

FIELD CITATION ON THE 5/11/11 COMMISSIONER'S AGENDA

May 11, 2011 Agenda	Mailing Address
Item # 2011-0135-WQ-E RN106020282 FC #11302	Mr. Ray French, Owner/Operator Ray French Land Co. Ellis Creek Ranch North Bend Road Off Hwy. 51 Weatherford, Texas 76085
Item # 2011-0157-WOC-E RN103830089 FC #11261	Mr. Donald H. Sinquefield 9777 FM 2101 Quinlan, Texas 75474
Item # 2011-0171-WOC-E RN1060335546 FC #11305	Mr. Alvin Grace 701 Colorado Street Justin, Texas 76247
Item # 2011-0179-WQ-E RN101997674 FC #11269	Mr. Joe L. Perkins, President/Owner Perkins Aluminum Smelting Inc. 11511 Lake June Road Balch Springs, Texas 75180
Item # 2011-0195-WR-E RN105950448 FC #111281	Mr. Joey Rodell, President R Construction Company Polysot Creek at County 442 Chireno, Texas 75937
Item # 2011-0254-WOC-E RN106047137 FC #11354	Mr. Eddie Courtney Eddie Courtney 3436 FM 1818 Diboll, Texas 75941-4026
Item # 2011-0255-WOC-E RN105052020 FC #11487	Mr. Edward Pustka, Operator 6865 FM 340 Hallettsville, Texas 77964-3927

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Office of General Counsel

Date: February 24, 2011

From: Enforcement Division

Subject: Field Citation Compliance Certification
Eddie Courtney
Docket No. 2011-0254-WOC-E, RN106047137

Regarding the enforcement action listed above, the penalties have been paid and corrective actions have been verified complete by the Field Operations Division.

If there are any questions, please contact Laurie Eaves at 239-4495.

FIELD CITATION # 11354

REGION 10

Investigation Date: 12, 03, 10

Time: 12:00 AM PM

Docket No.: 201-0554-WOC-6

Investigator Name: Ashley Wathall

Investigator Signature: Ashley Wathall

Investigation No.: 880661

Responsible Party (RP): Courtney, Eddie	CN No. 603784570
Regulated Entity: Courtney, Eddie	RN No. 10604713T
Physical Address: 3436 FM 1818 Dilworth, TX 75941 County: Angelina	Additional ID No.

An investigation was conducted at the regulated entity named above. The following violation(s), with a checked box and assessed penalty, are alleged against the responsible party named above:

ALLEGED VIOLATION	Rules Cited TEX. ADMIN. CODE (TAC)	ASSESSED PENALTY	
		MAJOR	MINOR
Failure, by an installer, to ensure that an authorization to construct has been issued prior to beginning construction of an On-site Sewage Facility (OSSF)	30 TAC §285.61(4)	<input type="checkbox"/>	\$ 175
Purchasing the dry cleaning solvent perchloroethylene with a non-perchloroethylene registration	30 TAC §337.4 (f)	<input type="checkbox"/>	\$ 875
Distributing or selling dry cleaning solvent perchloroethylene without proper registration	30 TAC §337.12(a)(1)	<input type="checkbox"/>	\$ 875
Failure to obtain a valid, current Dry Cleaning Facility Registration	30 TAC §337.10(a)(1) or 30 TAC §337.11(e)	<input type="checkbox"/>	\$ 100 (≤ 30 days overdue) # days ___ x \$4 = \$ ___
Impounding, diverting, or using state water without a required permit	TEX. WATER CODE §11.081 TEX. WATER CODE §11.121	<input type="checkbox"/>	\$ 875
Failure to obtain a Construction General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	\$ 700
Failure to obtain a Multi-Sector General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	\$ 700
Failure to obtain a required occupational license Program: PWS	30 TAC §30.5 (a)	<input checked="" type="checkbox"/>	\$ 210

Investigator Comments: (including corrective action)
Cease operational activities until an appropriate license is obtained.

TOTAL ASSESSED PENALTY: \$ 210.00

YOU CHOOSE TO SETTLE the alleged violation(s) within 30 days from the investigation date noted above, please submit this form with the Authorized Representative's original signature AND check or money order for the total assessed penalty to the address below. Please include the Field Citation No. on your payment method.

Financial Administration Division, MC-214, Texas Commission on Environmental Quality, PO Box 13086, Austin, Texas 78711-3088

Notification of completed corrective action for each alleged violation must be submitted to the TCEQ region address circled on the back of this form within 45 days of the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within 45 days may result in additional penalties.

RP named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the interest of settlement.

As Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural rights, including the right to a notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal.

Eddie Courtney, Eddie Courtney, Men. 9/18/11
Authorized Representative Signature: _____ Title: _____ Date: 1-12-11

FOR COMMISSION USE ONLY

Commission Signature	Date
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IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referred to the TCEQ's Enforcement Division. Please be aware this Field Citation total assessed penalty amount will no longer be available.

IF YOU FAIL TO RESPOND TO THIS CITATION: If you fail to pay the assessed penalty, the TCEQ Enforcement Division will pursue further enforcement action including assessment of additional administrative penalties. Financial inability to pay the penalty does not excuse failure to respond to and correct the alleged violation(s).

This Agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement shall be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

Water (CWTR) Waste/Multimedia (CWST)

RECEIVED

JAN 13 2011

TCEQ-Region 10 Beaumont

