

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2005-0843-MLM-E **TCEQ ID:** RN101916302 and RN101404887 **CASE NO.:** 25477

RESPONDENT NAME: City of Edgewood

ORDER TYPE:		
<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	
CASE TYPE:		
<input type="checkbox"/> AIR	<input checked="" type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" 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>SITE WHERE VIOLATION(S) OCCURRED: City of Edgewood Wastewater treatment facility, on the southern bank of Giladon Creek approximately 2,200 feet east of Farm-to-Market Road 859 ("Facility A"); and Public Water Supply, one quarter mile north of County Road 3507 and County Road 3504 ("Facility B"), Van Zandt County</p> <p>TYPE OF OPERATION: Wastewater treatment facility and public water supply</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is one additional pending enforcement actions regarding this facility location, Docket No. 2007-0258-MWD-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on August 25, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. Samuel Short, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-5363; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: The Honorable Charles Prater, Mayor, City of Edgewood, P.O. Box 377, Edgewood, Texas 75117 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Dates of Investigations Relating to this Case: February 17, 2005 and September 16, 2004</p> <p>Date of NOV/NOE Relating to this Case: September 16 and October 6, 2004 and April 29, 2005 (NOEs)</p> <p>Background Facts: This was a routine investigation and record review. Three violations were documented.</p> <p>WATER</p> <p>Facility A</p> <p>1) Failed to submit a permit renewal application prior to the permit expiration date of March 1, 2002 and continued to discharge after permit expiration [30 TEX. ADMIN. CODE §§ 305.63(a) and 305.125(2) and TEX. WATER CODE § 26.121(a)].</p> <p>Facility B</p> <p>2) Failed to comply with the maximum contaminant level (MCL) based on a running annual average for trihalomethanes (TTHM) during the third quarter of 2004 [30 TEX. ADMIN. CODE § 290.113(b)(1) and 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p> <p>3) Failed to comply with the MCL based on a running annual average for haloacetic acids (HAA5) during the third quarter of 2004 [30 TEX. ADMIN. CODE § 290.113(b)(2) and 290.113(f)(5) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].</p>	<p>Total Assessed: \$20,447</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$20,447</p> <p>Total Paid to General Revenue: \$0</p> <p>RN101404887 Site Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>RN101916302 Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <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>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Respondent shall undertake the following technical requirements for Facility A:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit an administratively complete permit application;</p> <p>b. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing;</p> <p>c. Immediately upon the effective date of this Agreed Order, until such time that authorization to operate is obtained, or until 300 days after the effective date of this Agreed Order, whichever is earlier, comply with the permit limits in expired Texas Pollutant Discharge Elimination System Permit No. 10560001; and</p> <p>d. Within 300 days after the effective date of this Agreed Order submit written certification that either authorization to operate has been obtained or that operation has ceased until such time that appropriate authorization is obtained. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance.</p> <p>3) The Respondent shall undertake the following technical requirements for Facility B:</p> <p>a. Within 365 days after the effective date of this Agreed Order, return to compliance with the running annual average maximum level for TTHM and HAA5; and</p> <p>b. Within 380 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 3.a.</p>

Attachment A
Docket Number: 2005-0843-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Edgewood
Payable Penalty Amount:	Twenty Thousand Four Hundred Forty-Seven Dollars (\$20,447)
SEP Amount:	Twenty Thousand Four Hundred Forty-Seven Dollars (\$20,447)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Unauthorized Trash Dump Clean-Up
Location of SEP:	Van Zandt 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 coordinate with city and/or county governmental officials regarding the clean up of sites where trash has been disposed of illegally. Eligible sites will be limited to those where a responsible party can not be identified and where there is no pre-existing obligation to clean up the site by the owner or the government. Additionally, reasonable efforts must have already been taken to prevent the dumping. SEP monies will be used to pay for the direct cost of collection and disposal of debris. 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 helping rid communities of the dangers and health threats associated with non-regulated trash dumps which contaminate air and water, and harbor disease carrying animals and insects.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In addition, the document outlines the process for handling discrepancies. If there is a difference between the recorded amount and the actual amount received or paid, it is crucial to investigate the cause immediately. This could be due to a clerical error, a missing receipt, or a change in the terms of the agreement.

The document also provides guidelines for the frequency of reconciling accounts. It is recommended to perform a reconciliation at least once a month. This helps in identifying any issues early on and prevents them from becoming more complex over time.

Finally, the document stresses the importance of security. All financial records should be stored in a secure location, either physically or digitally. Access should be restricted to authorized personnel only to prevent unauthorized access or tampering.

The second part of the document focuses on the importance of clear communication. All parties involved in a transaction should have a clear understanding of the terms and conditions. This includes the amount, the due date, and any applicable taxes or fees.

It is also important to maintain open lines of communication. If there are any questions or concerns, they should be addressed promptly. This helps in building trust and ensuring that all parties are satisfied with the transaction.

The document also discusses the importance of documentation. All agreements should be written down and signed by all parties. This provides a clear record of the terms and conditions and can be used as evidence in the event of a dispute.

In conclusion, the document provides a comprehensive overview of the best practices for managing financial transactions. By following these guidelines, businesses can ensure that their financial records are accurate, secure, and easy to understand.

The final part of the document discusses the importance of regular audits. An audit is a systematic review of the financial records to ensure that they are accurate and complete. It is a crucial part of any business's financial management strategy.

The document outlines the steps for conducting an audit. This includes identifying the scope of the audit, gathering the necessary data, and performing a thorough review. It also discusses the importance of documenting the findings and reporting them to the appropriate authorities.

In addition, the document provides tips for preventing errors. This includes double-checking all entries, using standardized procedures, and providing training to staff. By taking these steps, businesses can minimize the risk of errors and ensure the accuracy of their financial records.

The document concludes by emphasizing the importance of ongoing monitoring and improvement. Financial management is an ongoing process, and businesses should regularly review their procedures to ensure they are up-to-date and effective.

By following the guidelines outlined in this document, businesses can ensure that their financial records are accurate, secure, and easy to understand. This is essential for the long-term success of any business.

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, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

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.



Penalty Calculation Worksheet (PCW)

DATES	Assigned	20-Jun-2005	Screening	01-Jul-2005	EPA Due	
	PCW	07-Jul-2005				

RESPONDENT/FACILITY INFORMATION	
Respondent	City of Edgewood
Reg. Ent. Ref. No.	RN101404887
Facility/Site Region	5-Tyler <
Major/Minor Source	Minor Source <

CASE INFORMATION			
Enf./Case ID No.	25477	No. of Violations	2
Docket No.	2005-0843-MLM-E	Order Type	1660 <
Media Program(s)	Public Water Supply <	Enf. Coordinator	Carolyn V. Lind
Multi-Media		EC's Team	Enforcement Team 1 <
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 2% Enhancement Subtotals 2, 3, & 7

Notes

Culpability Yes < 25% Enhancement Subtotal 4

Notes

Good Faith Effort to Comply 0% Reduction Subtotal 5

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	x	(mark with a small x)

Notes

Economic Benefit 0% Enhancement* Subtotal 6

Total EB Amounts	<input type="text" value="\$369"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$3,000"/>	

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

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

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL Reduction Adjustment

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

Notes

PAYABLE PENALTY

Screening Date 01-Jul-2005 **Docket No.** 2005-0843-MLM-E **PCW**
Respondent City of Edgewood *Policy Revision 2 (September 2002)*
Case ID No. 25477 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101404887
Media [Statute] Public Water Supply
Enf. Coordinator Carolyn V. Lind

Compliance History Worksheet

>> **Compliance History -Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	1	2%
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 (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 2%

>> **Repeat Violator (Subtotal 3)**

N/A

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 received an enhancement due to one NOV for other violations.

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

Screening Date 01-Jul-2005 **Docket No.** 2005-0843-MLM-E **PCW**
Respondent City of Edgewood *Policy Revision 2 (September 2002)*
Case ID No. 25477 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101404887
Media [Statute] Public Water Supply
Enf. Coordinator Carolyn V. Lind
Violation Number
Primary Rule Cite(s)
Secondary Rule Cite(s)
Violation Description
Base Penalty

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment
Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Edgewood
 Case ID No. 25477
 Reg. Ent. Reference No. RN101404887
 Media [Statute] Public Water Supply
 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)	\$3,000	26-Jul-2004	11-Jan-2007	2.5	\$369	n/a	\$369

Notes for DELAYED costs: The estimated cost to implement an alternative method of disinfection, from the third quarter water sample collection date (July 26, 2004) through the date of expected compliance (January 11, 2007).

Item	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 **\$3,000** TOTAL **\$369**

Screening Date 01-Jul-2005 **Docket No.** 2005-0843-MLM-E **PCW**
Respondent City of Edgewood *Policy Revision 2 (September 2002)*
Case ID No. 25477 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101404887
Media [Statute] Public Water Supply
Enf. Coordinator Carolyn V. Lind
Violation Number
Primary Rule Cite(s)
Secondary Rule Cite(s)
Violation Description

Base Penalty

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		<input type="text" value="25%"/>
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				<input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Edgewood
 Case ID No. 25477
 Reg. Ent. Reference No. RN101404887
 Media [Statute] Public Water Supply
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The economic benefit for this violation is included with Violation No. 1.

Item Description	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)	Yrs	Interest Saved	Onetime Costs	EB Amount
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 TOTAL

Compliance History

Customer/Respondent/Owner-Operator:	CN600738512 City of Edgewood	Classification: AVERAGE	Rating: 2.25
Regulated Entity:	RN101404887 CITY OF EDGEWOOD	Classification:	Site Rating:
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY WATER LICENSING	REGISTRATION LICENSE	2340002 2340002
Location:	LOCATED .25 MI N OF CR 3507 AND 3504, VAN ZANDT CO		
TCEQ Region:	REGION 05 - TYLER		
Date Compliance History Prepared:	June 24, 2005		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	June 24, 2000 to June 24, 2005		

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

Name: Carolyn V. Lind Phone: N/A

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

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 | 04/16/2002 | (IE0018601001001) |
| 2 | 08/31/2004 | (278618) |
| 3 | 06/13/2003 | (60901) |
| 4 | 06/17/2005 | (395428) |
| 5 | 08/15/2003 | (395356) |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- | | | |
|------------------|---|--------------------------|
| Date: 08/15/2003 | (395356) | Classification: Moderate |
| Self Report? NO | | |
| Citation: | 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii) | |
| | Description: FAILURE TO COLLECT ANY ROUTINE MONITORING SAMPLES IN 06/2003. | |
| Self Report? NO | | Classification: Moderate |
| Citation: | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) | |
| | Description: FAILURE TO POST A PN FOR NOT COLLECTING ANY ROUTINE MONITORING SAMPLES IN 06/2003. | |
- 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



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 10, 2005

DATES	Assigned PCW	02-May-2005	Screening	05-May-2005	EPA Due	
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RESPONDENT/FACILITY INFORMATION	
Respondent	City of Edgewood
Reg. Ent. Ref. No.	RN101916302
Facility/Site Region	5-Tyler
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	25477	No. of Violations	1
Docket No.	2005-0843-MLM-E	Order Type	1660
Media Program(s)	Water Quality	Enf. Coordinator	Carolyn V. Lind
Multi-Media		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$39,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **2% Enhancement** **Subtotals 2, 3, & 7** **\$780**

Notes The Respondent received an enhancement due to one NOV for other violations.

Culpability **Yes** **25% Enhancement** **Subtotal 4** **\$9,750**

Notes The Respondent received a permit renewal reminder notice dated March 30, 2001 and received a permit expiration notice dated May 1, 2002.

Good Faith Effort to Comply **0% Reduction** **Subtotal 5** **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with a small x)

Notes The Respondent is not yet compliant.

Economic Benefit **0% Enhancement*** **Subtotal 6** **\$0**

Total EB Amounts	\$587	<i>*Capped at the Total EB \$ Amount</i>
Approx. Cost of Compliance	\$3,000	

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$49,530**

OTHER FACTORS AS JUSTICE MAY REQUIRE **60% Reduction** **Adjustment** **-\$29,718**

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

Notes Recommended reduction due to the minimal potential that the low flows from this facility would significantly impact the environment.

Final Penalty Amount **\$19,812**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$19,812**

DEFERRAL **Reduction** **Adjustment** **\$0**

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

Notes No deferral due to the assessment of a culpability enhancement.

PAYABLE PENALTY **\$19,812**

Screening Date 05-May-2005
Respondent City of Edgewood
Case ID No. 25477
Reg. Ent. Reference No. RN101916302
Media [Statute] Water Quality
Enf. Coordinator Carolyn V. Lind

Docket No. 2005-0843-MLM-E

PCW

Policy Revision 2 (September 2002)

PCW Revision May 10, 2005

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	1	2%
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%
<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) 2%

>> **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 received an enhancement due to one NOV for other violations.

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

Screening Date	05-May-2005	Docket No.	2005-0843-MLM-E	PCW
Respondent	City of Edgewood			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	25477			<i>PCW Revision May 10, 2005</i>
Reg. Ent. Reference No.	RN101916302			
Media [Statute]	Water Quality			
Enf. Coordinator	Carolyn V. Lind			
Violation Number	<input type="text" value="1"/>			
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code §§ 305.63(a) and 305.125(2)"/>			
Secondary Rule Cite(s)	<input type="text" value="Tex. Water Code § 26.121(a)"/>			
Violation Description	<input type="text" value="Failure to submit a permit renewal application prior to the permit expiration date of March 1, 2002 and continued to discharge after permit expiration into an unnamed tributary of Giladon Creek; thence to Giladon Creek; thence to Mill Creek; thence to the Sabine River below Lake Tawakoni, in Segment No. 0506 of the Sabine River Basin, as documented during the investigation conducted on February 17, 2005."/>			

Base Penalty

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

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

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>				

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent City of Edgewood
 Case ID No. 25477
 Reg. Ent. Reference No. RN101916302
 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)	\$3,000	01-Mar-2002	27-Jan-2006	3.9	\$587	n/a	\$587

Notes for DELAYED costs: The approximate cost to prepare and submit a wastewater permit application.

Item Description	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 **\$3,000**

TOTAL \$587

Compliance History

Customer/Respondent/Owner-Operator:	CN600738512	City of Edgewood	Classification: AVERAGE	Rating: 2.250
Regulated Entity:	RN101916302	CITY OF EDGEWOOD	Classification: AVERAGE	Rating: 0.75
ID Number(s):				
Location:	located on the southern bank of Giladon Creek approximately 2,200 feet east of Farm-To-Market Road 859, Van Zandt County, Texas		Rating Date: 9/1/04	Repeat Violator: NO
TCEQ Region:	REGION 05 - TYLER			
Date Compliance History Prepared:	May 05, 2005			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	May 05, 2000 to May 05, 2005			

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

Name: Carolyn V. Lind Phone: (903) 535-5145

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

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 dates of investigations.

1	03/31/2003	(24888)
2	04/29/2005	(375745)
3	04/20/2001	(38952)

E. Written notices of violations (NOV).

Date: 04/26/2001 (38952)

Self Report?	NO	Rqmt Prov: Operation Requirements,1 Description: Failed to maintain the clarifier weirs in good operating condition.	Classification:	Moderate
Self Report?	NO	Citation: 30 TAC Chapter 319, SubChapter A 319.11(c) Description: Failed to measure the effluent flow at the correct location.	Classification:	Moderate
Self Report?	NO	Rqmt Prov: Monitoring and Reporting Requirements, 2 Description: Failed to report the correct flow from the 90 V-notch weir flow conversion chart.	Classification	Moderate
Self Report?	NO	Rqmt Prov: Sludge Provisions, Section III, G. Description: Failed to submit the annual reporting requirements for sludge disposal at a municipal solid waste landfill.	Classification:	Moderate

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 EDGEWOOD
RN101916302 AND RN101404887**

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

AGREED ORDER DOCKET NO. 2005-0843-MLM-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 the City of Edgewood ("the City") under the authority of TEX. WATER CODE chs. 7 and 26 and TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the City appear before the Commission and together stipulate that:

1. The City owns and operates a domestic wastewater treatment facility located on the southern bank of Giladon Creek approximately 2,200 feet east of Farm-To-Market Road 859, Van Zandt County, Texas ("Facility A").
2. The City owns and operates a public water supply located one quarter mile north of County Road 3507 and County Road 3504, Van Zandt County, Texas, that has approximately 612 service connections and serves at least 25 people per day for at least 60 days per year ("Facility B").
3. The City has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
4. 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.
5. The City received notices of the violations alleged in Section II ("Allegations") on or about September 21, 2004, October 11, 2004, and May 4, 2005.
6. 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.

7. An administrative penalty in the amount of Twenty Thousand Four Hundred Forty-Seven Dollars (\$20,447) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Twenty Thousand Four Hundred Forty-Seven Dollars (\$20,447) shall be conditionally offset by the City's completion of a Supplemental Environmental Project.
8. 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.
9. 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.
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

1. As owner and operator of Facility A, the City is alleged to have failed to submit a permit renewal application prior to the permit expiration date of March 1, 2002 and continued to discharge after permit expiration, in violation of 30 TEX. ADMIN. CODE §§ 305.63(a) and 305.125(2) and TEX. WATER CODE § 26.121(a), as documented during an investigation conducted on February 17, 2005.
2. As owner and operator of Facility B, the City is alleged to have:
 - a. Failed to comply with the maximum contaminant level (MCL) based on a running annual average for trihalomethanes (TTHM) during the third quarter of 2004, in violation of 30 TEX. ADMIN. CODE § 290.113(b)(1) and 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on September 16, 2004; and
 - b. Failed to comply with the MCL based on a running annual average for haloacetic acids (HAA5) during the third quarter of 2004, in violation of 30 TEX. ADMIN. CODE § 290.113(b)(2) and 290.113(f)(5) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on September 16, 2004.

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.

Secondly, the document highlights the role of internal controls in preventing fraud and errors. It suggests implementing a robust system of checks and balances to ensure the integrity of the financial data.

Thirdly, the document addresses the importance of regular audits. It states that independent audits provide an objective assessment of the financial statements and help identify any weaknesses or areas for improvement.

Finally, the document concludes by emphasizing the need for ongoing monitoring and evaluation of the financial reporting process. It suggests that organizations should regularly review their policies and procedures to ensure they remain effective and up-to-date.

In conclusion, the document provides a comprehensive overview of the key principles and practices of financial reporting. It serves as a valuable resource for anyone involved in the financial management of an organization.

The document also includes a detailed analysis of the current financial landscape and the challenges organizations face. It provides practical advice on how to navigate these challenges and ensure the long-term success of the organization.

Overall, the document is a well-structured and informative piece that offers valuable insights into the world of financial reporting. It is a must-read for anyone looking to improve their financial reporting practices.

The document is available for free download at www.example.com. It is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike license.

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 imposition 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 Edgewood, Docket No. 2005-0843-MLM-E" to:

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

2. The City shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 7 above, Twenty Thousand Four Hundred Forty-Seven Dollars (\$20,447) 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 for Facility A:
 - a. Within 30 days after the effective date of this Agreed Order, submit an administratively complete permit application in accordance with 30 TEX. ADMIN. CODE ch. 305 to:

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

- b. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing;
 - c. Immediately upon the effective date of this Agreed Order, until such time that authorization to operate is obtained, or until 300 days after the effective date of this Agreed Order, whichever is earlier, comply with the permit limits in expired Texas Pollutant Discharge Elimination System Permit No. 10560001; and

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

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

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

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

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

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

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

8. The eighth part of the document focuses on the importance of data visualization in presenting complex information in a clear and concise manner. It discusses various visualization techniques, such as bar charts, line graphs, and pie charts.

9. The ninth part of the document addresses the ethical considerations surrounding data management and analysis. It discusses the need to protect individual privacy and ensure that data is used only for legitimate purposes.

10. The tenth part of the document provides a summary of the key points discussed throughout the document. It reiterates the importance of data management and analysis in supporting organizational success and decision-making.

11. The eleventh part of the document discusses the role of data in strategic planning and decision-making. It explains how data can be used to identify trends, opportunities, and risks, and to inform the development of strategic initiatives.

12. The twelfth part of the document provides a detailed overview of the data management process, including the selection of data management systems, the implementation of data management procedures, and the ongoing monitoring and evaluation of data management practices.

13. The thirteenth part of the document discusses the importance of data security and privacy in protecting sensitive information. It provides strategies to ensure that data is stored and transmitted securely, and that access to data is restricted to authorized personnel only.

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

15. The fifteenth part of the document provides a detailed overview of the data management process, including the identification of data sources, the design of data management systems, and the implementation of data management procedures.

- d. Within 300 days after the effective date of this Agreed Order submit written certification that either authorization to operate has been obtained or that operation has ceased until such time that appropriate authorization is obtained. The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 169A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Water Section
Tyler Regional Office
Texas Commission on Environmental Quality
2916 Teague Drive
Tyler, Texas 75701-3756

4. It is further ordered that the City shall undertake the following technical requirements for Facility B:
- a. Within 365 days after the effective date of this Agreed Order, return to compliance with the running annual average maximum level for TTHM and HAA5.
- b. Within 380 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 4.a., as described below:

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for

obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 169A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Water Section
Tyler Regional Office
Texas Commission on Environmental Quality
2916 Teague Drive
Tyler, Texas 75701-3756

5. 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 Facilities A and B operations referenced in this Agreed Order.
6. 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.
7. 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.
8. 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.
9. 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.

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

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

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

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and integration. It provides strategies to overcome these challenges and ensure that the data is reliable and secure.

5. The fifth part of the document discusses the importance of data governance and the role of leadership in ensuring that data is used ethically and responsibly.

6. The sixth part of the document provides a detailed overview of the data lifecycle, from data collection to data archiving and deletion. It emphasizes the need for clear policies and procedures to manage data throughout its lifecycle.

7. The seventh part of the document discusses the importance of data security and the various measures that can be taken to protect sensitive information from unauthorized access and breaches.

8. The eighth part of the document provides a summary of the key points discussed in the document and offers recommendations for further action to improve data management practices.

9. The final part of the document concludes with a statement on the importance of continuous improvement and the need to regularly review and update data management policies and procedures.

10. 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

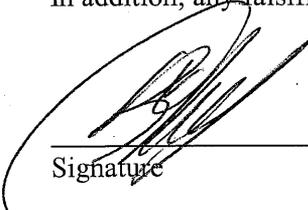
Date 8/16/2007

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

Date 8/11/07

Charles Prater

Name (Printed or typed)
Authorized Representative of
City of Edgewood

Mayor

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.

Attachment A
Docket Number: 2005-0843-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Edgewood

Payable Penalty Amount: Twenty Thousand Four Hundred Forty-Seven Dollars
(\$20,447)

SEP Amount: Twenty Thousand Four Hundred Forty-Seven Dollars
(\$20,447)

Type of SEP: Pre-approved

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

Location of SEP: Van Zandt 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 coordinate with city and/or county governmental officials regarding the clean up of sites where trash has been disposed of illegally. Eligible sites will be limited to those where a responsible party can not be identified and where there is no pre-existing obligation to clean up the site by the owner or the government. Additionally, reasonable efforts must have already been taken to prevent the dumping. SEP monies will be used to pay for the direct cost of collection and disposal of debris. 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 helping rid communities of the dangers and health threats associated with non-regulated trash dumps which contaminate air and water, and harbor disease carrying animals and insects.

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, Suite 510
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 that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the implementation of data-driven decision-making processes. It discusses how the collected data can be used to identify trends, assess risks, and optimize resource allocation across different departments and projects.

4. The fourth part of the document addresses the challenges associated with data management and analysis. It identifies common issues such as data quality, integration, and security, and provides strategies to overcome these challenges effectively.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data-driven approach remains effective and relevant in a rapidly changing business environment.

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

7. The seventh part of the document discusses the various methods used for data analysis, such as descriptive statistics, inferential statistics, and regression analysis. It also covers the use of data visualization tools to present the results in a clear and concise manner.

8. The eighth part of the document focuses on the application of data analysis results to inform decision-making. It discusses how the insights derived from the data can be used to identify opportunities for improvement and to develop strategic initiatives.

9. The ninth part of the document addresses the ethical considerations surrounding data collection and analysis. It emphasizes the need for transparency, informed consent, and the protection of personal data to ensure that the data-driven approach is used responsibly.

10. The tenth part of the document provides a final summary and concludes the report. It reiterates the importance of data-driven decision-making and encourages the organization to continue to refine and improve its data management and analysis processes.

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.

