

Executive Summary – Enforcement Matter – Case No. 49004
Synagro of Texas-CDR, Inc.
RN103143640, RN103143657, and RN103143673
Docket No. 2014-1032-SLG-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

SLG

Small Business:

No

Location(s) Where Violation(s) Occurred:

Ronnie Voyles Site 2, located one mile south of Brownsboro on County Road 3600, Henderson County;

Ben Haynes Sludge Blu Site, located 0.5 mile east of the intersection of Farm-to-Market Road 1305 and County Road 4225, approximately five miles north of Poynor, Henderson County; and

Gerald Wimberly Site, located approximately 3/4 mile west of the intersection of County Road 2171 and County Road 2172, south of Whitehouse, Smith County

Type of Operation:

Sewage sludge land application sites

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 31, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$9,907

Amount Deferred for Expedited Settlement: \$1,980

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$7,927

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

**Executive Summary – Enforcement Matter – Case No. 49004
Synagro of Texas-CDR, Inc.
RN103143640, RN103143657, and RN103143673
Docket No. 2014-1032-SLG-E**

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: June 16, 2014 through June 26, 2014

Date(s) of NOE(s): July 9, 2014

Violation Information

1. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge. Specifically, the Respondent did not renew Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004505000, which expired at midnight on March 12, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 1 [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and TPDES Permit No. WQ0004505000, General Requirements B].

2. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge. Specifically, the Respondent did not renew TPDES Permit No. WQ0004506000, which expired at midnight on March 10, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 2 [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and TPDES Permit No. WQ0004506000, General Requirements B].

3. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge. Specifically, the Respondent did not renew TPDES Permit No. WQ0004507000, which expired at midnight on March 30, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 3 [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and TPDES Permit No. WQ0004507000, General Requirements B].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. By April 11, 2014, ceased all sewage sludge land application at Site No. 2;
- b. By May 6, 2014, ceased all sewage sludge land application at Site No. 1; and
- c. By May 29, 2014, ceased all sewage sludge land application at Site No. 3.

**Executive Summary – Enforcement Matter – Case No. 49004
Synagro of Texas-CDR, Inc.
RN103143640, RN103143657, and RN103143673
Docket No. 2014-1032-SLG-E**

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Alex Laje, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-2547; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Chuck Simmons, Regional Technical Services Director - South, Synagro of Texas-CDR, Inc., 501 Woodall Road, Decatur, Alabama 35601

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	14-Jul-2014	Screening	18-Jul-2014	EPA Due	
	PCW	22-Jul-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Synagro of Texas-CDR, Inc. (Site No. 1)
Reg. Ent. Ref. No.	RN103143640
Facility/Site Region	5-Tyler
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	49004	No. of Violations	1
Docket No.	2014-1032-SLG-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Remington Burklund
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0% Enhancement	Subtotals 2, 3, & 7	-\$250
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Notes: Reduction for high performer classification.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$1,053
 Estimated Cost of Compliance: \$1,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$2,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	46.8%	Adjustment	\$1,053
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated the violation.

Final Penalty Amount	\$3,303
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,303
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DEFERRAL	20.0% Reduction	Adjustment	-\$660
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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	\$2,643
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Screening Date 18-Jul-2014

Docket No. 2014-1032-SLG-E

PCW

Respondent Synagro of Texas-CDR, Inc. (Site No. 1)

Policy Revision 4 (April 2014)

Case ID No. 49004

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103143640

Media [Statute] Water Quality

Enf. Coordinator Remington Burkland

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

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) 0%

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

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> **Compliance History Summary**

Compliance History Notes

Reduction for high performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% -10%

Screening Date 18-Jul-2014 **Docket No.** 2014-1032-SLG-E **PCW**
Respondent Synagro of Texas-CDR, Inc. (Site No. 1) *Policy Revision 4 (April 2014)*
Case ID No. 49004 *PCW Revision March 26, 2014*
Reg. Ent. Reference No. RN103143640
Media [Statute] Water Quality
Enf. Coordinator Remington Burklund

Violation Number 1
Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code §§ 305.65, 305.125(2), 312.4(a) and (d), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004505000, General Requirements B
Violation Description Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, as documented during an investigation conducted on June 16-23, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004505000, which expired at midnight on March 12, 2014, and continued to land apply wastewater treatment plant sewage sludge.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			X		
100% of the rule requirement was not met.					

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

Two monthly events are recommended, calculated from the permit expiration date (March 12, 2014) to the date land application of wastewater treatment plant sewage sludge ceased (May 6, 2014).

Good Faith Efforts to Comply Reduction

Before NOE/NOV NOE/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 \$2,500

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 Synagro of Texas-CDR, Inc. (Site No. 1)
Case ID No. 49004
Reg. Ent. Reference No. RN103143640
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	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for DELAYED costs

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]	\$1,000	12-Mar-2014	6-May-2014	1.07	\$53	\$1,000	\$1,053
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The estimated avoided cost is the cost of fees associated with preparing and submitting a water quality permit application and obtaining authorization to land apply wastewater treatment plant sewage sludge. Date required is the permit expiration date. Final date is the date land application of wastewater treatment plant sewage sludge ceased.

Approx. Cost of Compliance

\$1,000

TOTAL

\$1,053

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TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN601307630, RN103143640, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN601307630, Synagro of Texas-CDR, Inc. (Site 1) **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN103143640, RONNIE VOYLES SITE 2 **Classification:** HIGH **Rating:** 0.00

Complexity Points: 2 **Repeat Violator:** NO

CH Group: 12 - Agriculture, Forestry, Fishing, and Hunting

Location: Located one mile south of Brownsboro on County Road 3600 in Henderson County, Texas.

TCEQ Region: REGION 05 - TYLER

ID Number(s):

SLUDGE PERMIT WQ0005125000

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: July 15, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 15, 2009 to July 15, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Remington Burklund

Phone: (512) 239-2611

Site and Owner/Operator History:

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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	August 03, 2010	(843332)
Item 2	July 25, 2011	(943017)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

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



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ	
DATES	Assigned 14-Jul-2014
PCW	22-Jul-2014
Screening	18-Jul-2014
EPA Due	

RESPONDENT/FACILITY INFORMATION	
Respondent	Synagro of Texas-CDR, Inc. (Site No. 2)
Reg. Ent. Ref. No.	RN103143657
Facility/Site Region	5-Tyler
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	49004	No. of Violations	1
Docket No.	2014-1032-SLG-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Remington Burklund
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$2,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **-10.0%** Enhancement **Subtotals 2, 3, & 7** **-\$250**

Notes: Reduction for high performer classification.

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	\$1,050
Estimated Cost of Compliance	\$1,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$2,250**

OTHER FACTORS AS JUSTICE MAY REQUIRE **46.7%** **Adjustment** **\$1,050**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with the violation.

Final Penalty Amount **\$3,300**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$3,300**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$660**

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 **\$2,640**

Screening Date 18-Jul-2014

Docket No. 2014-1032-SLG-E

PCW

Respondent Synagro of Texas-CDR, Inc. (Site No. 2)

Policy Revision 4 (April 2014)

Case ID No. 49004

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103143657

Media [Statute] Water Quality

Enf. Coordinator Remington Burklund

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for high performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date 18-Jul-2014 **Docket No.** 2014-1032-SLG-E **PCW**
Respondent Synagro of Texas-CDR, Inc. (Site No. 2) *Policy Revision 4 (April 2014)*
Case ID No. 49004 *PCW Revision March 26, 2014*
Reg. Ent. Reference No. RN103143657
Media [Statute] Water Quality
Enf. Coordinator Remington Burklund

Violation Number 1
Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code §§ 305.65, 305.125(2), 312.4(a) and (d), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004506000, General Requirements B
Violation Description Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, as documented during an investigation conducted on June 16-24, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004506000, which expired at midnight on March 10, 2014, and continued to land apply wastewater treatment plant sewage sludge.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			5.0%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

Two monthly events are recommended, calculated from the permit expiration date (March 10, 2014) to the date land application of wastewater treatment plant sewage sludge ceased (April 11, 2014).

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/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 \$2,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$1,050 **Violation Final Penalty Total** \$3,300

This violation Final Assessed Penalty (adjusted for limits) \$3,300

Economic Benefit Worksheet

Respondent Synagro of Texas-CDR, Inc. (Site No. 2)
Case ID No. 49004
Reg. Ent. Reference No. RN103143657
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				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

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]	\$1,000	10-Mar-2014	11-Apr-2014	1.01	\$50	\$1,000	\$1,050
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The estimated avoided cost is the cost of fees associated with preparing and submitting a water quality permit application and obtaining authorization to land apply wastewater treatment plant sewage sludge. Date required is the permit expiration date. Final date is the date land application of wastewater treatment plant sewage sludge ceased.

Approx. Cost of Compliance	\$1,000	TOTAL	\$1,050
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TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN601307630, RN103143657, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN601307630, Synagro of Texas-CDR, Inc. (Site 2) **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN103143657, BEN HAYNES SLUDGE BLU SITE **Classification:** HIGH **Rating:** 0.00

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 12 - Agriculture, Forestry, Fishing, and Hunting

Location: Located 0.5 mile east of the intersection of Farm-to-Market Road 1305 and County Road 4225, approximately five miles north of Poynor in Henderson County, Texas.

TCEQ Region: REGION 05 - TYLER

ID Number(s):
SLUDGE PERMIT WQ0005126000

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: July 15, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 15, 2009 to July 15, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Remington Burklund

Phone: (512) 239-2611

Site and Owner/Operator History:

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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	August 04, 2010	(844243)
Item 2	August 03, 2011	(944403)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

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



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	14-Jul-2014	Screening	18-Jul-2014	EPA Due	
	PCW	22-Jul-2014				

RESPONDENT/FACILITY INFORMATION	
Respondent	Synagro of Texas-CDR, Inc. (Site No. 3)
Reg. Ent. Ref. No.	RN103143673
Facility/Site Region	5-Tyler
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	49004	No. of Violations	1
Docket No.	2014-1032-SLG-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Remington Burklund
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0% Enhancement	Subtotals 2, 3, & 7	-\$250
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Notes: Reduction for high performer classification.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$1,054
Estimated Cost of Compliance	\$1,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$2,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	46.8%	Adjustment	\$1,054
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with the violation.

Final Penalty Amount	\$3,304
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,304
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DEFERRAL	20.0% Reduction	Adjustment	-\$660
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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	\$2,644
------------------------	---------

Screening Date 18-Jul-2014

Docket No. 2014-1032-SLG-E

PCW

Respondent Synagro of Texas-CDR, Inc. (Site No. 3)

Policy Revision 4 (April 2014)

Case ID No. 49004

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103143673

Media [Statute] Water Quality

Enf. Coordinator Remington Burkland

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

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) 0%

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

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> **Compliance History Summary**

Compliance History Notes

Reduction for high performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% -10%

Screening Date 18-Jul-2014 **Docket No.** 2014-1032-SLG-E **PCW**
Respondent Synagro of Texas-CDR, Inc. (Site No. 3) *Policy Revision 4 (April 2014)*
Case ID No. 49004 *PCW Revision March 26, 2014*
Reg. Ent. Reference No. RN103143673
Media [Statute] Water Quality
Enf. Coordinator Remington Burkland

Violation Number 1
Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code §§ 305.65, 305.125(2), 312.4(a) and (d), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004507000, General Requirements B
Violation Description Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, as documented during an investigation conducted on June 16-26, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004507000, which expired at midnight on March 30, 2014, and continued to land apply wastewater treatment plant sewage sludge.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			5.0%

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	X
quarterly	
Semiannual	
annual	
single event	

Violation Base Penalty \$2,500

Two monthly events are recommended, calculated from the permit expiration date (March 30, 2014) to the date land application of wastewater treatment plant sewage sludge ceased (May 29, 2014).

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/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 \$2,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$1,054 Violation Final Penalty Total \$3,304

This violation Final Assessed Penalty (adjusted for limits) \$3,304

Economic Benefit Worksheet

Respondent Synagro of Texas-CDR, Inc. (Site No. 3)
Case ID No. 49004
Reg. Ent. Reference No. RN103143673
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	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for DELAYED costs

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]	\$1,000	30-Mar-2014	29-May-2014	1.08	\$54	\$1,000	\$1,054
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The estimated avoided cost is the cost of fees associated with preparing and submitting a water quality permit application and obtaining authorization to land apply wastewater treatment plant sewage sludge. Date required is the permit expiration date. Final date is the date land application of wastewater treatment plant sewage sludge ceased.

Approx. Cost of Compliance

\$1,000

TOTAL

\$1,054

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN601307630, RN103143673, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN601307630, Synagro of Texas-CDR, Inc. (Site 3) **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN103143673, GERALD WIMBERLY SITE **Classification:** HIGH **Rating:** 0.00

Complexity Points: 2 **Repeat Violator:** NO

CH Group: 12 - Agriculture, Forestry, Fishing, and Hunting

Location: Located approximately 3/4 mile west of the intersection of County Road 2171 and County Road 2172, south of Whitehouse in Smith County, Texas.

TCEQ Region: REGION 05 - TYLER

ID Number(s):

SLUDGE PERMIT WQ0005124000

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: July 15, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 15, 2009 to July 15, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Remington Burklund

Phone: (512) 239-2611

Site and Owner/Operator History:

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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 July 25, 2011 (943083)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

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	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
SYNAGRO OF TEXAS-CDR, INC.	§	TEXAS COMMISSION ON
RN103143640, RN103143657, and	§	
RN103143673	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2014-1032-SLG-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Synagro of Texas-CDR, Inc. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent operates sewage sludge land application sites at the following locations (the "Sites"):
 - a. One mile south of Brownsboro on County Road 3600 in Henderson County, Texas ("Site No. 1");
 - b. 0.5 mile east of the intersection of Farm-to-Market Road 1305 and County Road 4225, approximately five miles north of Poynor in Henderson County, Texas ("Site No. 2"); and
 - c. Approximately 3/4 mile west of the intersection of County Road 2171 and County Road 2172, south of Whitehouse in Smith County, Texas ("Site No. 3").
2. The Sites adjoin, are contiguous with, surround, or are near or adjacent to water in the state as defined in TEX. WATER CODE ch. 26.001(5). The Sites involve the management and/or disposal of municipal solid waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. The Executive Director 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 notices of the violations alleged in Section II ("Allegations") on or about July 14, 2014.
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 Nine Thousand Nine Hundred Seven Dollars (\$9,907) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Thousand Nine Hundred Twenty-Seven Dollars (\$7,927) of the administrative penalty and One Thousand Nine Hundred Eighty Dollars (\$1,980) 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.
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 and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures:
 - a. By April 11, 2014, ceased all sewage sludge land application at Site No. 2;
 - b. By May 6, 2014, ceased all sewage sludge land application at Site No. 1; and
 - c. By May 29, 2014, ceased all sewage sludge land application at Site No. 3.
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 operator of the Sites, the Respondent is alleged to have:

1. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, in violation of TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004505000, General Requirements B, as documented during an investigation conducted on June 16-23, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004505000, which expired at midnight on March 12, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 1.
2. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, in violation of TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and TPDES Permit No. WQ0004506000, General Requirements B, as documented during an investigation conducted on June 16-24, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004506000, which expired at midnight on March 10, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 2.
3. Failed to maintain authorization to land apply wastewater treatment plant sewage sludge, in violation of TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE §§ 305.65, 305.125(2), 312.4(a) and (d), and TPDES Permit No. WQ0004507000, General Requirements B, as documented during an investigation conducted on June 16-26, 2014. Specifically, the Respondent did not renew TPDES Permit No. WQ0004507000, which expired at midnight on March 30, 2014, and continued to land apply wastewater treatment plant sewage sludge at Site No. 3.

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: Synagro of Texas-CDR, Inc., Docket No. 2014-1032-SLG-E" to:

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

2. 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 Site operations referenced in this Agreed Order.
3. 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.
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
5. 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Mauer
For the Executive Director

2/17/15
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.

Chuck Simmons
Signature

September 30th, 2014
Date

Chuck Simmons
Name (Printed or typed)
Authorized Representative of
Synagro of Texas-CDR, Inc.

Regional Technical Service Director, South
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.