

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1720-MWD-E **TCEQ ID:** RN101516037 **CASE NO.:** 31244
RESPONDENT NAME: Jatra International, Inc.

ORDER TYPE:

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

CASE TYPE:

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

SITE WHERE VIOLATION(S) OCCURRED: Jet Truck Travel Plaza, approximately 1,000 feet southeast of the intersection of Interstate Highway 45 and State Highway 179, Freestone County

TYPE OF OPERATION: Wastewater treatment facility

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 March 19, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Catherine Albrecht, Enforcement Division, Enforcement Section I, MC R-12, (713) 767-3672; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Matthew Vaughn, Waco Regional Office, MC R-09, (254) 761-3015

Respondent: Mr. Hafiz Ali, President, Jatra International, Inc., P.O. Box 1214, Fairfield, Texas 75840

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 type="checkbox"/> Routine <input checked="" 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: August 8, 2006</p> <p>Date of NOE Relating to this Case: August 16, 2006 (NOE)</p> <p>Background Facts: This was an unannounced wastewater reconnaissance investigation conducted in response to the expiration of the permit and the documentation of the violation of operating without a current permit.</p> <p>WATER</p> <p>Failed to maintain a permit for the discharge of wastewater. Specifically, Jatra did not renew Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 11578001, which expired on July 1, 2006, and is continuing to discharge wastewater without authorization [30 TEX. ADMIN. CODE §§ 305.65 and 305.125(1), TPDES Permit No. 11578001, Permit Conditions No. 4.c., and TEX. WATER CODE § 26.121(a)(1)].</p>	<p>Total Assessed: \$5,280</p> <p>Total Deferred: \$1,056 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$176 (remaining \$4,048 due in 23 monthly payments of \$176 each)</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>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Immediately upon the effective date of this Agreed Order, until such time that authorization to operate is obtained, or until 300 days after the effective date of this Agreed Order, whichever is earlier, comply with the permit limits and conditions in expired TPDES Permit No. 11578001;</p> <p>b. Within 30 days after the effective date of this Agreed Order, submit an administratively complete permit application;</p> <p>c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing; and</p> <p>d. Within 300 days after the effective date of this Agreed Order, submit written certification that either authorization to operate has been obtained or that operation has ceased until such time that appropriate authorization is obtained. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	28-Aug-2006	Screening	20-Sep-2006	EPA Due	
	PCW	05-Oct-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Jatra International, Inc.
Reg. Ent. Ref. No.	RN101516037
Facility/Site Region	9-Waco
Major/Minor Source	Minor Source

CASE INFORMATION				
Enf./Case ID No.	31244	No. of Violations	1	
Docket No.	2006-1720-MWD-E	Order Type	1660	
Media Program(s)	Water Quality	Enf. Coordinator	Catherine Albrecht	
Multi-Media		EC's Team	Enforcement Team 1	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$3,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 76% Enhancement Subtotals 2, 3, & 7 \$2,280

Notes: The respondent has one Agreed Order with denial language, 25 self-reported effluent violations, and three NOVs for other violations at this facility during the last five years.

Culpability No 0% Enhancement Subtotal 4 \$0

Notes: The respondent does not meet culpability criteria.

Good Faith Effort 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 does not meet good faith criteria.

Economic Benefit 0% Enhancement* Subtotal 6 \$0

Total EB Amounts	\$3,011	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$27,000	

SUM OF SUBTOTALS 1-7 Final Subtotal \$5,280

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment \$0

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

Notes:

Final Penalty Amount \$5,280

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$5,280

DEFERRAL 20% Reduction Adjustment -\$1,056

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY \$4,224

Screening Date 20-Sep-2006

Docket No. 2006-1720-MWD-E

PCW

Respondent Jatra International, Inc.

Policy Revision 2 (September 2002)

Case ID No. 31244

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN101516037

Media [Statute] Water Quality

Enf. Coordinator Catherine Albrecht

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>)	0	0%
	Other written NOVs	28	56%
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%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 76%

>> **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 The respondent has one Agreed Order with denial language, 25 self-reported effluent violations, and three NOVs for other violations at this facility during the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 76%

Screening Date 20-Sep-2006 **Docket No.** 2006-1720-MWD-E **PCW**
Respondent Jatra International, Inc. *Policy Revision 2 (September 2002)*
Case ID No. 31244 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101516037
Media [Statute] Water Quality
Enf. Coordinator Catherine Albrecht
Violation Number
Primary Rule Cite(s) 30 Tex. Admin. Code §§ 305.65 and 305.121(1), TPDES Permit No. 11578001, Permit Conditions No. 4.c., and Tex. Water Code § 26.121(a)(1)
Secondary Rule Cite(s)
Violation Description Failure to maintain a permit for the discharge of wastewater. Specifically, Jatra International did not renew Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 11578001, which expired on July 1, 2006, and is continuing to discharge wastewater without authorization.
Base Penalty

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input type="text"/>
	monthly	<input checked="" type="checkbox"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Jatra International, Inc.
 Case ID No. 31244
 Reg. Ent. Reference No. RN101516037
 Media [Statute] Water Quality
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$25,000	01-Jul-2006	15-Feb-2008	1.6	\$136	\$2,712	\$2,848
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	\$2,000	01-Jul-2006	15-Feb-2008	1.6	\$163	n/a	\$163
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated costs of an engineering review of the facility to meet current design criteria and permit effluent limits and implementation of a rehabilitation plan is \$25,000 and to prepare and submit a discharge permit application is \$2,000. Date required is the date the permit expired. Final date is the projected date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance **\$27,000**

TOTAL **\$3,011**

Compliance History

Customer/Respondent/Owner-Operator: CN600791990 Jatra International, Inc. Classification: AVERAGE Rating: 2.04
Regulated Entity: RN101516037 JET ERA Classification: AVERAGE Site Rating: 3.08
ID Number(s): WASTEWATER PERMIT WQ0011578001
WASTEWATER PERMIT TPDES0054054
WASTEWATER LICENSING LICENSE WQ0011578001
Location: Approximately 1000 feet southeast of the intersection of Interstate Highway 45 and State Highway 179, Freestone County Rating Date: 9/1/2006
Repeat Violator: NO
TCEQ Region: REGION 09 - WACO
Date Compliance History Prepared: September 21, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: September 21, 2001 to September 21, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Catherine Albrecht Phone: (713)767-3672

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: 12/15/2005 ADMINORDER 2005-0685-MWD-E
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limits PERMIT
Description: Failed to comply with permitted effluent limitations during December 2003 through June 2004, and August and September 2004 as detailed in the effluent chart.
- 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 04/15/2004 (307144)
2 06/04/2004 (356759)
3 11/22/2005 (473124)
4 05/16/2003 (307145)
5 07/14/2004 (356760)
6 07/10/2003 (307146)
7 07/10/2003 (307147)
8 07/01/2004 (356761)
9 08/18/2003 (307148)
10 09/07/2004 (356762)
11 10/02/2003 (307149)
12 09/07/2004 (356763)
13 04/10/2006 (501350)
14 01/20/2004 (307150)
15 10/13/2004 (356764)
16 12/09/2005 (473125)
17 01/20/2004 (307151)
18 01/20/2004 (307152)
19 09/21/2004 (371040)
20 01/20/2004 (307153)
21 01/13/2003 (185810)
22 12/27/2002 (185809)
23 11/18/2002 (185808)
24 01/09/2006 (473126)
25 10/15/2002 (185807)
26 02/12/2004 (332937)

27 02/10/2005 (422401)
28 09/20/2002 (185806)
29 08/23/2006 (497178)
30 03/11/2005 (422402)
31 09/09/2002 (185805)
32 05/05/2005 (422403)
33 07/12/2002 (185804)
34 06/07/2005 (422404)
35 04/07/2003 (185803)
36 03/03/2003 (185802)
37 11/15/2004 (384458)
38 12/10/2004 (384459)
39 01/21/2005 (384460)
40 05/31/2006 (456018)
41 07/18/2005 (443341)
42 08/19/2005 (443342)
43 09/16/2005 (443343)
44 03/16/2005 (371493)
45 02/15/2006 (473121)
46 03/23/2006 (473122)
47 03/23/2004 (307142)
48 04/15/2004 (307143)
49 10/13/2004 (356758)
50 10/09/2005 (473123)

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

Date: 02/29/2004 (307143)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2003 (356758)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2004 (307144)
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: 04/30/2004 (356759)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2004 (356760)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2004 (356761)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2003 (307148)
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: 10/31/2005 (473124)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2003 (307149)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2004 (356763)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2006 (501350)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2004 (356764)
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: 11/30/2002 (185809)
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: 12/31/2003 (307153)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 09/21/2004 (371040)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 11/30/2005 (473125)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/30/2006 (456018)
Self Report? NO Classification: Minor
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to submit accurate information on the Discharge Monitoring Reports (DMR).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(a)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to perform manganese interference correction for residual chlorine analysis.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain a chlorine residual between 1.0 and 4.0 mg/l.

Self Report? NO Classification: Minor
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to keep management records for all sludge removed from any wastewater treatment process.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 317 317.4(a)(8)
30 TAC Chapter 317 317.7(i)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to provide atmospheric vacuum breakers where required.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain 2 aeration blowers

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to remove excessive sludge from the clarifier and chlorine contact chamber.

Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(4)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to prevent the discharge of sludge in the receiving waters.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(d)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to provide an accurate measuring device.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to remove the excessive grease from the lift station.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1).
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain an audiovisual alarm at the lift station.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1).
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain a dissolved oxygen level of 3.0 mg/l.
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to seal the discharge pipe from the chlorine contact chamber.
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
30 TAC Chapter 317 317.4(b)(4)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to provide a covered receptacle for screenings.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain the Biochemical Oxygen Demand (BOD) within permit limitations.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to maintain the Total Suspended Solids within the permit limitations.
Self Report? NO Classification: Minor
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to retain sludge records for a period of five years.
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Rqmt Prov: PERMIT IA
Description: Failure by the permittee to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission.

Date: 03/31/2003 (185803)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 02/12/2004 (332937)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/31/2005 (473126)
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: 04/30/2005 (422403)
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: 01/31/2003 (185802)
Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2005 (422404)
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: 10/31/2004 (384458)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2005 (443342)
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: 01/31/2006 (473121)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2006 (473122)
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: 01/31/2004 (307142)
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
ENFORCEMENT ACTION
CONCERNING
JATRA INTERNATIONAL, INC.
RN101516037

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-1720-MWD-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Jatra International, Inc. ("Jatra") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Jatra appear before the Commission and together stipulate that:

1. Jatra owns and operates a wastewater treatment facility located approximately 1000 feet southeast of the intersection of Interstate Highway 45 and State Highway 179 in Freestone County, Texas (the "Facility").
2. Jatra has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of TEX. WATER CODE ch. 26 or any rule, permit, or order of the Commission.
3. The Commission and Jatra agree that the Commission has jurisdiction to enter this Agreed Order, and that Jatra is subject to the Commission's jurisdiction.
4. Jatra received notice of the violations alleged in Section II ("Allegations") on or about August 21, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Jatra of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Five Thousand Two Hundred Eighty Dollars (\$5,280) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Jatra has paid One Hundred Seventy-Six Dollars (\$176) of the administrative penalty and One Thousand Fifty-Six Dollars (\$1,056) is deferred contingent upon Jatra's timely and satisfactory compliance with all the terms of this Agreed Order. If Jatra fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Jatra to pay all or part of the deferred penalty.

The remaining amount of Four Thousand Forty-Eight Dollars (\$4,048) of the administrative penalty shall be payable in 23 monthly payments of One Hundred Seventy-Six Dollars (\$176) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Jatra fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Jatra to meet the payment schedule of this Agreed Order constitutes the failure by Jatra to timely and satisfactorily comply with all the terms of this Agreed Order.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Jatra have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Jatra 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. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, Jatra is alleged to have failed to maintain a permit for the discharge of wastewater, in violation of 30 TEX. ADMIN. CODE §§ 305.65 and 305.125(1), Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 11578001, Permit Conditions No. 4.c., and TEX. WATER CODE § 26.121(a)(1), as documented during an investigation conducted on August 8, 2006. Specifically, Jatra did not renew TPDES Permit No. 11578001, which expired on July 1, 2006, and is continuing to discharge wastewater without authorization.

III. DENIALS

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

The first part of the document is a list of names and titles, including the names of the authors and the titles of their works. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

The second part of the document is a list of names and titles, similar to the first part. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

The third part of the document is a list of names and titles, similar to the first part. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

The fourth part of the document is a list of names and titles, similar to the first part. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

APPENDIX

The fifth part of the document is a list of names and titles, similar to the first part. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

APPENDIX

The sixth part of the document is a list of names and titles, similar to the first part. The names are listed in a column on the left, and the titles are listed in a column on the right. The titles are written in a cursive hand, and some of them are underlined. The list includes names such as "John Doe" and "Jane Smith", and titles such as "The History of the United States" and "The Principles of Mathematics".

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Jatra pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Jatra's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Jatra International, Inc., Docket No. 2006-1720-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. It is further ordered that Jatra shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, until such time that authorization to operate is obtained, or until 300 days after the effective date of this Agreed Order, whichever is earlier, comply with the permit limits and conditions in expired TPDES Permit No. 11578001;
 - b. Within 30 days after the effective date of this Agreed Order, submit an administratively complete permit application, in accordance with 30 TEX. ADMIN. CODE ch. 305 to:

Water Quality Applications Team, Permits Administrative Review Section
Registration, Review and Reporting Division, MC 161
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing; and
 - d. Within 300 days after the effective date of this Agreed Order, submit written certification that either authorization to operate has been obtained or that operation has ceased until such time that appropriate authorization is obtained. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the

information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Manager, Water Section
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. The provisions of this Agreed Order shall apply to and be binding upon Jatra. Jatra is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If Jatra 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, Jatra's failure to comply is not a violation of this Agreed Order. Jatra shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Jatra shall notify the Executive Director within seven days after Jatra becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. 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 Jatra shall be made in writing to the Executive Director. Extensions are not effective until Jatra receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Jatra 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.

1. 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 transparency and accountability, particularly in the context of public administration and financial management.

2. The second part of the document outlines the various methods and tools used for data collection and analysis. It highlights the need for standardized procedures to ensure the reliability and validity of the information gathered. This section also touches upon the challenges associated with data integration and the importance of regular updates to the database.

3. The third part of the document focuses on the implementation of the proposed system. It details the steps involved in the rollout, from initial testing to full-scale deployment. It also addresses the training requirements for staff and the necessary infrastructure to support the new system. The document stresses the importance of user acceptance and ongoing support during the transition period.

4. The fourth part of the document discusses the evaluation and monitoring of the system's performance. It outlines the key performance indicators (KPIs) that will be used to measure the system's effectiveness and efficiency. It also mentions the need for regular reviews and adjustments to ensure the system continues to meet the organization's needs and objectives.

5. The fifth part of the document provides a summary of the findings and conclusions. It reiterates the benefits of the proposed system and the importance of the implementation phase. It also offers recommendations for future work and the need for continued collaboration and communication among all stakeholders involved in the project.

6. The final part of the document is a concluding statement that expresses the confidence in the proposed system and the commitment to its successful implementation. It thanks the stakeholders for their support and cooperation throughout the process and looks forward to the positive impact the system will have on the organization's operations.

7. 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.

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Jatra, or three days after the date on which the Commission mails notice of the Order to Jatra, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

4/18/07

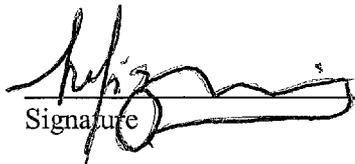
Date

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

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

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

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



Signature

12/19/06

Date

HAFIZ ALI

Name (Printed or typed)
Authorized Representative of
Jatra International, Inc.

PRESIDENT

Title

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

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Second paragraph of the main body of text.

Third paragraph of the main body of text.

Fourth paragraph of the main body of text.

Fifth paragraph of the main body of text.

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