

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0836-MWD-E **TCEQ ID:** RN105092308 **CASE NO.:** 33622

RESPONDENT NAME: Martin Leon Edwards dba Minnow Bucket Marina

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 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>SITE WHERE VIOLATION(S) OCCURRED: Minnow Bucket Marina WWTP, 3035 West State Highway 154, 1/8 mile west of Farm-to-Market Road 3138, Quitman, Wood County</p> <p>TYPE OF OPERATION: Waste water treatment</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</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 October 22, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Enforcement Division, Enforcement Team 3, MC 149; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Martin Leon Edwards, Owner, Minnow Bucket Marina, P.O. Box 833, Quitman, Texas 75783 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 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>Date of Investigation Relating to this Case: May 2, 2007</p> <p>Date of NOV/NOE Relating to this Case: May 17, 2007 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>WATER</p> <p>Failed to comply with permit effluent limits [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014668001 Effluent Limitations and Monitoring Requirements No. 1 for Outfall 001, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].</p>	<p>Total Assessed: \$2,400</p> <p>Total Deferred: \$480 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$1,920</p> <p>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 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>The Order will require the Respondent to, within 60 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0014668001. The certification shall include detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance.</p>

Additional ID No(s): WQ0014668001 and TX0128406



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 25, 2007

TCEQ

DATES	Assigned	21-May-2007	Screening	29-May-2007	EPA Due	
	PCW	31-May-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Martin Leon Edwards dba Minnow Bucket Marina
Reg. Ent. Ref. No.	RN105092308
Facility/Site Region	5-Tyler
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	33622	No. of Violations	1
Docket No.	2007-0836-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Enf. Coordinator	Harvey Wilson
Multi-Media		EC's Team	EnforcementTeam 3
Admin. Penalty \$	Limit Minimum \$0	Maximum	\$10,000

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 20% Enhancement Subtotals 2, 3, & 7

Notes: A 20% enhancement is recommended for the four self-reported NOV's.

Culpability No Subtotal 4

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5

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

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

Total EB Amounts 0% Enhancement* Subtotal 6
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

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 20% Reduction Adjustment

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

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 29-May-2007

Docket No. 2007-0836-MWD-E

PCW

Respondent Martin Leon Edwards dba Minnow Bucket Marina

Policy Revision 2 (September 2002)

Case ID No. 33622

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN105092308

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

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)	4	20%
	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 judgements 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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

A 20% enhancement is recommended for the four self-reported NOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 29-May-2007 **Docket No.** 2007-0836-MWD-E **PCW**
Respondent Martin Leon Edwards dba Minnow Bucket Marina *Policy Revision 2 (September 2002)*
Case ID No. 33622 *PCW Revision May 25, 2007*
Reg. Ent. Reference No. RN105092308
Media [Statute] Water Quality
Enf. Coordinator Harvey Wilson
Violation Number 1
Rule Cite(s) Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014668001
 Effluent Limitations and Monitoring Requirements No. 1 for Outfall 001, 30 Tex. Admin.
 Code § 305.125(1), and Tex. Water Code § 26.121(a)
Violation Description Failed to comply with permit effluent limits (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: A simplified model was used to evaluate biochemical oxygen demand ("BOD") to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Dissolved oxygen and total suspended solids were also considered. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 2 123 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,000

Two quarterly events are recommended.

Economic Benefit (EB) for this violation **Statutory Limit Test**
 Estimated EB Amount \$176 Violation Final Penalty Total \$2,400
This violation Final Assessed Penalty (adjusted for limits) \$2,400

Economic Benefit Worksheet

Respondent Martin Leon Edwards dba Minnow Bucket Marina
Case ID No. 33622
Reg. Ent. Reference No. RN105092308
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
<i>No commas or \$</i>							
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)	\$2,500	1-Oct-2006	28-Feb-2008	1.4	\$176	n/a	\$176

Notes for DELAYED costs
 The estimated cost of additional oversight and sampling which may have alleviated or prevented the noncompliance. The Date Required is the date the noncompliance started. The Final Date is the estimated compliance date.

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	\$2,500	TOTAL	\$176
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Martin Leon Edwards dba Minnow Bucket Marina

Docket No. 2007-0836-MWD-E

RN105092308

TPDES Permit No. WQ0014668001

Effluent Violations Table for Outfall 001

Month/Year	Dissolved Oxygen 4.0 mg/L min	BOD Daily Avg 1.0 lbs/day max	BOD Daily Avg 10 mg/L max	BOD Single Grab 35 mg/L max	Total Suspended Solids Daily Average 1.5 lbs/day max	Total Suspended Solids Single Grab 60 mg/L max	Total Suspended Solids Daily Average 15 mg/L max
October, 2006	3.5	C	C	C	C	C	C
November, 2006	1.1	1.14	44	74	1.7	C	C
December, 2006	C	C	C	51.3	C	100	C
January, 2007	C	C	59.6	110	C	92	62.6

C = compliant BOD = biochemical oxygen demand mg/L = milligrams per liter lbs/day = pounds per day

Compliance History

Customer/Respondent/Owner-Operator: CN603112632 EDWARDS, MARTIN LEON Classification: Rating:
Regulated Entity: RN105092308 MINNOW BUCKET MARINA WWTP Classification: Site Rating:
ID Number(s): WASTEWATER PERMIT WQ0014668001
WASTEWATER PERMIT TX0128406
Location: 3035 West State Highway 154, approx 1/8 mile west of
Farm-to-Market Road 3138, Quitman, Wood County, Texas
TCEQ Region: REGION 05 - TYLER
Date Compliance History Prepared: May 25, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: May 25, 2002 to May 25, 2007

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

Name: Harvey Wilson Phone: 239-0321

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

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

C. Chronic excessive emissions events.
N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 05/17/2007 (558955)

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

Date: 10/31/2006
Self Report? YES Classification: Moderate

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

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

Date: 11/30/2006
Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter B 111.201
5C THC Chapter 382, SubChapter A 382.085(b)

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

Date: 12/31/2006
Self Report? YES Classification: Moderate

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

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

Date: 01/31/2007
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
MARTIN LEON EDWARDS DBA
MINNOW BUCKET MARINA
RN105092308

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-0836-MWD-E

I. JURISDICTION AND STIPULATIONS

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

1. Mr. Edwards owns and operates a wastewater treatment plant at 3035 West State Highway 154, 1/8 mile west of Farm-to-Market Road 3138 in Quitman, Wood County, Texas (the "Facility").
2. Mr. Edwards has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Commission and Mr. Edwards agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. Edwards is subject to the Commission's jurisdiction.
4. Mr. Edwards received notice of the violations alleged in Section II ("Allegations") on or about May 22, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. Edwards of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Four Hundred Dollars (\$2,400) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. Edwards has paid One Thousand Nine Hundred Twenty Dollars (\$1,920) of the administrative penalty and Four

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. The second part of the document provides a detailed breakdown of the financial data, including a list of all accounts and their respective balances. It also includes a summary of the total assets and liabilities, which shows that the organization is in a financially sound position. The final part of the document contains a list of recommendations for future actions, such as improving internal controls and strengthening the relationship with key stakeholders.

Financial Summary

The financial summary shows a steady increase in revenue over the past year, primarily due to the launch of new products and the expansion of the sales network. Despite the challenges posed by the current economic environment, the organization has managed to maintain a healthy profit margin. The balance sheet indicates that the company has a strong liquidity position, with sufficient cash and marketable securities to cover its short-term obligations. The income statement shows that operating expenses have been well-controlled, contributing to the overall profitability. The cash flow statement highlights the positive impact of the new product line on the company's cash resources.

Overall, the financial performance of the organization has been impressive, and the management team is confident in the company's ability to continue to grow and succeed in the future.

Conclusion

In conclusion, the organization has achieved significant milestones in the past year, and the financial results reflect a strong and sustainable business model. The management team is committed to continuing to drive growth and innovation, and to providing the highest quality products and services to our customers.

Hundred Eighty Dollars (\$480) is deferred contingent upon Mr. Edwards' 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 Mr. Edwards fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Mr. Edwards to pay all or part of the deferred penalty.

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

II. ALLEGATIONS

As owner and operator of the Facility, Mr. Edwards is alleged to have failed to comply with permit effluent limits, in violation of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014668001 Effluent Limitations and Monitoring Requirements No. 1 for Outfall 001, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a), as documented during a record review conducted on May 2, 2007, as indicated in the table below.

Effluent Violations Table

Month/Year	Dissolved Oxygen 4.0 mg/L min	BOD Daily Ave 1.0 lbs/day max	BOD Daily Ave 10 mg/L max	BOD Single Grab 35 mg/L Max	Total Suspended Solids Daily Ave 1.5 lbs/day max	Total Suspended Solids Single Grab 60 mg/L max	Total Suspended Solids Daily Average 15 mg/L max
October, 2006	3.5	C	C	C	C	C	C
November, 2006	1.1	1.14	44	74	1.7	C	C
December, 2006	C	C	C	51.3	C	100	C
January, 2007	C	C	59.6	110	C	92	62.6

C = compliant BOD= biochemical oxygen demand mg/L = milligrams per liter lbs/day = pounds per day

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Mr. Edwards pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Mr. Edwards' 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: Martin Leon Edwards dba Minnow Bucket Marina, Docket No. 2007-0836-MWD-E" to:

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

2. It is further ordered that Mr. Edwards shall within 60 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0014668001. The certification shall include detailed supporting documentation, including photographs, 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:

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

3. The provisions of this Agreed Order shall apply to and be binding upon Mr. Edwards. Mr. Edwards 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.

1. 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 integrity of the financial system and for the ability to detect and prevent fraud. The text notes that without reliable records, it would be difficult to track the flow of funds and identify any irregularities.

2. The second part of the document outlines the specific procedures for recording transactions. It details the steps involved in the accounting process, from the initial receipt of funds to the final posting to the general ledger. The text stresses the need for consistency and accuracy in all entries, as well as the importance of regular audits to ensure the reliability of the data.

3. The third part of the document discusses the role of internal controls in maintaining the accuracy of the records. It describes various control mechanisms, such as segregation of duties and independent verification, which are designed to minimize the risk of errors and fraud. The text also highlights the importance of a strong internal control environment for the overall success of the organization.

4. The fourth part of the document addresses the challenges associated with record-keeping in a complex and rapidly changing environment. It discusses the impact of technological advancements and the need for continuous improvement in record-keeping practices. The text also touches upon the importance of training and education for staff involved in the accounting process.

5. The fifth part of the document provides a summary of the key points discussed and offers recommendations for further action. It reiterates the importance of accurate record-keeping and encourages the implementation of best practices to ensure the highest level of transparency and accountability. The text concludes by expressing confidence in the organization's ability to maintain high standards of financial integrity.

6. The sixth part of the document contains a list of references and sources used in the preparation of the report. It includes citations to various accounting standards, regulatory requirements, and industry publications. The references provide additional context and support for the information presented in the document.

7. The final part of the document is a concluding statement that summarizes the overall findings and reiterates the commitment to excellence in financial record-keeping. It expresses a strong belief in the value of accurate and reliable financial information for the organization's long-term success and for the benefit of its stakeholders.

4. If Mr. Edwards 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, Mr. Edwards' failure to comply is not a violation of this Agreed Order. Mr. Edwards shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Mr. Edwards shall notify the Executive Director within seven days after Mr. Edwards becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Mr. Edwards shall be made in writing to the Executive Director. Extensions are not effective until Mr. Edwards receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Mr. Edwards in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Mr. Edwards, or three days after the date on which the Commission mails notice of the Order to Mr. Edwards, 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

John Szellin
For the Executive Director

11/13/2007
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 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

Martin Edwards
Signature

8-7-07
Date

MARTIN Edwards
Name (Printed or typed)
Authorized Representative of
Martin Leon Edwards dba Minnow Bucket Marina

owner
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.

