

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2009-0998-MWD-E **TCEQ ID:** RN101513554 **CASE NO.:** 37870

RESPONDENT NAME: North Texas District Council Assemblies of God

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: Lakeview Camp, located approximately 400 feet southeast of the east end of Soil Conservation Service Dam No. 56, and approximately 2.5 miles east northeast of Maypearl, Ellis County</p> <p>TYPE OF OPERATION: Wastewater treatment facility</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" 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 January 4, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. Samuel Short, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-5363; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Steve Wagler, Director, North Texas District Council Assemblies of God, 700 North East Loop 820, Hurst, Texas 76053 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 type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 24, 2009</p> <p>Date of NOV/NOE Relating to this Case: May 22, 2009 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>WATER</p> <p>1) Failure to submit discharge monitoring reports ("DMRs") at the intervals specified in the permit. Specifically, the DMR for the reporting period ending September 30, 2008 had not been submitted [30 TEX. ADMIN. CODE § 305.125(17) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1].</p> <p>2) Failure to submit DMR parameter data. Specifically, the DMR parameter data for biochemical oxygen demand was not submitted for the monitoring period ending October 31, 2008 [30 TEX. ADMIN. CODE § 305.125(17) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1].</p> <p>3) Failure to submit the annual sludge report for the monitoring period ending July 31, 2008 [30 TEX. ADMIN. CODE § 305.125(17) and TPDES Permit No. WQ0013847001, Sludge Provisions].</p> <p>4) Failure to properly measure flow. Specifically, there was no staff gauge in conjunction with the 22.5 degree V-notch weir and there was no other method of flow measurement [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013847001, Operational Requirements No. 5].</p>	<p>Total Assessed: \$21,423</p> <p>Total Deferred: \$4,284 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$17,139</p> <p>Total Paid (Due) to General Revenue: \$0</p> <p>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>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on September 25, 2009, the Respondent sent in documentation that staff gauges were installed to measure flow at the Facility.</p> <p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SBP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 15 days after the effective date of this Agreed Order, develop and implement procedures to ensure that the total chlorine residual analysis is properly conducted;</p> <p>b. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Submit the annual sludge report for the monitoring period ending July 31, 2008 and the DMRs for monitoring periods ending September 30, 2008 and October 31, 2008;</p> <p>ii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified monthly DMRs and annual sludge reports, all operation, maintenance, and sampling records are properly maintained, and all written reports for effluent violations which deviate by more than 40% from the permitted limit are properly submitted to the TCEQ; and</p> <p>iii. Submit an administratively complete permit application for an amendment.</p> <p>c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing;</p>

<p>5) Failure to properly conduct the total chlorine residual analysis. Specifically, the manganese correction is not routinely conducted in conjunction with the total chlorine residual analysis [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 2].</p> <p>6) Failure to notify the TCEQ in writing of any effluent permit excursion of 40% or greater. Specifically, no notification was received when excursions of 40% or greater were observed during July and August 2008 [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 7.c].</p> <p>7) Failure to maintain operations and maintenance records and sampling records. Specifically, no operations and maintenance records were available and no daily operation records for sampling were available at the time of the investigation [30 TEX. ADMIN. CODE § 305.125 and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 3.b and Operational Requirements No. 1].</p> <p>8) Failure to obtain permit authorization before using and discharging from a second package plant. Specifically, the Respondent is currently discharging from two separate package plants to a single outfall and no permit amendment was submitted to obtain authorization for this activity [30 TEX. ADMIN. CODE §§ 305.125(7) and 305.126(b) and TPDES Permit No. WQ0013847001, Permit Conditions Nos. 2.c, 4.a.i, and 4.a.ii and Operational Requirements No. 3.a].</p>		<p>d. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 2.a, 2.b.i, 2.b.ii., and 3.b.iii, as described in Ordering Provision No. 2.f below;</p> <p>e. Within 180 days after the effective date of this Agreed Order, submit written certification of compliance that authorization to operate the new package plant has been obtained; and</p> <p>f. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.</p>
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Additional ID No(s): WQ0013847001

Attachment A
Docket Number: 2009-0998-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: North Texas District Council Assemblies of God

Payable Penalty Amount: Seventeen Thousand One Hundred Thirty-Nine Dollars
(\$17,139)

SEP Amount: Seventeen Thousand One Hundred Thirty-Nine Dollars
(\$17,139)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development
Areas, Inc. ("RC&D")- Water or Wastewater Treatment
Assistance

Location of SEP: Ellis 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 provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

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 protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems.

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 each 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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
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)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	8-Jun-2009	Screening	29-Jun-2009	EPA Due	
	PCW	6-Jul-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	North Texas District Council Assemblies of God
Reg. Ent. Ref. No.	RN101513554
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	37870	No. of Violations	8
Docket No.	2009-0998-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Samuel Short
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$11,100
ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage.		
Compliance History	93.0% Enhancement	Subtotals 2, 3, & 7 \$10,323
Notes	Enhancement recommended for having one NOV for the same or similar violations, 24 self-reported effluent violations, and two Agreed Orders with denial within the last five years.	
Culpability	No 0.0% Enhancement	Subtotal 4 \$0
Notes	The Respondent does not meet the culpability criteria.	
Good Faith Effort to Comply Total Adjustments		Subtotal 5 \$0
Economic Benefit	0.0% Enhancement*	Subtotal 6 \$0
Total EB Amounts	\$112	
Approx. Cost of Compliance	\$1,850	*Capped at the Total EB \$ Amount
SUM OF SUBTOTALS 1-7	Final Subtotal	\$21,423
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment \$0
Reduces or enhances the Final Subtotal by the indicated percentage.		
Notes		
	Final Penalty Amount	\$21,423
STATUTORY LIMIT ADJUSTMENT		Final Assessed Penalty \$21,423
DEFERRAL	20.0% Reduction	Adjustment -\$4,284
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		\$17,139

Screening Date: 29-Jun-2009

Docket No.: 2009-0998-MWD-E

PCW

Respondent: North Texas District Council Assemblies of God

Policy Revision 2 (September 2002)

Case ID No.: 37870

PCW Revision October 30, 2008

Reg. Ent. Reference No.: RN101513554

Media [Statute]: Water Quality

Enf. Coordinator: Samuel Short

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)	1	5%
	Other written NOVs	24	48%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	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) 93%

>> 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

Enhancement recommended for having one NOV for the same or similar violations, 24 self-reported effluent violations, and two Agreed-Orders with denial within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 93%

Screening Date 29-Jun-2009 **Docket No.** 2009-0998-MWD-E **PCW**
Respondent North Texas District Council Assemblies of God *Policy Revision 2 (September 2002)*
Case ID No. 37870 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN101513554
Media [Statute] Water Quality
Enf. Coordinator Samuel Short

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code § 305.125(17) and Texas Pollutant Discharge Elimination System Permit ("TPDES") Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1
Violation Description Failed to submit discharge monitoring reports ("DMR") at the intervals specified in the permit. Specifically, the DMR for the reporting period ending September 30, 2008 had not been submitted.
Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			10%

Matrix Notes 100% of the rule requirement was not met.
Adjustment \$9,000

Violation Subtotal \$1,000

Violation Events

Number of Violation Events Number of violation days
mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

Notes The Respondent does not meet the good faith criteria for this violation.
Violation Subtotal \$1,000

Economic Benefit (EB) for this violation **Statutory Limit Test**
Estimated EB Amount \$20 **Violation Final Penalty Total** \$1,930
This violation Final Assessed Penalty (adjusted for lmtts) \$1,930

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101613554
Media: Water Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	20-Oct-2008	10-Feb-2010	1.31	\$16	n/a	\$16
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	20-Oct-2008	10-Feb-2010	1.31	\$3	n/a	\$3

Notes for DELAYED costs
 Estimated cost to update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished and the estimated cost (\$25 per report) to submit the DMRs for the monitoring periods ending September 30, 2008 and October 31, 2008. Date required is the date the first report was due and the final date is the expected date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$300	TOTAL	\$20
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Screening Date: 29-Jun-2009	Docket No.: 2009-0998-MWD-E	PCW	
Respondent: North Texas District Council Assemblies of God	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.: 37870	<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No.: RN101513554			
Media [Statute]: Water Quality			
Enf. Coordinator: Samuel Short			
Violation Number: 2			
Rule Cite(s): 30 Tex. Admin. Code § 305.125(17) and TPEDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1			
Violation Description:	Failed to submit DMR parameter data. Specifically, the DMR parameter data for biochemical oxygen demand was not submitted for the monitoring period ending October 31, 2008.		
Base Penalty		\$10,000	
>> Environmental, Property and Human Health Matrix			
OR	Harm		
	Major	Moderate	Minor
Release	Actual	Potential	Percent
	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>
>> Programmatic Matrix			
	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="X"/>
			Percent
			<input type="text" value="1%"/>
Matrix Notes	At least 70% of the rule requirement was met.		
Adjustment		\$9,900	
		\$100	
Violation Events			
Number of Violation Events		<input type="text" value="1"/>	Number of violation days
		<input type="text" value="221"/>	
<i>mark only one with an x</i>	Daily	<input type="text"/>	Violation Base Penalty
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input checked="" type="text" value="X"/>	
One single event is recommended.			\$100
Good Faith Efforts to Comply		0.0% Reduction	\$0
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	<input checked="" type="text" value="X"/>	(mark with x)	
Notes	The Respondent does not meet the good faith criteria for this violation.		
Violation Subtotal		\$100	
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount		<input type="text" value="\$0"/>	Violation Final Penalty Total
			\$193
This violation Final Assessed Penalty (adjusted for limits)			\$193

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513654
Media: Water Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost included in violation No. 1.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date	29-Jun-2009	Docket No.	2009-0998-MWD-E	PCW
Respondent	North Texas District Council Assemblies of God			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	37870			<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.	RN101513554			
Media [Statute]	Water Quality			
Enf. Coordinator	Samuel Short			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(17) and TPDES Permit No. WQ0013847001, Sludge Provisions.			
Violation Description	Failed to submit the annual sludge report for the monitoring period ending July 31, 2008, as documented during an investigation conducted on March 24, 2009.			
Base Penalty	\$10,000			

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Major	Moderate	Minor	
	Actual	Potential		Percent <input type="text" value="0%"/>

>> Programmatic Matrix

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

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	x

Violation Base Penalty

Good Faith Efforts to Comply **Reduction**

	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 x)

Notes

Violation Subtotal

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: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	1-Sep-2008	10-Feb-2010	1.44	\$7	n/a	\$7

Notes for DELAYED costs
 Estimated cost to submit the annual sludge report for the monitoring period ending July 31, 2008. Date required is the date the report was due and the final date is the expected date of compliance. Estimated cost to update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished is included in violation no. 1.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$100	TOTAL	\$7
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Screening Date	29-Jun-2009	Docket No.	2009-0998-MWD-E	PCW
Respondent	North Texas District Council Assemblies of God			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	37870			<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.	RN101513554			
Media [Statute]	Water Quality			
Enf. Coordinator	Samuel Short			
Violation Number	4			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0013847001, Operational Requirements No. 5			
Violation Description	Failed to properly measure flow. Specifically, there was no staff gauge in conjunction with the 22.5-degree V-notch weir and there was no other method of flow measurement.			
Base Penalty	\$10,000			

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent
	Major	Moderate	Minor	
	Actual			
	Potential		x	5%

>> Programmatic Matrix

	Major	Moderate	Minor	Percent
				0%

Matrix Notes: Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,500

\$500

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

One single event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$500

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$11 Violation Final Penalty Total \$965

This violation Final Assessed Penalty (adjusted for limits) \$965

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	24-Mar-2009	26-Jan-2010	0.84	\$11	n/a	\$11
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost to develop and implement procedures to ensure that the flow is properly measured and that the total chlorine residual analysis is properly conducted. Date required is the date of the investigation and the final date is the expected date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$250	TOTAL	\$11
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Screening Date: 29-Jun-2009		Docket No.: 2009-0998-MWD-E		PCW
Respondent: North Texas District Council Assemblies of God				<i>Policy Revision 2 (September 2002)</i>
Case ID No.: 37870				<i>PCW Revision October 30, 2008</i>
Reg. Ent. Reference No.: RN101513554				
Media [Statute]: Water Quality				
Enf. Coordinator: Samuel Short				
Violation Number: 5				
Rule Cite(s):		30 Tex. Admin. Code §§ 905.125(1) and 319.11(c) and TPDES Permit No. WQ0013847001 Monitoring and Reporting Requirements No. 2		
Violation Description:		Failed to properly conduct the total chlorine residual analysis. Specifically, the manganese correction is not routinely conducted in conjunction with the total chlorine residual analysis.		
Base Penalty:				\$10,000
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Major	Moderate	Minor	
	Actual	Potential	Percent	6%
>> Programmatic Matrix				
Falsification				
Major Moderate Minor				
Actual Potential				Percent
0%				
Matrix Notes:		Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.		
Adjustment:				\$9,500
				\$500
Violation Events				
Number of Violation Events:		1	Number of violation days: 97	
<i>mark only one with an x</i>	daily	<input type="checkbox"/>		
	weekly	<input type="checkbox"/>		
	monthly	<input type="checkbox"/>		
	quarterly	<input type="checkbox"/>		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
	single event	<input checked="" type="checkbox"/>		
Violation Base Penalty:				\$500
One single event is recommended.				
Good Faith Efforts to Comply		0.0% Reduction		\$0
		Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>			
Ordinary	<input type="checkbox"/>			
N/A	x	(mark with x)		
Notes:		The Respondent does not meet the good faith criteria for this violation.		
Violation Subtotal:				\$500
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount:		\$0	Violation Final Penalty Total: \$965	
This violation Final Assessed Penalty (adjusted for limits):				\$965

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost included in violation No. 4.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date: 29-Jun-2009	Docket No.: 2009-0998-MWD-E	PCW	
Respondent: North Texas District Council Assemblies of God	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.: 37870	<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No.: RN101513554			
Media [Statute]: Water Quality			
Enf. Coordinator: Samuel Short			
Violation Number: 6			
Rule Cite(s):	30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 7.c		
Violation Description:	Failed to notify the TCEQ in writing of any effluent permit excursion of 40% or greater. Specifically, no notification was received when excursions of 40% or greater were observed during July and August 2008.		
Base Penalty		\$10,000	
>> Environmental, Property and Human Health Matrix			
OR	Harm		
	Major	Moderate	Minor
Release Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Percent <input type="text" value="0%"/>
>> Programmatic Matrix			
Falsification			
Major	Moderate	Minor	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Percent <input type="text" value="10%"/>
Matrix Notes	100% of the rule requirement was not met.		
Adjustment		\$9,000	
		\$1,000	
Violation Events			
Number of Violation Events <input type="text" value="2"/>		Number of violation days <input type="text" value="62"/>	
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	Violation Base Penalty <input type="text" value="\$2,000"/>
	weekly	<input type="checkbox"/>	
	monthly	<input type="checkbox"/>	
	quarterly	<input type="checkbox"/>	
	semiannual	<input type="checkbox"/>	
	annual	<input type="checkbox"/>	
	single event	<input checked="" type="checkbox"/>	
Two single events are recommended (one for each report).			
Good Faith Efforts to Comply		\$0	
		0.0% Reduction	
		Before NOV NOV to EDRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>	
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>	
N/A	<input checked="" type="checkbox"/>	(mark with x)	
Notes	The Respondent does not meet the good faith criteria for this violation.		
Violation Subtotal		\$2,000	
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount <input type="text" value="\$11"/>		Violation Final Penalty Total <input type="text" value="\$3,860"/>	
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$3,860"/>	

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$150	5-Aug-2008	10-Feb-2010	1.52	\$11	n/a	\$11

Notes for DELAYED costs

Estimated cost to develop and implement procedures to ensure effluent limit exceedances of 40% or more are reported. The date required is the date the report was due and the final date is the expected date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$150

TOTAL

\$11

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Req. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$250	24-Mar-2009	10-Feb-2010	0.88	\$11	n/a	\$11
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs Estimated costs to develop a system for keeping all required records available for review. The date required is the investigation date and the final date is the expected date of compliance.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$250	TOTAL	\$11
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Screening Date: 29-Jun-2009		Docket No.: 2009-0998-MWD-E		PCW	
Respondent: North Texas District Council Assemblies of God			<i>Policy Revision 2 (September 2002)</i>		
Case ID No.: 37870			<i>PCW Revision October 30, 2008</i>		
Reg. Ent. Reference No.: RN101513554					
Media [Statute]: Water Quality					
Enf. Coordinator: Samuel Short					
Violation Number:	8				
Rule Cite(s):	30-Tex. Admin. Code §§ 305.125(7) and 305.126(b) and TPDES Permit No. WQ0013847001, Permit Conditions Nos. 2.a, 4.a.i, and 4.a.ii and Operational Requirements No. 3.a				
Violation Description:	Failed to obtain permit authorization before using and discharging from a second package plant. Specifically, the Respondent is currently discharging from two separate package plants to a single outfall and no permit amendment was submitted to obtain authorization for this activity.				
Base Penalty:				\$10,000	
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent: <input type="text" value="0%"/>	
>> Programmatic Matrix					
Falsification		Major	Moderate	Minor	
<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent: <input type="text" value="10%"/>
Matrix Notes:	100% of the rule requirement was not met.				
Adjustment:				\$9,000	
				\$1,000	
Violation Events					
		<input type="text" value="4"/>	<input type="text" value="97"/>	Number of violation days	
<i>mark only one with an x</i>	daily	<input type="checkbox"/>			Violation Base Penalty: <input type="text" value="\$4,000"/>
	weekly	<input type="checkbox"/>			
	monthly	<input checked="" type="checkbox"/>			
	quarterly	<input type="checkbox"/>			
	semiannual	<input type="checkbox"/>			
	annual	<input type="checkbox"/>			
	single event	<input type="checkbox"/>			
Four monthly events are recommended from the investigation date, March 24, 2009, to the date of screening, June 29, 2009.					
Good Faith Efforts to Comply		0.0% Reduction		\$0	
		<small>Before NOV</small>	<small>NOV to EDPRP/Settlement Offer</small>		
Extraordinary	<input type="checkbox"/>				
Ordinary	<input type="checkbox"/>				
N/A	<input checked="" type="checkbox"/>	<small>(mark with x)</small>			
Notes:	The Respondent does not meet the good faith criteria for this violation.				
Violation Subtotal:				\$4,000	
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount:		<input type="text" value="\$52"/>		Violation Final Penalty Total: <input type="text" value="\$7,720"/>	
This violation Final Assessed Penalty (adjusted for limits):				<input type="text" value="\$7,720"/>	

Economic Benefit Worksheet

Respondent: North Texas District Council Assemblies of God
Case ID No.: 37870
Reg. Ent. Reference No.: RN101513554
Media: Water Quality
Violation No.: 8

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$800	24-Mar-2009	10-Jul-2010	1.30	\$52	n/a	\$52
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prepare and submit an application for a permit amendment. Date required is the investigation date and the final date is the expected date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$800

TOTAL

\$52

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600790125	North Texas District Council Assemblies of God	Classification: AVERAGE	Rating: 1.83
Regulated Entity:	RN101513554	LAKEVIEW CAMP	Classification: AVERAGE	Site Rating: 1.83
ID Number(s):	WASTEWATER	PERMIT		WQ0013847001
	WASTEWATER	PERMIT		TPDES0118877
	WASTEWATER	PERMIT		TX0118877
Location:	located approximately 400 feet southeast of the east end of Soil Conservation Service Dam No. 56, and approximately 2.5 miles east northeast of the City of Maypearl			
TCEQ Region:	REGION 04 - DFW METROPLEX			
Date Compliance History Prepared:	June 29, 2009			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	June 29, 2004 to June 29, 2009			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	<u>Samuel Short</u>	Phone:	<u>(512) 239-5363</u>	

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- | | |
|---|----------------------------|
| Effective Date: 11/18/2006 | ADMINORDER 2006-0572-MWD-E |
| Classification: Moderate | |
| Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1) | |
| Rqmt Prov: Effluent Limits PERMIT | |
| Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data [see also Detailed Description]. | |
| | |
| Effective Date: 06/01/2009 | ADMINORDER 2008-1704-MWD-E |
| Classification: Moderate | |
| Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1) | |
| Rqmt Prov: Effluent Limits PERMIT | |
| Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data. | |
- 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 | 10/12/2004 | (366972) |
| 2 | 10/12/2004 | (366973) |

3	10/12/2004	(366974)
4	10/12/2004	(366975)
5	10/12/2004	(366976)
6	10/12/2004	(390013)
7	05/02/2005	(427519)
8	05/02/2005	(427520)
9	05/02/2005	(427521)
10	05/02/2005	(427522)
11	05/02/2005	(427523)
12	05/02/2005	(427524)
13	05/02/2005	(427525)
14	07/05/2005	(447559)
15	07/11/2005	(447557)
16	08/18/2005	(447558)
17	08/25/2005	(447553)
18	08/25/2005	(447554)
19	08/25/2005	(447555)
20	08/25/2005	(447556)
21	08/25/2005	(447562)
22	08/25/2005	(447563)
23	08/25/2005	(447564)
24	09/16/2005	(447560)
25	09/16/2005	(447561)
26	10/03/2005	(492510)
27	11/10/2005	(492511)
28	12/12/2005	(492512)
29	01/06/2006	(492513)
30	02/10/2006	(492508)
31	03/16/2006	(492509)
32	04/19/2006	(506287)
33	04/24/2006	(454187)
34	05/22/2006	(506288)
35	06/09/2006	(506289)
36	07/07/2006	(528523)
37	09/21/2006	(528525)
38	09/25/2006	(528524)
39	10/06/2006	(631391)
40	11/02/2006	(631393)
41	11/28/2006	(514802)
42	12/11/2006	(631395)
43	02/05/2007	(631397)
44	02/09/2007	(631383)
45	02/27/2007	(541997)
46	04/02/2007	(631384)
47	04/12/2007	(631385)
48	05/14/2007	(631386)
49	07/02/2007	(631387)
50	07/20/2007	(631388)
51	09/04/2007	(631389)
52	09/20/2007	(631390)
53	10/11/2007	(631392)
54	11/19/2007	(631394)
55	12/10/2007	(631396)
56	01/14/2008	(677310)
57	01/18/2008	(599086)
58	02/19/2008	(677309)
59	04/11/2008	(695986)
60	04/15/2008	(695987)
61	05/16/2008	(695988)
62	06/16/2008	(717604)
63	07/07/2008	(717605)

64	07/31/2008	(732922)
65	08/11/2008	(717606)
66	09/15/2008	(717607)
67	09/30/2008	(732923)
68	10/22/2008	(703040)
69	11/07/2008	(732924)
70	12/08/2008	(732925)
71	01/12/2009	(756144)
72	02/09/2009	(756143)
73	05/22/2009	(739877)

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

Date:	06/30/2004 (366973)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2004 (427523)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	11/30/2004 (427524)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	12/31/2004 (427525)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/31/2005 (427521)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2005 (447555)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2005 (447557)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2005 (447559)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2005 (447560)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2005 (492511)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	12/31/2005 (492513)	CN600790125	
Self Report?	YES		Classification: Moderate

Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2006 (492508)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/28/2006 (492509)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2006 (506289)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2006 (528524)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/05/2006 (514802)	CN600790125	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain compliance with permitted effluent limits.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 30, SubChapter J 30.331(b) 30 TAC Chapter 30, SubChapter J 30.350(d)		
Description:	Failure to ensure the facility is operated by a chief operator holding the required level of license or higher.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 317 317.4(a)(8) 30 TAC Chapter 317 317.7(i)		
Description:	Failure to provide an adequate backflow prevention assembly device.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(11)(B) 30 TAC Chapter 305, SubChapter F 305.125(11)(C)		
Description:	Failure to submit annual sludge report as required by permit.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.3		
Description:	Failure to secure lift station and failure to provide an audible and/or visual alarm on lift station.		
Date:	05/31/2007 (631387)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2007 (631388)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2007 (631394)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/31/2008 (695987)	CN600790125	
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		

Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(695988)	CN600790125
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2008	(717604)	CN600790125
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2008	(717605)	CN600790125
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2008	(717606)	CN600790125
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(717607)	CN600790125
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
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
NORTH TEXAS DISTRICT COUNCIL
ASSEMBLIES OF GOD
RN101513554

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-0998-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 North Texas District Council Assemblies of God ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately 400 feet southeast of the east end of Soil Conservation Service Dam No. 56, and approximately 2.5 miles east northeast of Maypearl in Ellis County, Texas (the "Facility").
2. The Respondent has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of TEX. WATER CODE ch. 26 or any rule, permit, or order of the Commission.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 27, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Twenty-One Thousand Four Hundred Twenty-Three Dollars (\$21,423) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Four Thousand Two Hundred Eighty-Four Dollars (\$4,284) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Seventeen Thousand One Hundred Thirty-Nine Dollars (\$17,139) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on September 25, 2009, the Respondent sent in documentation that staff gauges were installed to measure flow at the Facility.
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 Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to submit discharge monitoring reports ("DMR") at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE § 305.125(17) and Texas Pollutant Discharge Elimination System Permit ("TPDES") Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1, as documented during an investigation conducted on March 24, 2009. Specifically, the DMR for the reporting period ending September 30, 2008 had not been submitted.
2. Failed to submit DMR parameter data, in violation of 30 TEX. ADMIN. CODE § 305.125(17) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 1, as documented during an investigation conducted on March 24, 2009. Specifically, the DMR parameter data for biochemical oxygen demand was not submitted for the monitoring period ending October 31, 2008.

3. Failed to submit the annual sludge report for the monitoring period ending July 31, 2008, in violation of 30 TEX. ADMIN. CODE § 305.125(17) and TPDES Permit No. WQ0013847001, Sludge Provisions, as documented during an investigation conducted on March 24, 2009.
4. Failed to properly measure flow, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013847001, Operational Requirements No. 5, as documented during an investigation conducted on March 24, 2009. Specifically, there was no staff gauge in conjunction with the 22.5 degree V-notch weir and there was no other method of flow measurement.
5. Failed to properly conduct the total chlorine residual analysis, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0013847001 Monitoring and Reporting Requirements No. 2, as documented during an investigation conducted on March 24, 2009. Specifically, the manganese correction is not routinely conducted in conjunction with the total chlorine residual analysis.
6. Failed to notify the TCEQ in writing of any effluent permit excursion of 40% or greater, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 7.c, as documented during an investigation conducted on March 24, 2009. Specifically, no notification was received when excursions of 40% or greater were observed during July and August 2008.
7. Failed to maintain operations and maintenance records and sampling records, in violation of 30 TEX. ADMIN. CODE § 305.125 and TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 3.b and Operational Requirements No. 1, as documented during an investigation conducted on March 24, 2009. Specifically, no operations and maintenance records were available and no daily operation records for sampling were available at the time of the investigation.
8. Failed to obtain permit authorization before using and discharging from a second package plant, in violation of 30 TEX. ADMIN. CODE §§ 305.125(7) and 305.126(b) and TPDES Permit No. WQ0013847001, Permit Conditions Nos. 2.e, 4.a.i, and 4.a.ii and Operational Requirements No. 3.a, as documented during an investigation conducted on March 24, 2009. Specifically, the Respondent is currently discharging from two separate package plants to a single outfall and no permit amendment was submitted to obtain authorization for this activity.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent'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: North Texas District Council Assemblies of God, Docket No. 2009-0998-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. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Seventeen Thousand One Hundred Thirty-Nine Dollars (\$17,139) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent'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 Respondent shall undertake the following technical requirements:

a. Within 15 days after the effective date of this Agreed Order, develop and implement procedures to ensure that the total chlorine residual analysis is properly conducted, in accordance with TPDES Permit No. WQ0013847001, Monitoring and Reporting Requirements No. 2;

b. Within 30 days after the effective date of this Agreed Order:

i. Submit the annual sludge report for the monitoring period ending July 31, 2008 and the DMRs for monitoring periods ending September 30, 2008 and October 31, 2008 to:

Compliance Monitoring Section
Enforcement Division, MC 224
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

ii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified monthly DMRs and annual sludge reports, all operation, maintenance, and sampling records are properly maintained, and all written reports for effluent violations which deviate by more than 40% from the permitted limit are properly submitted to the TCEQ; and

iii. Submit an administratively complete permit application for an amendment, in accordance with 30 TEX. ADMIN. CODE ch. 305 to:

Application Review and Processing Team
Water Quality Division, MC 148
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing;
- d. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 3.a, 3.b.i, 3.b.ii., and 3.b.iii, as described in Ordering Provision No. 3.f below;
- e. Within 180 days after the effective date of this Agreed Order, submit written certification of compliance that authorization to operate the new package plant has been obtained, as described in Ordering Provision No. 3.f below; and
- f. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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 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 fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

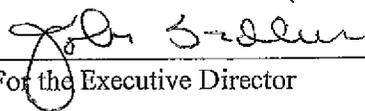
Water Section, Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

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

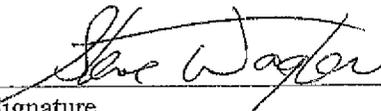
12/11/2009
Date

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.



Signature

12-22-09
Date

STEVE WAGLER
Name (Printed or typed)
Authorized Representative of
North Texas District Council Assemblies of God

DIRECTOR
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: 2009-0998-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: North Texas District Council Assemblies of God

Payable Penalty Amount: Seventeen Thousand One Hundred Thirty-Nine Dollars (\$17,139)

SEP Amount: Seventeen Thousand One Hundred Thirty-Nine Dollars (\$17,139)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Water or Wastewater Treatment Assistance

Location of SEP: Ellis 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 provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

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 protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems.

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 each 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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
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.

