

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1935-MWD-E **TCEQ ID:** RN102286259 **CASE NO.:** 31638
RESPONDENT NAME: Monarch Utilities I L.P.

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: Harbor Point, approximately 0.25 mile north of Farm-to-Market ("FM") Road 356 and approximately 0.4 mile west of the intersection of FM Road 356 and FM 355, Trinity 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 March 26, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Jorge Ibarra, P.E., Enforcement Division, Enforcement Section II, MC R-04, (817) 588-5890; There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

Central Office Investigator: Ms. Rosie Garza, Enforcement Division, Compliance Monitoring Section, MC 224, (512) 239-4574

Respondent: Mr. Bill Jasura, Vice President, Monarch Utilities I L.P., 9511 Ranch Road 620 North, Austin, Texas 78726

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

RESPONDENT'S NAME: Monarch Utilities I L.P.
DOCKET NO.: 2006-1935-MWD-E

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 24, 2006</p> <p>Date of NOE Relating to this Case: November 3, 2006 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>WATER</p> <p>Failed to comply with permitted limits for total suspended solids and dissolved oxygen [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements, Nos. 1 and 6, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].</p>	<p>Total Assessed: \$6,000</p> <p>Total Deferred: \$1,200 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$4,800</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, within 60 days after the effective date of this Agreed Order, submit written certification of compliance with TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements, Nos. 1 and 6. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance.</p>

Screening Date 07-Nov-2006 **Docket No.** 2006-1935-MWD-E **PCW**
Respondent Monarch Utilities I L.P. *Policy Revision 2 (September 2002)*
Case ID No. 31638 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN102286259
Media [Statute] Water Quality
Enf. Coordinator Jorge Ibarra, P.E.

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>)	12	60%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of 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 (<i>number of events</i>)	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%
Other	<i>Please Enter Yes or No</i>		
	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) 60%

>> **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 self-reported 12 months of effluent violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 60%

Screening Date 07-Nov-2006 **Docket No.** 2006-1935-MWD-E **PCW**

Respondent Monarch Utilities I L.P. *Policy Revision 2 (September 2002)*

Case ID No. 31638 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN102286259

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 1

Primary Rule Cite(s) TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements, Nos. 1 and 6

Secondary Rule Cite(s) 30 Tex. Admin.Code § 305.125(1) and Tex. Water Code § 26.121(a)

Violation Description Failure to comply with permitted limits for total suspended solids (TSS) and minimum dissolved oxygen (DO). See attached Effluent Limit Violation Table.

Base Penalty \$10,000

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual			X	Percent 10%
	Potential				

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
						Percent

Matrix Notes Failure to comply with permitted limits for TSS and DO resulted in the exposure of insignificant amounts of pollutants which do not exceed levels that are protective of human health or the environment as the result of the excursions.

Adjustment -\$9,000

Base Penalty Subtotal \$1,000

Violation Events

Number of Violation Events 4

<i>mark only one use a small x</i>	<i>daily</i>	
	<i>monthly</i>	
	<i>quarterly</i>	X
	<i>semiannual</i>	
	<i>annual</i>	
	<i>single event</i>	

Violation Base Penalty \$4,000

Four quarterly events are recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount \$200

Statutory Limit Test

Violation Final Penalty Total \$6,000

This violation Final Assessed Penalty (adjusted for limits) \$6,000

Economic Benefit Worksheet

Respondent Monarch Utilities I L.P.
 Case ID No. 31638
 Reg. Ent. Reference No. RN102286259
 Media [Statute] Water Quality
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	01-Jul-2005	01-Jul-2007	2.0	\$200	n/a	\$200

Notes for DELAYED costs: Estimated cost to provide additional oversight and sampling which may have alleviated or prevented the noncompliance. Date Required is the month the first non-compliant excursion was documented, Final Date is the expected date of compliance.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$2,000** TOTAL **\$200**

Compliance History

Customer/Respondent/Owner-Operator: CN602740706 Monarch Utilities I L.P. Classification: AVERAGE Rating: 1.95
 Regulated Entity: RN102286259 HARBOR POINT Classification: AVERAGE Site Rating: 0.55

ID Number(s): WASTEWATER PERMIT WQ0013547001
 WASTEWATER PERMIT TPDES0106704

WASTEWATER PERMIT TX0106704
 WASTEWATER LICENSING LICENSE WQ0013547001

Location: Approximately 0.25 miles north of Farm-to-Market ("FM") Road 356 and approximately 0.4 miles west of the intersection of FM Road 356 and FM Road 355 in Trinity County, Texas
 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: November 10, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 10, 2001 to November 10, 2006

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

Name: Jorge Ibarra, P.E. Phone: (817) 588-5890

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

N/A

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

N/A

C. Chronic excessive emissions events.

N/A

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

- 1 01/27/2003 (225070)
- 2 01/22/2002 (225069)
- 3 12/27/2002 (225066)
- 4 12/20/2001 (225064)
- 5 11/25/2002 (225063)
- 6 11/19/2001 (225062)
- 7 10/21/2002 (225060)
- 8 09/23/2002 (225057)
- 9 08/21/2002 (225054)
- 10 07/23/2002 (225051)
- 11 06/24/2002 (225048)
- 12 05/23/2002 (225045)
- 13 04/20/2006 (505325)
- 14 05/22/2006 (505326)
- 15 04/23/2003 (225042)
- 16 05/23/2005 (426474)
- 17 02/26/2004 (323429)
- 18 04/22/2002 (225041)
- 19 06/22/2005 (426475)
- 20 02/21/2006 (490434)
- 21 03/25/2004 (323430)

22	06/19/2006	(505327)
23	05/23/2003	(323431)
24	03/21/2006	(490435)
25	06/18/2003	(323432)
26	10/19/2005	(490436)
27	07/24/2003	(323433)
28	11/21/2005	(490437)
29	08/21/2003	(323434)
30	12/21/2005	(490438)
31	03/24/2003	(225037)
32	09/25/2003	(323435)
33	07/20/2005	(446754)
34	03/21/2002	(225036)
35	10/24/2003	(323436)
36	08/19/2005	(446755)
37	01/20/2006	(490439)
38	11/26/2003	(323437)
39	09/21/2005	(446756)
40	02/24/2003	(225034)
41	12/31/2003	(323438)
42	02/21/2002	(225033)
43	01/23/2004	(323439)
44	04/23/2004	(364652)
45	05/27/2004	(364653)
46	06/25/2004	(364654)
47	07/23/2004	(364655)
48	11/03/2006	(517130)
49	08/25/2004	(364656)
50	09/23/2004	(364657)
51	01/14/2004	(256900)
52	02/28/2005	(388859)
53	03/21/2005	(388860)
54	02/22/2005	(388861)
55	10/29/2004	(388862)
56	12/01/2004	(388863)
57	01/04/2005	(388864)
58	01/20/2005	(388865)

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

Date:	12/31/2002	(225070)	
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:	08/31/2005	(446756)	
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:	04/30/2006	(505326)	
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	(426475)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/29/2004	(323430)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		

TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2006 (505327)
 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 (490434)
 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: 11/30/2005 (490438)
 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: 06/30/2005 (446754)
 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 (446755)
 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 (388862)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 06/30/2006
 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
MONARCH UTILITIES I L.P.
RN102286259

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-1935-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 Monarch Utilities I.L.P. ("Monarch") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Monarch appear before the Commission and together stipulate that:

1. Monarch owns and operates a wastewater treatment plant located approximately 0.25 mile north of Farm-to-Market ("FM") Road 356 and approximately 0.4 mile west of the intersection of FM Road 356 and FM Road 355 in Trinity County, Texas (the "Facility").
2. Monarch has discharged wastewater into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Commission and Monarch agree that the Commission has jurisdiction to enter this Agreed Order, and that Monarch is subject to the Commission's jurisdiction.
4. Monarch received notice of the violations alleged in Section II ("Allegations") on or about November 8, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Monarch of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Six Thousand Dollars (\$6,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Monarch has paid Four Thousand Eight Hundred Dollars (\$4,800) of the administrative penalty and One Thousand Two Hundred Dollars (\$1,200) is deferred contingent upon Monarch's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Monarch fails to timely and satisfactorily comply

with all requirements of this Agreed Order, the Executive Director may require Monarch to pay all or part of the deferred penalty.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Monarch 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 Monarch 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, Monarch is alleged to have failed to comply with permitted limits for total suspended solids ("TSS") and dissolved oxygen ("DO"), in violation of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements, Nos. 1 and 6, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a), as documented during a record review conducted on October 24, 2006 as depicted in the table below.

<i>EFFLUENT PARAMETER</i>			
<i>Permit Limit</i>			
	DO min.	TSS Daily Avg. (Concentration)	TSS Daily Avg. (Loading)
<i>Month/Year</i>	4 mg/L	15 mg/L	2.5 lbs/day
07/05	c	17	c
08/05	3.7	c	c
11/05	c	17.4	c
01/06	c	16.2	c
04/06	3.86	18.7	2.6
05/06	c	20	c
06/06	c	23.7	c

lbs/day = pounds per day

mg/L = milligrams per liter

c = compliant

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

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

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

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

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

6. The sixth part of the document is a list of the names of the members of the committee.

7. The seventh part of the document is a list of the names of the members of the committee.

MEMBERS OF THE COMMITTEE

8. The eighth part of the document is a list of the names of the members of the committee.

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

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

Name	Address	Phone	Age
John Doe	123 Main St	555-1234	35
Jane Smith	456 Elm St	555-5678	42
Bob Johnson	789 Oak St	555-9012	28
Alice Brown	101 Pine St	555-3456	50
Charlie White	202 Cedar St	555-7890	30
Diana Green	303 Birch St	555-2345	45
Frank Black	404 Spruce St	555-6789	38
Grace King	505 Willow St	555-0123	55
Henry Lee	606 Ash St	555-4567	32
Ivy Hill	707 Hickory St	555-8901	48
Jack Adams	808 Maple St	555-2345	35
Karen Baker	909 Poplar St	555-6789	40
Liam Clark	1010 Sycamore St	555-0123	25
Mia Evans	1111 Walnut St	555-4567	52
Noah Foster	1212 Chestnut St	555-8901	30
Olivia Garcia	1313 Olive St	555-2345	45
Peter Hall	1414 Elm St	555-6789	38
Quinn Harris	1515 Pine St	555-0123	50
Rachel King	1616 Cedar St	555-4567	32
Samuel Lee	1717 Birch St	555-8901	48
Tina Miller	1818 Spruce St	555-2345	35
Uma Nelson	1919 Willow St	555-6789	40
Victor Ortiz	2020 Ash St	555-0123	25
Wendy Parker	2121 Hickory St	555-4567	52
Xavier Quinn	2222 Maple St	555-8901	30
Yara Ramirez	2323 Poplar St	555-2345	45
Zoe Roberts	2424 Sycamore St	555-6789	38

11. The eleventh part of the document is a list of the names of the members of the committee.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Monarch pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Monarch'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: Monarch Utilities I L.P., Docket No. 2006-1935-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 Monarch shall undertake the following technical requirements:

Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements, Nos. 1 and 6. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, 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."

This written 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:

III

1. The first part of the document is devoted to a general survey of the situation in the country.

2. The second part of the document is devoted to a detailed analysis of the economic situation.

The first part of the document is devoted to a general survey of the situation in the country. It contains a detailed analysis of the economic situation, the political situation, and the social situation. The second part of the document is devoted to a detailed analysis of the economic situation. It contains a detailed analysis of the economic situation, the political situation, and the social situation.

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Water Section Manager
Beaumont Regional Office
TCEQ
3870 Eastex Freeway
Beaumont, Texas 77703-1892

3. The provisions of this Agreed Order shall apply to and be binding upon Monarch. Monarch 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 Monarch 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, Monarch's failure to comply is not a violation of this Agreed Order. Monarch shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Monarch shall notify the Executive Director within seven days after Monarch 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 Monarch shall be made in writing to the Executive Director. Extensions are not effective until Monarch 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 Monarch 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.
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 Monarch, or three days after the date on which the Commission mails notice of the Order to Monarch, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

1. Name of the student
2. Roll No.
3. Date of the exam
4. Name of the teacher

The student has to write the answer in the space provided below the question.

1. The student has to write the answer in the space provided below the question.

2. The student has to write the answer in the space provided below the question.

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4. The student has to write the answer in the space provided below the question.

5. The student has to write the answer in the space provided below the question.

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.

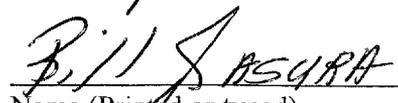
In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

1-03-07

Date



Name (Printed or typed)
Authorized Representative of
Monarch Utilities I L.P.

V. P.

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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