 10534001,
Monitoring and Reporting Requirements 7(b)(i)
Failure by the permittee to orally notify the TCEQ of an unauthorized discharge within 24 hours and provide written notification within 5 days of becoming aware of the noncompliance.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

		Harm			Percent
Release		Major	Moderate	Minor	
OR	Actual				
	Potential				

>> Programmatic Matrix

		Major	Moderate	Minor	Percent
Falsification					
		X			10%

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

Adjustment -\$9,000

Base Penalty Subtotal \$1,000

Violation Events

Number of Violation Events 1

mark only one use a small x	daily	
	monthly	
	quarterly	
	semianual	
	annual	
	single event	X

Violation Base Penalty \$1,000

One single event is recommended for failure to submit the required documentation by June 29, 2004.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,360

This violation Final Assessed Penalty (adjusted for limits) \$3,360

Economic Benefit Worksheet

Respondent: City of Hubbard
 Case ID No: 21003
 Reg. Ent. Reference No: RN101918480
 Additional ID No(s): TPDES Permit No. 10534001
 Media (Statute): Water Quality
 Violation No: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or \$)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	29-Jun-2004	30-Jun-2004	0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

The estimated expense to orally notify the TCEQ of an unauthorized discharge within 24 hours and provide written notification within 5 days of becoming aware of the noncompliance. Date required is based on the investigation date and final date is the 24 hour deadline.

Approx. Cost of Compliance \$100

TOTAL \$0

Screening Date 05-Oct-2004

Docket No. 2004-1696-MWD-E

PCW

Respondent City of Hubbard

Policy Revision 2 (September 2002)

Case ID No. 21003

PCW Revision May 17, 2004

Reg. Ent. Reference No. RN101918480

Additional ID No(s) TPDES Permit No. 10534001

Media [Statute] Water Quality

Enf. Coordinator Merrilee Hupp

Violation Number 3

Primary Rule Cite(s)

Order No. 2001-0373-MWD-E, Ordering Provision 3.c.ii; 30 Tex. Admin. Code § 305.124(1); 30 Tex. Admin. Code § 317.7(e)

Secondary Rule Cite(s)

Violation Description

Failed to erect an intruder resistant fence around the facility by June 12, 2003, 60 days after the effective date of Agreed Order No. 2001-0373-MWD-E.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

		Harm			
Release		Major	Moderate	Minor	
OR	Actual				Percent 5%
	Potential			X	

>> Programmatic Matrix

		Falsification	Major	Moderate	Minor	
						Percent
Matrix Notes	Failing to provide a properly constructed intruder-resistant fence could expose human health to insignificant amounts of pollutants which would not exceed protective levels.					

Adjustment -\$9,500

Base Penalty Subtotal \$500

Violation Events

Number of Violation Events 1

	daily	
	monthly	
mark only one	quarterly	
use a small x	semiannual	
	annual	
	single event	X

Violation Base Penalty \$500

One single event is recommended based on the documentation of the violation during the June 29, 2004 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$71

Violation Final Penalty Total \$1,680

This violation Final Assessed Penalty (adjusted for limits) \$1,680

Economic Benefit Worksheet

Respondent: City of Hubbard
 Case ID No: 21003
 Reg. Ent. Reference No: RN101918480
 Additional ID No(s): TPDES Permit No. 10534001
 Media [Statute]: Water Quality
 Violation No: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,200	29-Jun-2004	02-May-2005	0.8	\$3	\$67	\$71
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide an intruder-resistant fence. Date required is date of the investigation and final date is estimated date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,200

TOTAL \$71

Compliance History

Customer/Respondent/Owner-Operator:	CN600626311 City of Hubbard	Classification: AVERAGE	Rating: 7.140
Regulated Entity:	RN101918480 CITY OF HUBBARD	Classification: AVERAGE	Site Rating: 7.14
ID Number(s):	WASTEWATER	PERMIT	TX0053295
	WATER QUALITY NON PERMITTED	ID NUMBER	090100312
	WATER QUALITY NON PERMITTED	ID NUMBER	090100311
	WASTEWATER LICENSING	LICENSE	WQ0010534001
	WASTEWATER	PERMIT	TPDES0053295
	WASTEWATER	PERMIT	WQ0010534001
Location:	South of the City of Hubbard approximately 2 miles of the intersection of State Highway 31 and 171 in Hill County Texas	Rating Date: 9/1/04 Repeat Violator: NO	
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	November 01, 2004		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	October 05, 1999 to October 05, 2004		

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

Name: Chad Blevins Phone: 512-239-6017

Site Compliance History Components

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

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 4/13/03

ADMINORDER 2001-0373-MWD-E

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)

Citation: Prov sect I A.1 PERMIT

Description: Failure to properly dispose of domestic WWTP sludge.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(9)(A)

Citation: M/R req 7.b.i. PERMIT

Description: Failure to report unauthorized discharges that occurred on November 3 and 4, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121

Description: Allowing unauthorized discharges to occur on November 3 and 4, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
sectIII,G.2-G.9 PERMIT

Description: Failure to file required annual rpts on 9/1/99 and 9/1/2000, pertaining to disposition of sewage sludge.

Classification: Moderate

Citation: 30 TAC Chapter 317 317.7(e)

Description: Failure to properly maintain the condition of the intruder resistant fence.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Citation: IEL&M req 2 PERMIT

Description: Failure to maintain an effluent chlorine residual between 1.0 & 4.0 mg/l.

Classification: Minor

Citation: 30 TAC Chapter 317 317.7(e)

Description: Fail. adequately post hazard signs.

Classification: Minor

Citation: 30 TAC Chapter 317 317.6(b)(1)(D)

Description: Failure to have a self-contained breathing apparatus available at facility.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Citation: oper. req. 11.f PERMIT

Description: Failure to properly complete sludge transport manifests.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Citation: oper.req.1 PERMIT

Description: Failure to properly maintain and prevent deterioration of the clarifier.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	01/10/2000	(184611)
2	08/31/2004	(291172)
3	02/21/2003	(306621)
4	02/17/2004	(306622)
5	02/11/2000	(184570)
6	03/17/2004	(306623)
7	04/22/2003	(306624)
8	02/16/2001	(184571)
9	05/22/2003	(306625)
10	06/23/2003	(306626)
11	02/11/2002	(184572)
12	06/14/2004	(306627)
13	04/10/2001	(184573)
14	07/14/2003	(306628)
15	09/12/2003	(306629)
16	04/01/2002	(184574)
17	01/27/2000	(306630)
18	03/21/2003	(184575)
19	10/10/2003	(306631)
20	03/16/2000	(184576)
21	11/13/2003	(306632)
22	12/18/2003	(306633)
23	04/11/2000	(184577)
24	02/18/2001	(38683)
25	01/20/2004	(306634)
26	04/10/2001	(184578)
27	04/11/2002	(184579)
28	05/08/2000	(184580)
29	06/04/2001	(184581)
30	12/02/1999	(247039)
31	05/09/2002	(184582)
32	06/14/2000	(184583)
33	06/28/2001	(184584)
34	06/21/2002	(184585)

35 07/14/2000 (184586)
 36 01/09/2001 (IE0008537003001)
 37 07/09/2001 (184587)
 38 07/31/2002 (184588)
 39 08/27/2000 (184589)
 40 08/23/2001 (184590)
 41 09/03/2002 (184591)
 42 02/21/2003 (184592)
 43 09/20/2000 (184593)
 44 09/20/2001 (184594)
 45 10/21/2002 (184595)
 46 10/30/2000 (184596)
 47 11/05/2001 (184597)
 48 10/21/2002 (184598)
 49 01/27/2000 (184599)
 50 12/04/2000 (184600)
 51 11/12/2001 (184601)
 52 11/18/2002 (184602)
 53 11/08/1999 (184603)
 54 12/20/2000 (184604)
 55 12/27/2001 (184605)
 56 01/10/2000 (145055)
 57 12/20/2002 (184606)
 58 01/10/2000 (145054)
 59 12/16/1999 (184607)
 60 01/11/2001 (184608)
 61 01/10/2002 (184609)
 62 01/21/2003 (184610)

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

Date: 12/31/2002 (184610) 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: 12/31/1999 (184611) 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: 01/31/2000 (184570) 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: 01/31/2001 (184571) 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: 05/31/2003 (306626) Classification: Moderate
 Self Report?
 YES

Citation: COH Violation 26.121(a)[G]
COH Violation 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 01/31/2002 (184572) 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: 02/28/2001 (184573) 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: 02/28/2003 (184575) 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: 02/29/2000 (184576) 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: 03/31/2000 (184577) 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: 03/31/2001 (184578) 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: 03/31/2002 (184579) 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: 04/30/2000 (184580) 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: 04/30/2001 (184581) 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: 04/30/2002 (184582) 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: 12/02/1999 (247039) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to submit all required DMR parameter data

Date: 05/31/2000 (184583) 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: 05/31/2001 (184584) 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: 05/31/2002 (184585) 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: 06/30/2000 (184586) 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: 06/30/2001 (184587) 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: 06/30/2002 (184588) 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: 07/31/2000 (184589) 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: 07/31/2001 (184590) 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: 07/31/2002 (184591) 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: 08/31/2000 (184593) 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: 08/31/2001 (184594) 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: 08/31/2002 (184595) 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: 09/30/2000 (184596) 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: 09/30/2002 (184598) 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: 09/30/1999 (184599) 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: 10/31/2000 (184600) 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: 01/26/2001 (145055) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 327 327.3(b)
Description: FAILURE TO COMPLY
Date: 10/31/1999 (184603) 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: 11/30/2000 (184604) 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: 01/26/2001 (145054) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 327 327.3(b)
Description: FAILURE TO COMPLY
Date: 11/30/2001 (184605)

Self Report?
YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/1999 (184607)

Self Report?
YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2000 (184608)

Self Report?
YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2001 (184609)

Self Report?
YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
CITY OF HUBBARD	§	
TEXAS POLLUTANT DISCHARGE	§	TEXAS COMMISSION ON
ELIMINATION SYSTEM ("TPDES")	§	
PERMIT NO. 10534001	§	
RN101918480	§	ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2004-1696-MWD-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 Hubbard ("Hubbard") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Hubbard presented this agreement to the Commission.

Hubbard 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, Hubbard 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 Hubbard.

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

I. FINDINGS OF FACT

1. Hubbard owns and operates a wastewater treatment plant located approximately two (2) miles south of the intersection of State Highways 31 and 171, Hill County, Texas (the "Facility").
2. Hubbard has discharged wastewater into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

3. During an investigation on June 29, 2004, TCEQ staff documented an unauthorized discharge of wastewater from the collection system.
4. During an investigation on June 29, 2004, TCEQ staff noted that no timely notification was given by Hubbard to TCEQ to report the unauthorized discharge.
5. During an investigation on June 29, 2004, TCEQ staff observed that there was an incomplete fence around the Facility.
6. Hubbard received notice of the violations on August 30, 2004.

II. CONCLUSIONS OF LAW

1. Hubbard is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002 and ch. 26, and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Hubbard failed to prevent an unauthorized discharge of wastewater from the collection system, in violation of 30 TEX. ADMIN. CODE § 305.125(4), TPDES Permit No. 10534001, Permit Condition 2(g) and TEX. WATER CODE § 26.121.
3. As evidenced by Finding of Fact No. 4, Hubbard failed to orally notify the TCEQ of an unauthorized discharge within 24 hours and provide written notification within 5 days of becoming aware of the noncompliance, in violation of 30 TEX. ADMIN. CODE § 305.125(9) and TPDES Permit No. 10534001, Monitoring and Reporting Requirements 7(b)(i).
4. As evidenced by Finding of Fact No. 5, Hubbard failed to erect an intruder resistant fence around the Facility by June 12, 2003, in violation of Agreed Order No. 2001-0373-MWD-E, Ordering Provision 3.c.ii, and 30 TEX. ADMIN. CODE §§ 305.124(1) and 317.7(e).
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Hubbard 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.
6. An administrative penalty in the amount of Eight Thousand Four Hundred Dollars (\$8,400) 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. Eight Thousand Four Hundred Dollars (\$8,400) shall be conditionally offset by Hubbard's completion of a Supplemental Environmental Project.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is used responsibly and ethically.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that data management practices remain effective and aligned with the organization's goals.

6. The sixth part of the document provides a detailed overview of the data collection process, including the identification of data sources, the design of data collection instruments, and the implementation of data collection procedures.

7. The seventh part of the document discusses the various methods used for data analysis, such as descriptive statistics, inferential statistics, and regression analysis. It explains how these methods can be used to interpret data and draw meaningful conclusions.

8. The eighth part of the document focuses on the importance of data visualization in communicating complex information. It discusses various visualization techniques, such as bar charts, line graphs, and pie charts, and their applications in data analysis.

9. The ninth part of the document addresses the ethical considerations surrounding data management and analysis. It discusses the need for transparency, informed consent, and data protection to ensure that data is used in a fair and responsible manner.

10. The tenth part of the document provides a final summary and concludes the report. It reiterates the key findings and emphasizes the importance of data management and analysis in achieving organizational success.

III. ORDERING PROVISIONS

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

1. Hubbard is assessed an administrative penalty in the amount of Eight Thousand Four Hundred Dollars (\$8,400), as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Hubbard'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 Hubbard, Docket No. 2004-1696-MWD-E" to:

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

2. Hubbard shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 6 above, Eight Thousand Four Hundred Dollars (\$8,400) of the assessed administrative penalty shall be offset with the condition that Hubbard implement the SEP defined in Attachment A, incorporated herein by reference. Hubbard's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. Hubbard shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Agreed Order, complete the construction of the intruder-resistant fence around the Facility;
 - b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 3.a;
 - c. Within 60 days after the effective date of this Agreed Order, develop written Standard Operating Procedures (SOP) for the operation and routine scheduled and preventative maintenance of all components of the wastewater collection system to prevent future unauthorized discharges of wastewater. The SOP shall be prepared by a Texas registered professional engineer;
 - d. Within 90 days after the effective date of this Agreed Order, the engineer shall review the SOP in the field with Hubbard's wastewater treatment facility's operator(s). Immediately

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in the organization's operations.

Furthermore, the document highlights the need for regular audits and reviews to identify any discrepancies or areas for improvement. It suggests that implementing a robust internal control system can help prevent errors and fraud, thereby safeguarding the organization's assets and reputation.

In conclusion, the document stresses that a commitment to high standards of record-keeping and internal controls is crucial for the long-term success and sustainability of the organization. It encourages all staff members to adhere to these guidelines and report any concerns promptly.

The following section provides a detailed overview of the organization's financial performance over the past year. It includes a comprehensive analysis of revenue growth, cost management, and overall profitability. The data indicates a steady increase in sales, which has been supported by effective marketing strategies and operational efficiencies.

Key findings from the financial review include a 15% increase in total revenue compared to the previous year, despite a 5% rise in operating expenses. This demonstrates the organization's ability to manage costs effectively while driving growth. The net profit margin has improved significantly, reflecting the success of the implemented cost-cutting measures.

Looking ahead, the organization remains optimistic about its future prospects. With continued focus on innovation, customer service, and operational excellence, it is well-positioned to achieve its strategic goals and maintain its competitive edge in the market.

The document also addresses the organization's commitment to social responsibility and environmental sustainability. It outlines various initiatives aimed at reducing carbon footprint, supporting local communities, and promoting ethical business practices. These efforts are seen as integral to the organization's long-term success and reputation.

Finally, the document expresses gratitude to all stakeholders, including employees, customers, and partners, for their continued support and collaboration. It reaffirms the organization's dedication to transparency, integrity, and mutual benefit for all involved.

following the review, Hubbard shall implement the SOP, and the SOP shall be made readily available upon request to TCEQ staff for review and copying;

- e. Within 105 days after the effective date of this Agreed Order, submit written certification of compliance with ordering provision 3.d; and
- f. Submit all documentation required by Ordering Provisions 3.b and 3.e to:

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

with a copy to:

Manager, Water Section
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Ave., Ste. 2500
Waco, Texas 76710-7826

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

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8. 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.
9. This Agreed Order, issued by the Commission, shall not be admissible against Hubbard 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.
10. 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.
11. 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.

City of Hubbard
DOCKET NO. 2004-1696-MWD-E
Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

4/3/07
Date

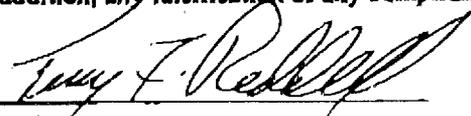
I, the undersigned, have read and understand the attached Agreed Order in the matter of the City of Hubbard. I am authorized to agree to the attached Agreed Order on behalf of the City of Hubbard, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment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

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

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

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

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



Signature

3-6-07
Date

Terry Reddell

Name (printed or typed)
Authorized Representative
City of Hubbard

Mayor

Title

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

Handwritten text at the top right of the page.

Handwritten title or header text in the center of the page.

Handwritten text line below the title.

Handwritten signature or name on the left side.

Handwritten signature or name on the right side.

First paragraph of handwritten text.

Second paragraph of handwritten text.

Third paragraph of handwritten text.

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Attachment A
Docket Number: 2004-1696-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Hubbard
Payable Penalty Amount: Eight Thousand Four Hundred Dollars (\$8,400)
SEP Amount: Eight Thousand Four Hundred Dollars (\$8,400)
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: Hill County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYS 441

STATISTICAL MECHANICS

LECTURE 1: INTRODUCTION TO STATISTICAL MECHANICS

PROFESSOR JOHN H. COLEMAN

LECTURE 2: ENSEMBLES AND PARTITION FUNCTIONS

PROFESSOR JOHN H. COLEMAN

LECTURE 3: PHASE TRANSITIONS

PROFESSOR JOHN H. COLEMAN

LECTURE 4: FLUCTUATIONS AND RESPONSE FUNCTIONS

PROFESSOR JOHN H. COLEMAN

LECTURE 5: NON-EQUILIBRIUM STATISTICAL MECHANICS

LECTURE 6: QUANTUM STATISTICS

PROFESSOR JOHN H. COLEMAN

The course covers the foundations of statistical mechanics, including the derivation of the Boltzmann distribution, the partition function, and the calculation of thermodynamic quantities. It also discusses phase transitions, fluctuations, and non-equilibrium statistical mechanics.

LECTURE 7: QUANTUM MECHANICS

PROFESSOR JOHN H. COLEMAN

The course continues with a discussion of quantum statistics, including the derivation of the Fermi-Dirac and Bose-Einstein distributions. It also covers the theory of phase transitions and the calculation of critical exponents.

LECTURE 8: FLUCTUATIONS AND RESPONSE FUNCTIONS

PROFESSOR JOHN H. COLEMAN

The course concludes with a discussion of non-equilibrium statistical mechanics, including the derivation of the fluctuation-dissipation theorem and the calculation of transport coefficients.

LECTURE 9: QUANTUM MECHANICS

PROFESSOR JOHN H. COLEMAN

The course concludes with a discussion of quantum mechanics, including the derivation of the Schrödinger equation and the calculation of energy levels.

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

5. The fifth part of the document is a list of names and addresses of the members of the committee.

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9. The ninth part of the document is a list of names and addresses of the members of the committee.

10. The tenth part of the document is a list of names and addresses of the members of the committee.

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.

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

3. Financial Reporting and Analysis

This section details the various methods used for financial reporting and analysis. It covers the preparation of financial statements, including the balance sheet, income statement, and cash flow statement. It also discusses the use of ratios and other metrics to evaluate the organization's financial performance.

The document concludes by reiterating the importance of regular communication and collaboration between all stakeholders in the organization. It encourages a culture of transparency and open communication to ensure the organization's long-term success.