

FIELD CITATION ON THE 8/31/2011 COMMISSIONER'S AGENDA

August 31, 2011 Agenda	Mailing Address
Item # 2011-1022-WOC-E RN106130826 FC #20351	Mr. Dustin Herrin P.O. Box 86 Bon Weir, Texas 75928
Item # 2011-0925-WOC-E RN103411054 FC #10556	Mr. Jesse Daughtry Aqua Texas, Inc. 27540 Foxwood Drive Waller, Texas 77484-5968
Item # 2011-1083-WOC-E RN106117443 FC #11320	Mr. Lew Click P.O. Box 7 Morgan Mill, Texas 76465-0007
Item # 2011-0936-WR-E RN101767754 FC #10034	Mr. Brent Thurman Mewbourne Oil Company P.O. Box 770 Perryton, Texas 79070
Item # 2011-1082-WQ-E RN106112816 FC #10727	Mr. Larry Parave, U. S. Cnstr. Manager Trican Well Service LP 1104 Dallas Drive, Suite 220 Denton, Texas 76205

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Office of General Counsel

Date: June 24, 2011

From: Enforcement Division

Subject: Field Citation Compliance Certification
Jesse R. Daughtry, Sr.
(wastewater facility operator)
Docket No. 2011-0925-WOC-E, RN103411054

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.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FIELD CITATION

Case 41005

Field Citation No.

10556

Investigation Date: 4/8/11 Time: 2:54 AM PM Docket No.: 2011-0925-WOC-E

Investigator Name: Denise Tom Investigator Signature: [Signature] Investigation No.: 911938

Responsible Party (RP): <u>Jesse R Daughtry, Sr.</u>	CN No. <u>601931017</u>
Regulated Entity: <u>Jesse R Daughtry, Sr.</u>	RN No. <u>103411054</u>
Physical Address: <u>27540 Foxwood Dr., Waller, TX 77484</u> County: <u>Waller</u>	Additional ID No. <u>N/A (WW0001728 EX)</u>

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 §283.61(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)
				<input type="checkbox"/>	# 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	<input type="checkbox"/>	\$ 350
Failure to obtain a Construction General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	\$ _____	<input type="checkbox"/>	\$ 700
Failure to obtain a Multi-Sector General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	\$ _____	<input type="checkbox"/>	\$ 700
Failure to obtain a required occupational license (Program: <u>Wastewater</u>) *WOC	30 TAC §30.5 (a)			<input checked="" type="checkbox"/>	\$ 210

Investigator Comments: (including corrective action) <u>Obtain a wastewater operator license.</u>	TOTAL ASSESSED PENALTY: \$ 210.⁰⁰
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IF 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 13088
 Austin, Texas 78711-3088

Certification 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** from 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.

The 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 an 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 formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal.

[Signature] Jesse R Daughtry operator 4-08-11
 Authorized Representative Signature Printed Name Title Date

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.

FAILURE 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 increased administrative penalties. Financial inability to pay the penalty does not excuse failure to respond to and correct the alleged violation(s).

- Water (CWTR)
 Waste/Multimedia (CWST)
 Air (CAIR)
 Dry Cleaner (CDRY)