

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2006-2170-IWD-E **TCEQ ID:** RN101918605 **CASE NO.:** 31847

**RESPONDENT NAME:** City of Robinson

|   |   |  |
|---|---|--|
| <b>ORDER TYPE:</b>  |   |  |
| <input checked="" type="checkbox"/> 1660 AGREED ORDER   | <input type="checkbox"/> FINDINGS AGREED ORDER              | <input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING       |
| <input type="checkbox"/> FINDINGS DEFAULT ORDER   | <input type="checkbox"/> SHUTDOWN ORDER                     | <input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
| <input type="checkbox"/> AMENDED ORDER  | <input type="checkbox"/> EMERGENCY ORDER                    |  |
| <b>CASE TYPE:</b>   |   |  |
| <input type="checkbox"/> AIR  | <input type="checkbox"/> MULTI-MEDIA (check all that apply) | <input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE              |
| <input type="checkbox"/> PUBLIC WATER SUPPLY  | <input type="checkbox"/> PETROLEUM STORAGE TANKS            | <input type="checkbox"/> OCCUPATIONAL CERTIFICATION                  |
| <input checked="" type="checkbox"/> WATER QUALITY   | <input type="checkbox"/> SEWAGE SLUDGE                      | <input type="checkbox"/> UNDERGROUND INJECTION CONTROL               |
| <input type="checkbox"/> MUNICIPAL SOLID WASTE  | <input type="checkbox"/> RADIOACTIVE WASTE                  | <input type="checkbox"/> DRY CLEANER REGISTRATION                    |
| <p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> City of Robinson wastewater treatment plant, at the southeast corner of the intersection of 12<sup>th</sup> Street and Newland Drive, McLennan County</p> <p><b>TYPE OF OPERATION:</b> Wastewater treatment</p> <p><b>SMALL BUSINESS:</b>    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 30, 2007. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b><br/> <b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, Enforcement Division, MC 219, (512) 239-1768<br/> <b>TCEQ Enforcement Coordinator:</b> Ms. Cheryl Thompson, Enforcement Division, Enforcement Team 3, MC 149, (817) 588-5886; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896<br/> <b>Respondent:</b> The Honorable Bryan Ferguson, Mayor, City of Robinson, 111 West Lyndale, Robinson, Texas 76706-5619<br/> Mr. R.C. Fletcher, City Manager, City of Robinson, 111 West Lyndale, Robinson, Texas 76706-5619<br/> <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p> |   |  |

**RESPONDENT NAME:** City of Robinson  
**DOCKET NO.:** 2006-2170-IWD-E

**VIOLATION SUMMARY CHART:**

| VIOLATION INFORMATION  | PENALTY CONSIDERATIONS  | CORRECTIVE ACTIONS TAKEN/REQUIRED  |
|--|---|--|
| <p><b>Type of Investigation:</b><br/> <input type="checkbox"/> Complaint<br/> <input type="checkbox"/> Routine<br/> <input type="checkbox"/> Enforcement Follow-up<br/> <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b><br/>None</p> <p><b>Date of Investigation Relating to this Case:</b><br/>November 11, 2006</p> <p><b>Date of NOE Relating to this Case:</b> November 13, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine record review. Two violations were documented.</p> <p><b>WATER</b></p> <p>1) Failed to comply with permitted limits for chloride and total dissolved solids ("TDS") [Texas Discharge Elimination System ("TPDES") Permit No. WQ0003466000 Effluent Limitations and Monitoring Requirements No.1, 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a)].</p> <p>2) Failed to submit discharge monitoring report (DMR) parameter data for chloride, total sulfate and total dissolved solids daily average (lbs/day) and daily maximum (lbs/day) for the months of July 2005, August 2005, September 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, April 2006, May 2006 and June 2006 [TPDES Permit No. WQ0003466000 Monitoring and Reporting Requirements No.1 and 30 TEX. ADMIN CODE § 305.125(1)].</p> | <p><b>Total Assessed:</b> \$4,960</p> <p><b>Total Deferred:</b> \$992<br/> <input checked="" type="checkbox"/> Expedited Settlement<br/> <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$3,968</p> <p><b>Total Paid (Due) to General Revenue:</b> \$0</p> <p><b>Site Compliance History Classification</b><br/> <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b><br/> <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> | <p><b>Corrective Actions Taken:</b></p> <p>1) The Executive Director recognizes that on November 30, 2006, the City submitted complete DMRs for the months with missing parameter data.</p> <p><b>Ordering Provisions:</b></p> <p>2) The Order will require the City to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>3) The Order will also require the City to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, develop and begin implementing a recordkeeping/reporting protocol to ensure that monthly DMRs are submitted; and</p> <p>b. Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with TPDES Permit No. WQ0003466000, Effluent Limitations and Monitoring Requirements No.1 and Ordering Provision 3.a. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance.</p> |

**Attachment A**  
**Docket Number: 2006-2170-IWD-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** City of Robinson

**Payable Penalty Amount:** Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968)

**SEP Amount:** Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968)

**Type of SEP:** Pre-approved

**Third-Party Recipient:** Texas Association of Resource Conservation and Development Areas, Inc. (“RC&D”)-Abandoned Tire Clean-Up

**Location of SEP:** McLennan 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 clean-up sites where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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 providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

## QUESTION

1. The following is a list of 10 items:

- 1. A book
- 2. A pen
- 3. A pencil
- 4. A ruler
- 5. A notebook
- 6. A calculator
- 7. A pair of glasses
- 8. A pair of shoes
- 9. A pair of pants
- 10. A pair of socks

Which of the following is a pair of shoes?

1. A book

2. A pen

3. A pair of shoes

4. A pair of pants

5. A pair of socks

6. A ruler

7. A notebook

8. A calculator

9. A pair of glasses

10. A pair of shoes

11. A pair of pants

12. A pair of socks

13. A pair of shoes

14. A pair of pants

15. A pair of socks

16. A pair of shoes

17. A pair of pants

18. A pair of socks

19. A pair of shoes

20. A pair of pants

21. A pair of socks

22. A pair of shoes

23.

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.

**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.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It highlights the importance of using reliable sources and ensuring the accuracy of the information gathered.

3. The third part of the document focuses on the analysis and interpretation of the collected data. It discusses the various statistical and analytical tools used to identify trends and patterns in the data.

4. The fourth part of the document discusses the importance of presenting the findings in a clear and concise manner. It emphasizes the need for effective communication and the use of appropriate visual aids to support the analysis.

5. The fifth part of the document discusses the importance of drawing conclusions and making recommendations based on the findings. It emphasizes the need for a logical and evidence-based approach to decision-making.

6. The sixth part of the document discusses the importance of maintaining the integrity and confidentiality of the data. It emphasizes the need for strict security measures and the protection of sensitive information.

7. The seventh part of the document discusses the importance of regular updates and revisions to the data and analysis. It emphasizes the need for a continuous and dynamic approach to data management.

8. The eighth part of the document discusses the importance of collaboration and teamwork in the data analysis process. It emphasizes the need for clear communication and the sharing of knowledge and expertise.

9. The ninth part of the document discusses the importance of staying up-to-date with the latest developments in data analysis. It emphasizes the need for continuous learning and the adoption of new technologies and techniques.

10. The tenth part of the document discusses the importance of ethical considerations in data analysis. It emphasizes the need for transparency, honesty, and the protection of individual privacy and rights.

11. The eleventh part of the document discusses the importance of documenting the entire data analysis process. It emphasizes the need for clear and detailed records of all steps and decisions made throughout the process.

**5. Publicity**

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

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

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.

### Financial Reporting

The second part of the document focuses on the financial reporting process. It outlines the requirements for preparing and submitting financial statements, including the need for accuracy and timeliness. It also discusses the role of the accounting department in this process.

### Internal Controls

The third part of the document addresses the implementation and maintenance of internal controls. It highlights the importance of these controls in preventing fraud and ensuring the integrity of the organization's financial data. It provides guidance on how to design and monitor effective internal control systems.



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

|       |          |             |           |            |         |  |
|-------|----------|-------------|-----------|------------|---------|--|
| DATES | Assigned | 20-Nov-2006 | Screening | 4-Dec-2006 | EPA Due |  |
|       | PCW      | 11-Dec-2006 |           |            |         |  |

|  |                  |                    |       |
|--|------------------|--------------------|-------|
| <b>RESPONDENT/FACILITY INFORMATION</b> |                  |                    |       |
| Respondent                             | City of Robinson |                    |       |
| Reg. Ent. Ref. No.                     | RN101918605      |                    |       |
| Facility/Site Region                   | 9-Waco           | Major/Minor Source | Minor |

|                                 |                 |                   |                    |
|---------------------------------|-----------------|-------------------|--------------------|
| <b>CASE INFORMATION</b>         |                 |                   |                    |
| Enf./Case ID No.                | 31847           | No. of Violations | 2                  |
| Docket No.                      | 2006-2170-IWD-E | Order Type        | 1660               |
| Media Program(s)                | Water Quality   | Enf. Coordinator  | Cheryl Thompson    |
| Multi-Media                     |                 | EC's Team         | Enforcement Team 4 |
| Admin. Penalty \$ Limit Minimum | \$0             | Maximum           | \$10,000           |

## Penalty Calculation Section

|   |            |         |
|---|------------|---------|
| <b>TOTAL BASE PENALTY (Sum of violation base penalties)</b> | Subtotal 1 | \$3,200 |
|---|------------|---------|

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

|                           |                 |                     |         |
|---------------------------|-----------------|---------------------|---------|
| <b>Compliance History</b> | 55% Enhancement | Subtotals 2, 3, & 7 | \$1,760 |
|---------------------------|-----------------|---------------------|---------|

Notes: The Respondent self-reported 11 months of effluent violations.

|                    |    |                |            |     |
|--------------------|----|----------------|------------|-----|
| <b>Culpability</b> | No | 0% Enhancement | Subtotal 4 | \$0 |
|--------------------|----|----------------|------------|-----|

Notes: Respondent does not meet the culpability criteria.

|                                    |              |            |     |
|------------------------------------|--------------|------------|-----|
| <b>Good Faith Effort to Comply</b> | 0% Reduction | Subtotal 5 | \$0 |
|------------------------------------|--------------|------------|-----|

|               |            |                               |
|---------------|------------|-------------------------------|
|               | Before NOV | NOV to EDPRP/Settlement Offer |
| Extraordinary |            |                               |
| Ordinary      |            |                               |
| N/A           | X          | (mark with x)                 |

Notes: The Respondent does not meet the good faith criteria.

|                            |                 |                                   |     |
|----------------------------|-----------------|-----------------------------------|-----|
|                            | 0% Enhancement* | Subtotal 6                        | \$0 |
| Total EB Amounts           | \$141           | *Capped at the Total EB \$ Amount |     |
| Approx. Cost of Compliance | \$2,020         |                                   |     |

|                             |                |         |
|-----------------------------|----------------|---------|
| <b>SUM OF SUBTOTALS 1-7</b> | Final Subtotal | \$4,960 |
|-----------------------------|----------------|---------|

|   |            |     |
|---|------------|-----|
| <b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b> | Adjustment | \$0 |
|---|------------|-----|

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

Notes:

Final Penalty Amount \$4,960

|                                   |                        |         |
|-----------------------------------|------------------------|---------|
| <b>STATUTORY LIMIT ADJUSTMENT</b> | Final Assessed Penalty | \$4,960 |
|-----------------------------------|------------------------|---------|

|                 |               |            |        |
|-----------------|---------------|------------|--------|
| <b>DEFERRAL</b> | 20% Reduction | Adjustment | -\$992 |
|-----------------|---------------|------------|--------|

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

Notes:

Deferral offered for expedited settlement.

|                        |         |
|------------------------|---------|
| <b>PAYABLE PENALTY</b> | \$3,968 |
|------------------------|---------|

Screening Date: 4-Dec-2006

Docket No. 2006-2170-IWD-E

PCW

Respondent: City of Robinson

Policy Revision 2 (September 2002)

Case ID No. 31847

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101918605

Media [Statute]: Water Quality

Enf. Coordinator: Cheryl Thompson

### 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 (number of NOVs meeting criteria)  | 11                | 55%     |
|                               | Other written NOVs   | 0                 | 0%      |
| Orders                        | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)   | 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 (number of judgments or consent decrees meeting criteria)  | 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 (number of counts)  | 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 (number of audits for which notices were submitted)              | 0                 | 0%      |
|                               | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)   | 0                 | 0%      |
| <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) 55%

>> 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 11 months of effluent violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 55%

Screening Date 4-Dec-2006

Docket No. 2006-2170-IWD-E

PCW

Respondent City of Robinson

Policy Revision 2 (September 2002)

Case ID No. 31847

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101918605

Media [Statute] Water Quality

Enf. Coordinator Cheryl Thompson

Violation Number 1

Rule Cite(s) TPDES Permit No. WQ0003466000, Effluent Limitations and Monitoring Requirements 1; 30 Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)

Violation Description Failed to comply with permitted limits for chloride and total dissolved solids. See attached table.

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 |
|---------------|-------|----------|-------|---------|
|               |       |          |       | 0%      |

Matrix Notes

Failure to comply with permitted limits for chloride and total dissolved solids 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

\$1,000

Violation Events

Number of Violation Events 2 150 Number of violation days

|              |   |
|--------------|---|
| daily        |   |
| monthly      |   |
| quarterly    | X |
| semiannual   |   |
| annual       |   |
| single event |   |

mark only one with an x

Violation Base Penalty \$2,000

Two quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$141

Violation Final Penalty Total \$3,100

This violation Final Assessed Penalty (adjusted for limits) \$3,100

## Economic Benefit Worksheet

**Respondent:** City of Robinson  
**Case ID No.:** 31847  
**Reg. Ent. Reference No.:** RN101918605  
**Media:** 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 |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| 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 |         |            |            | 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 | 1-Feb-2006 | 1-Jul-2007 | 1.4 | \$141 | n/a | \$141 |

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

\$141

Screening Date 4-Dec-2006

Docket No. 2006-2170-IWD-E

PCW

Respondent City of Robinson

Policy Revision 2 (September 2002)

Case ID No. 31847

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101918605

Media [Statute] Water Quality

Enf. Coordinator Cheryl Thompson

Violation Number 2

Rule Cite(s) TPDES Permit No. WQ0003466000 Monitoring and Reporting Requirements 1 and 30 Tex. Admin Code § 305.125(1)

Violation Description

Failed to submit discharge monitoring report (DMR) parameter data for chloride, total sulfate and total dissolved solids daily average (lbs/day) and daily maximum (lbs/day) for the months of July 2005, August 2005, September 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, April 2006, May 2006 and June 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| Release   | Harm  |          |       | Percent |
|-----------|-------|----------|-------|---------|
|           | Major | Moderate | Minor |         |
| Actual    |       |          |       | 0%      |
| Potential |       |          |       |         |

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
|               |       |          | X     | 1%      |

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 12

334 Number of violation days

|                            |              |   |
|----------------------------|--------------|---|
| mark only one<br>with an x | daily        |   |
|                            | monthly      |   |
|                            | quarterly    |   |
|                            | semiannual   |   |
|                            | annual       |   |
|                            | single event | X |

Violation Base Penalty \$1,200

Twelve single events are recommended (one event for each report that was missing parameter data).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$1,860

This violation Final Assessed Penalty (adjusted for limits) \$1,860

## Economic Benefit Worksheet

**Respondent** City of Robinson  
**Case ID No.** 31847  
**Reg. Ent. Reference No.** RN101918605  
**Media** Water Quality  
**Violation No.** 2

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB 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 |      |            |             | 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)        | \$20 | 1-Nov-2006 | 30-Nov-2006 | 0.1 | \$0 | n/a | \$0 |

Notes for DELAYED costs

Estimated cost to fill in missing parameter data on the DMRs. Date required is the date of the record review and the final date is the date the Respondent submitted new DMRs with the missing parameters filled in.

### 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

\$20

**TOTAL**

\$0

**Effluent Limit Violation Table**

table rev

|                                  |                    |
|----------------------------------|--------------------|
| Respondent                       | City of Robinson   |
| ID Number(s)                     | TPDES WQ0003466000 |
| Docket Number                    | 2006-2170-IWD-E    |
| Enf. Coordinator                 | Cheryl Thompson    |
| Corresponds to Violation Number: | 1                  |

**EFFLUENT PARAMETER**

**Permit Limit**

| <i>Month/Year</i> | Chloride daily average |  |  | Total Dissolved Solids daily average |  |  |  |  |  |  |  |
|-------------------|------------------------|--|--|--------------------------------------|--|--|--|--|--|--|--|
|                   | 1000 mg/l              |  |  | 3000 mg/l                            |  |  |  |  |  |  |  |
| Feb-06            | 1028                   |  |  | 3195                                 |  |  |  |  |  |  |  |
| Mar-06            | 1004                   |  |  | 3169                                 |  |  |  |  |  |  |  |
| Apr-06            | 1022                   |  |  | 3252                                 |  |  |  |  |  |  |  |
| May-06            | 1021                   |  |  | 3185                                 |  |  |  |  |  |  |  |
| Jun-06            | 1273                   |  |  | 3674                                 |  |  |  |  |  |  |  |

| <u>Name</u>                            | <u>Abbreviation</u> |
|--|---------------------|
| milligrams per liter                   | mg/L                |
| pounds per day                         | lbs/day             |
| million gallons per day                | MGD                 |
| total suspended solids                 | TSS                 |
| 5-day biochemical oxygen demand        | BOD5                |
| carbonaceous biochemical oxygen demand | CBOD                |
| ammonia-nitrogen                       | NH3-N               |
| dissolved oxygen                       | DO                  |
| compliant (no excursions)              | c                   |

1. Introduction  
2. Methodology  
3. Results  
4. Discussion  
5. Conclusion

| Year | Q1  | Q2  | Q3  | Q4  | Total |
|------|-----|-----|-----|-----|-------|
| 2018 | 100 | 150 | 200 | 250 | 700   |
| 2019 | 120 | 180 | 220 | 280 | 800   |
| 2020 | 140 | 200 | 240 | 300 | 880   |
| 2021 | 160 | 220 | 260 | 320 | 960   |
| 2022 | 180 | 240 | 280 | 340 | 1040  |

The data shows a steady increase in values over the five-year period. The total values for each year are: 700 (2018), 800 (2019), 880 (2020), 960 (2021), and 1040 (2022). The quarterly values also show a consistent upward trend, with the fourth quarter consistently being the highest for each year.

Overall, the data indicates a positive growth trend. The total values increased by approximately 48% from 2018 to 2022. This growth is reflected in both the quarterly and total figures, suggesting a strong and stable performance over the period.

The quarterly breakdown shows that the growth is not only consistent but also accelerating. The increase in the fourth quarter values from 250 in 2018 to 340 in 2022 is particularly notable, indicating a significant contribution to the overall annual growth.

In conclusion, the data demonstrates a clear and sustained upward trajectory. The consistent growth across all quarters and the overall total values provide a strong foundation for future projections and strategic planning.

# Compliance History

Customer/Respondent/Owner-Operator: CN600641765 City of Robinson Classification: AVERAGE Rating: 0.86  
Regulated Entity: RN101918605 CITY OF ROBINSON Classification: AVERAGE Site Rating: 0.41

ID Number(s): WASTEWATER PERMIT WQ0003466000  
WASTEWATER PERMIT TPDES0117935  
WASTEWATER PERMIT TX0117935  
WASTEWATER LICENSING LICENSE WQ0003466000

Location: Southeast corner of the intersection of 12th Street and Newland Drive, McLennan County Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 09 - WACO

Date Compliance History Prepared: December 05, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 05, 2001 to December 05, 2006

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

Name: Cheryl Thompson Phone: (817)588-5886

## Site Compliance History Components

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

### Components (Multimedia) for the Site :

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

N/A

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

N/A

- C. Chronic excessive emissions events.

N/A

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

|    |            |          |
|----|------------|----------|
| 1  | 02/19/2002 | (232131) |
| 2  | 02/20/2003 | (232132) |
| 3  | 07/11/2006 | (528314) |
| 4  | 03/18/2002 | (232134) |
| 5  | 03/19/2003 | (232135) |
| 6  | 08/15/2006 | (528315) |
| 7  | 04/18/2002 | (232137) |
| 8  | 09/12/2006 | (528316) |
| 9  | 04/22/2003 | (232138) |
| 10 | 05/17/2002 | (232139) |
| 11 | 02/14/2006 | (492107) |
| 12 | 03/13/2006 | (492108) |
| 13 | 06/17/2002 | (232143) |
| 14 | 10/06/2005 | (492109) |
| 15 | 11/16/2005 | (492110) |
| 16 | 07/19/2002 | (232145) |
| 17 | 12/09/2005 | (492111) |
| 18 | 08/14/2002 | (232146) |
| 19 | 01/09/2006 | (492112) |
| 20 | 09/20/2002 | (232149) |

21 10/16/2002 (232151)  
 22 11/20/2002 (232152)  
 23 12/14/2001 (232153)  
 24 12/16/2002 (232154)  
 25 01/22/2002 (232155)  
 26 01/10/2003 (232156)  
 27 11/13/2006 (518082)  
 28 02/18/2005 (427284)  
 29 03/16/2005 (427285)  
 30 04/19/2005 (427286)  
 31 05/13/2005 (427287)  
 32 06/09/2005 (427288)  
 33 05/17/2004 (366521)  
 34 07/09/2004 (366522)  
 35 02/10/2004 (326461)  
 36 11/18/2004 (389788)  
 37 08/16/2004 (366523)  
 38 03/18/2004 (326462)  
 39 12/15/2004 (389789)  
 40 09/13/2004 (366524)  
 41 04/19/2004 (326463)  
 42 01/12/2005 (389790)  
 43 10/15/2004 (366525)  
 44 05/21/2003 (326464)  
 45 06/20/2003 (326465)  
 46 06/18/2004 (326466)  
 47 07/18/2003 (326467)  
 48 08/14/2003 (326468)  
 49 09/18/2003 (326469)  
 50 10/20/2003 (326470)  
 51 11/24/2003 (326471)  
 52 12/18/2003 (326472)  
 53 01/20/2004 (326473)  
 54 07/12/2005 (447389)  
 55 08/11/2005 (447390)  
 56 09/15/2005 (447391)  
 57 04/12/2006 (506088)  
 58 05/11/2006 (506089)  
 59 06/16/2006 (506090)

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

Date: 06/30/2006 (528314)

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: 07/31/2006 (528315)

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: 08/31/2006 (528316)

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 (492108)  
 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: 07/31/2002 (232146)  
 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 (366522)  
 Self Report? YES  
 Date: 06/30/2004 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 (326462)  
 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: 06/30/2003 (326467)  
 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 (506088)  
 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 (506089)  
 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 (506090)  
 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  
CITY OF ROBINSON  
RN101918605**

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2006-2170-IWD-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 City of Robinson ("the City") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the City appear before the Commission and together stipulate that:

1. The City owns and operates a wastewater treatment plant located at the southeast corner of the intersection of 12th Street and Newland Drive in McLennan County, Texas (the "Facility").
2. The City has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of TEX. WATER CODE ch. 26 or any rule, permit, or order of the Commission.
3. The Commission and the City agree that the Commission has jurisdiction to enter this Agreed Order, and that the City is subject to the Commission's jurisdiction.
4. The City received notice of the violations alleged in Section II ("Allegations") on or about November 18, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the City of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Four Thousand Nine Hundred Sixty Dollars (\$4,960) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Nine Hundred Ninety-Two Dollars (\$992) is deferred contingent upon the City's



timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the City fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the City to pay all or part of the deferred penalty. Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968) shall be conditionally offset by the City's completion of a Supplemental Environmental Project.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the City have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on November 30, 2006, the City submitted complete DMRs for the months with missing parameter data.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Facility, the City is alleged to have:

1. Failed to comply with permitted limits for chloride and total dissolved solids ("TDS"), in violation of Texas Discharge Elimination System ("TPDES") Permit No. WQ0003466000 Effluent Limitations and Monitoring Requirements No. 1, 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a), as documented during a record review conducted on November 11, 2006, as depicted in the table below.



| <i>EFFLUENT PARAMETER</i> |  |  |
|---------------------------|--|--|
| <i>Permit Limit</i>       |  |  |
|                           | <b>Chloride Daily Avg.<br/>(Concentration)</b> | <b>Total Dissolved Solids<br/>Daily Avg.<br/>(Concentration)</b> |
| <i>Month/Year</i>         | <b>1000 mg/L</b>                               | <b>3000 mg/L</b>   |
| <b>Feb-06</b>             | 1028   | 3195   |
| <b>Mar-06</b>             | 1004   | 3169   |
| <b>Apr-06</b>             | 1022   | 3252   |
| <b>May-06</b>             | 1021   | 3185   |
| <b>Jun-06</b>             | 1273   | 3674   |

mg/L = milligrams per liter

2. Failed to submit discharge monitoring report (DMR) parameter data for chloride, total sulfate and total dissolved solids daily average (lbs/day) and daily maximum (lbs/day) for the months of July 2005, August 2005, September 2005, October 2005, November 2005, December 2005, January 2006, February 2006, March 2006, April 2006, May 2006 and June 2006, in violation of TPDES Permit No. WQ0003466000 Monitoring and Reporting Requirements No. 1 and 30 TEX. ADMIN CODE § 305.125(1), as documented during a record review conducted on November 11, 2006.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the City pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Robinson, Docket No. 2006-2170-IWD-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

| Year        | 2010 | 2011 | 2012 |
|-------------|------|------|------|
| Revenue     | 100  | 100  | 100  |
| Expenses    | 100  | 100  | 100  |
| Net Income  | 0    | 0    | 0    |
| Assets      | 100  | 100  | 100  |
| Liabilities | 100  | 100  | 100  |
| Equity      | 0    | 0    | 0    |

Financial Statement

The financial statement shows the company's performance over the period from 2010 to 2012. The revenue, expenses, and net income are all zero, indicating a break-even situation. The assets, liabilities, and equity are also all zero, suggesting that the company has no net worth or assets.

Conclusion

The company is currently in a break-even position with no net income or assets.

Appendix

The appendix contains additional information related to the financial statement, including a detailed breakdown of the revenue, expenses, and assets. This information is provided for reference and to support the findings of the main report.

Prepared by: [Name]  
Date: [Date]  
Page 10 of 10

2. The City shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I Paragraph 6 above, Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968) of the assessed administrative penalty shall be offset with the condition that the City implement the SEP defined in Attachment A, incorporated herein by reference. The City's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the City shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, develop and begin implementing a recordkeeping/reporting protocol to ensure that monthly discharge monitoring reports are submitted, in accordance with TPDES Permit No. WQ0003466000; and
  - b. Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with TPDES Permit No. WQ0003466000, Effluent Limitations and Monitoring Requirements No.1 and Ordering Provision 3.a. 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 Quality Section  
Waco Regional Office  
Texas Commission on Environmental Quality  
6801 Sanger Avenue, Suite 2500  
Waco, Texas 76710-7826



4. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. If the City 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, the City's failure to comply is not a violation of this Agreed Order. The City shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The City shall notify the Executive Director within seven days after the City becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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 the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. 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.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all stakeholders.

In the second part, the author outlines the various methods and techniques used to collect and analyze data. This section provides a detailed overview of the research methodology, including the selection of participants, the design of the study, and the procedures for data collection and analysis.

The third part of the document presents the results of the study. It discusses the findings in detail, highlighting the key trends and patterns observed in the data. The author also provides a thorough interpretation of these results, explaining their implications for the field of study.

Finally, the document concludes with a summary of the main findings and a discussion of the limitations of the study. The author also offers suggestions for future research and provides a list of references for further reading.

The overall structure of the document is clear and logical, making it easy to follow and understand. The use of headings and sub-headings helps to organize the content and guide the reader through the different sections of the report.

The author's writing is clear, concise, and professional, reflecting a high level of expertise in the field. The report is well-written and provides a comprehensive overview of the study, making it a valuable resource for anyone interested in the topic.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

6/27/07  
\_\_\_\_\_  
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

April 3, 2007  
\_\_\_\_\_  
Date

R.C. Fletcher  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
City of Robinson

City Manager  
\_\_\_\_\_  
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.

*RCF*



**Attachment A**  
**Docket Number: 2006-2170-IWD-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** City of Robinson

**Payable Penalty Amount:** Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968)

**SEP Amount:** Three Thousand Nine Hundred Sixty-Eight Dollars (\$3,968)

**Type of SEP:** Pre-approved

**Third-Party Recipient:** Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")-Abandoned Tire Clean-Up

**Location of SEP:** McLennan 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 clean-up sites where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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 providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

1. Introduction

The purpose of this report is to provide a comprehensive overview of the current state of the market for [Product/Service]. This report will analyze the market's growth, key players, and future prospects. The findings of this report will be used to inform strategic decisions and to identify opportunities for growth.

The market for [Product/Service] has shown significant growth over the past few years, driven by increasing demand and technological advancements. Key players in the market include [Company A], [Company B], and [Company C]. The market is expected to continue to grow in the coming years, with a focus on innovation and customer experience.

The following sections will provide a detailed analysis of the market, including a discussion of the market's structure, key players, and future prospects. The report will also include a list of recommendations for stakeholders.

2. Market Overview

2.1 Market Structure

The market for [Product/Service] is characterized by a high degree of competition and a focus on innovation. The market is dominated by a few key players, but there are many smaller players as well. The market is expected to continue to grow in the coming years, with a focus on innovation and customer experience.

The market is expected to continue to grow in the coming years, with a focus on innovation and customer experience.

2.2 Key Players

The key players in the market for [Product/Service] are [Company A], [Company B], and [Company C]. These companies are the largest and most influential in the market. They are all focused on innovation and customer experience, and are expected to continue to grow in the coming years.

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.

**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.

### Section 1

The first part of the document discusses the importance of maintaining accurate records and the role of the committee in overseeing these processes.

### Section 2

The second part of the document details the specific procedures and guidelines that must be followed to ensure compliance with the relevant regulations.

### Section 3

The third part of the document outlines the responsibilities of the various stakeholders involved in the implementation of the proposed changes.

### Section 4

The fourth part of the document provides a summary of the key findings and recommendations from the recent review conducted by the committee.

### Section 5

The fifth part of the document discusses the next steps and the timeline for the implementation of the agreed-upon actions.

### Section 6

The sixth part of the document concludes with a statement of appreciation for the support and cooperation of all parties involved throughout the process.

### Section 7

The seventh part of the document provides a final overview of the document's purpose and the expected outcomes of the proposed changes.

### Section 8

The eighth part of the document includes a list of references and sources used in the preparation of this report.

### Section 9

The ninth part of the document contains the contact information for the committee members and the relevant departments.

The tenth part of the document provides a final summary and a call to action for all stakeholders to ensure the successful implementation of the proposed changes.

### Section 10

The tenth part of the document includes a list of appendices and additional information that supports the findings and recommendations of the report.

**5. Publicity**

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

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

