

**Executive Summary – Enforcement Matter – Case No. 49321
Jim Hogg County Water Control and Improvement District No. 2
RN101523512
Docket No. 2014-1383-MWD-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Hebbronville Plant, located approximately 3,700 feet east of the intersection of State Highway 285 and Farm-to-Market 1017, on the north side of State Highway 285, Hebbronville, Jim Hogg County

Type of Operation:

Wastewater treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: January 30, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$16,841

Amount Deferred for Expedited Settlement: \$3,368

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$383

Total Due to General Revenue: \$13,090

Payment Plan: 35 payments of \$374 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

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Jim Hogg County Water Control and Improvement District No. 2
RN101523512
Docket No. 2014-1383-MWD-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: August 6, 2014

Date(s) of NOE(s): August 25, 2014

Violation Information

1. Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the mechanical bar screen at the headworks of the Facility was not operational, and the bar screen provided was not effectively removing large solids; a substantial amount of visible solids were noted on the surface of the clarifier, and the stilling well was unevenly positioned, resulting in extensive amounts of solids being discharged into the clarifier; the ultraviolet light ("UV") disinfection system was not operating properly due to solids in the UV disinfection system and algae covering sections of the UV bulbs; an excessive amount of solids were noted in the wet well of the Las Lomitas No. 1 lift station; the audio-visual alarm system at the Las Lomitas No. 1 lift station failed to activate due to malfunctioning high water level floats; and the motor for lift pump No. 7 at the headworks of the Facility was not operational [30 TEX. ADMIN. CODE § 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010799001, Operational Requirements No. 1].

2. Failed to retain at the Facility, or make readily available for review by a TCEQ representative, monitoring and reporting records. Specifically, no calibration and maintenance records for the dissolved oxygen ("D.O.") and pH meters were available for review at the time of the investigation [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(c) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 3(b)].

3. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows by a trained person at Facility start-up, and as often thereafter as necessary, to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Specifically, the OCM III Milltronics flow meter was last calibrated on January 23, 2013. In addition, a flow meter accuracy test conducted during the investigation revealed that the secondary flow measuring device was not adequately calibrated to maintain a maximum error rate of plus or minus ten percent between the primary and secondary flow measuring devices. The calculated error rate between the primary and secondary flow measuring devices was 44.7 percent [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 5].

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4. Failed to comply with specified test procedures. Specifically, the pH 4, 7, and 10 buffer solutions used for calibrating the Respondent's pH meter expired in November 2013, August 2013, and September 2013, respectively [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 2].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By August 12, 2014, the Respondent implemented the following corrective measures:

- i. Began maintaining calibration records for the pH and D.O. meters;
- ii. Calibrated the Facility's flow meter; and
- iii. Replaced the expired pH buffer solutions.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

- i. Update operational guidance and conduct employee training to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, including the routine inspection and maintenance of the lift stations and associated appurtenances in the Facility's collection system and the treatment units within the Facility;
- ii. Repair or replace the mechanical bar screen at the headworks of the Facility;
- iii. Remove and properly dispose of the excessive solids located in the wet well of the Las Lomitas No. 1 lift station;
- iv. Make all necessary repairs at the Las Lomitas No. 1 lift station to ensure that the audio-visual alarm system self-activates during high wet well water levels; and
- v. Repair or replace the motor for lift pump No. 7 at the headworks of the Facility.

b. Within 45 days, submit written certification of compliance with Ordering Provision a.

c. Within 60 days:

- i. Collect, remove, and properly dispose of the floating solids in the clarifier;

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- ii. Repair or replace the stilling well in the clarifier to ensure the proper disbursement of solids within the clarifier;
 - iii. Remove and properly dispose of the solids located within the UV disinfection system;
 - iv. Remove and properly dispose of algae covering the UV disinfection system's bulbs; and
 - v. Develop and implement a solids management plan ("SMP"). The SMP shall include a program of internal process control testing to monitor the efficiency of the Facility and to maintain the proper solids balance. The SMP shall provide procedures designed as guidance for the operator to act on as a result of process control tests, to properly adjust the solids balance, and to determine sludge wasting rates. The SMP shall be prepared by a registered Texas Professional Engineer or a Class "A" TCEQ Certified Wastewater Operator.
- d. Within 75 days, submit written certification of compliance with Ordering Provision c.

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: Jill Russell, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-4564; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: N/A
Respondent: Santos E. Cantu, President, Jim Hogg County Water Control and Improvement District No. 2, P.O. Box 148, Hebbronville, Texas 78361
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	2-Sep-2014	Screening	15-Sep-2014	EPA Due	
	PCW	27-Oct-2014				

RESPONDENT/FACILITY INFORMATION			
Respondent	Jim Hogg County Water Control and Improvement District No. 2		
Reg. Ent. Ref. No.	RN101523512		
Facility/Site Region	15-Harlingen	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	49321	No. of Violations	4
Docket No.	2014-1383-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Jill Russell
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for two months of self-reported effluent violations, one NOV with dissimilar violations, two agreed orders with a denial of liability and one agreed order without a denial of liability.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts *Capped at the Total EB \$ Amount
 Estimated Cost of Compliance

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 15-Sep-2014

Docket No. 2014-1383-MWD-E

PCW

Respondent Jim Hogg County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 49321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101523512

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

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	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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	1	25%
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) 71%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two months of self-reported effluent violations, one NOV with dissimilar violations, two agreed orders with a denial of liability and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 71%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 71%

Screening Date 15-Sep-2014

Docket No. 2014-1383-MWD-E

PCW

Respondent Jim Hogg County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 49321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101523512

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010799001, Operational Requirements No. 1

Violation Description Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, as documented during an investigation conducted on August 6, 2014. Specifically, the mechanical bar screen at the headworks of the Facility was not operational, and the bar screen provided was not effectively removing large solids; a substantial amount of visible solids were noted on the surface of the clarifier, and the stilling well was unevenly positioned, resulting in extensive amounts of solids being discharged into the clarifier; the ultraviolet light ("UV") disinfection system was not operating properly due to solids in the UV disinfection system and algae covering sections of the UV bulbs; an excessive amount of solids were noted in the wet well of the Las Lomitas No. 1 lift station; the audio-visual alarm system at the Las Lomitas No. 1 lift station failed to activate due to malfunctioning high water level floats; and the motor for lift pump No. 7 at headworks of the Facility was not operational.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor). Actual Major is empty, Potential Major has an X.

Percent 15.0%

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor. All cells are empty.

Percent 0.0%

Matrix Notes Human health or the environment will or could be exposed to significant amounts of pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2 Number of violation days 40

Table with frequency options: daily, weekly, monthly (marked with X), quarterly, semiannual, annual, single event.

Violation Base Penalty \$7,500

Two monthly events are recommended from the August 6, 2014 investigation date to the September 15, 2014 screening date.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Table for Good Faith Efforts: Extraordinary, Ordinary, N/A (marked with X).

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3,946

Violation Final Penalty Total \$12,825

This violation Final Assessed Penalty (adjusted for limits) \$12,825

Economic Benefit Worksheet

Respondent Jim Hogg County Water Control and Improvement District No. 2
Case ID No. 49321
Reg. Ent. Reference No. RN101523512
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
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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	6-Aug-2014	14-Jun-2015	0.85	\$11	n/a	\$11
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$84,000	6-Aug-2014	14-Jul-2015	0.94	\$3,935	n/a	\$3,935

Notes for DELAYED costs

Estimated cost to update the Facility's operational guidance and conduct employee training to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, including the routine inspection and maintenance of lift stations and associated appurtenances in the Facility's collection system and the treatment units within the Facility. Date required is the investigation date and the final date is the estimated date of compliance. Estimated cost to collect, remove, and properly dispose of the floating solids in the clarifier; repair or replace the stilling well in the clarifier to ensure the proper disbursement of solids within the clarifier; remove and properly dispose of solids located within the UV disinfection system; remove and properly dispose of the algae covering the UV disinfection system's bulbs; replace/repair the mechanical bar screen at the headworks; remove and properly dispose of solids in the wet well of the Las Lomas No. 1 lift station; make repairs at the Las Lomas No. 1 lift station to ensure that the audio-visual alarm system activates during high wet well water levels, repair/replace the motor for lift pump No. 7 at the headworks; and develop and implement a solids management plan ("SMP"). Date required is the investigation date and the final date is the estimated 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 \$84,250
TOTAL \$3,946

Screening Date 15-Sep-2014

Docket No. 2014-1383-MWD-E

PCW

Respondent Jim Hogg County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 49321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101523512

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 305.125(1) and 319.7(c) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 3(b)

Violation Description

Failed to retain at the Facility, or make readily available for review by a TCEQ representative, monitoring and reporting records, as documented during an investigation conducted on August 6, 2014. Specifically, no calibration and maintenance records for the dissolved oxygen ("D.O.") and pH meters were available for review at the time of the investigation.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 5.0%

Matrix Notes

100% of the rule requirements were not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1

6 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,250

One single event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$312

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

Notes

The Respondent achieved compliance on August 12, 2014.

Violation Subtotal \$938

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$1,826

This violation Final Assessed Penalty (adjusted for limits) \$1,826

Economic Benefit Worksheet

Respondent Jim Hogg County Water Control and Improvement District No. 2
Case ID No. 49321
Reg. Ent. Reference No. RN101523512
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	Overtime 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	\$25	6-Aug-2014	12-Aug-2014	0.02	\$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 to begin maintaining calibration records for the D.O. and pH meters. Date required is the investigation date and the final date is the compliance date.

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

\$25

TOTAL

\$0

Screening Date 15-Sep-2014

Docket No. 2014-1383-MWD-E

PCW

Respondent Jim Hogg County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 49321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101523512

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 5

Violation Description

Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows by a trained person at Facility start-up, and as often thereafter as necessary, to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period, as documented during an investigation conducted on August 6, 2014. Specifically, the OCM III Milltronics flow meter was last calibrated on January 23, 2013. In addition, a flow meter accuracy test conducted during the investigation revealed that the secondary flow measuring device was not adequately calibrated to maintain a maximum error rate of plus or minus ten percent between the primary and secondary flow measuring devices. The calculated error rate between the primary and secondary flow measuring devices was 44.7 percent.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 3.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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 \$24,250

\$750

Violation Events

Number of Violation Events 1 Number of violation days 201

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$750

One single event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$187

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

Notes

The Respondent achieved compliance on August 12, 2014.

Violation Subtotal \$563

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,073

Violation Final Penalty Total \$1,096

This violation Final Assessed Penalty (adjusted for limits) \$1,096

Economic Benefit Worksheet

Respondent Jim Hogg County Water Control and Improvement District No. 2
Case ID No. 49321
Reg. Ent. Reference No. RN101523512
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)				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]				0.00	\$0	\$0	\$0
Other (as needed)	\$1,000	23-Jan-2014	12-Aug-2014	1.47	\$73	\$1,000	\$1,073

Notes for AVOIDED costs

Estimated avoided cost for a trained person to calibrate the flow meter. Date required is the date the annual calibration was due and the final date is the compliance date.

Approx. Cost of Compliance

\$1,000

TOTAL

\$1,073

Screening Date 15-Sep-2014

Docket No. 2014-1383-MWD-E

PCW

Respondent Jim Hogg County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 49321

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101523512

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 305.125(1) and 319.11(c), and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 2

Violation Description

Failed to comply with specified test procedures, as documented during an investigation conducted on August 6, 2014. Specifically, the pH 4, 7, and 10 buffer solutions used for calibrating the Respondent's pH meter expired in November 2013, August 2013, and September 2013, respectively.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 3.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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 \$24,250

\$750

Violation Events

Number of Violation Events 1

346 Number of violation days

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

Violation Base Penalty \$750

One single event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$187

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

Notes The Respondent achieved compliance on August 12, 2014.

Violation Subtotal \$563

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$1,096

This violation Final Assessed Penalty (adjusted for limits) \$1,096

Economic Benefit Worksheet

Respondent Jim Hogg County Water Control and Improvement District No. 2
Case ID No. 49321
Reg. Ent. Reference No. RN101523512
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	Overtime 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)	\$75	31-Aug-2013	12-Aug-2014	0.95	\$4	n/a	\$4

Notes for DELAYED costs

Estimated cost to replace the expired buffer solutions (\$25 per standard). Date required is the date the first buffer solution expired and the final date is the compliance date.

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	\$75	TOTAL	\$4
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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

Pending - Compliance History Report for CN600682348, RN101523512, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN600682348, Jim Hogg County WCID 2 **Classification:** SATISFACTORY **Rating:** 16.20

Regulated Entity: RN101523512, HEBBRONVILLE PLANT **Classification:** SATISFACTORY **Rating:** 16.20

Complexity Points: 5 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: Approximately 3,700 feet east of the intersection of State Highway 285 and Farm-to-Market Road 1017, on the north side of State Highway 285, Hebbronville, Jim Hogg County, Texas

TCEQ Region: REGION 15 - HARLINGEN

ID Number(s):

WASTEWATER PERMIT WQ0010799001
SLUDGE REGISTRATION 22199

WASTEWATER EPA ID TX0101826
WASTEWATER LICENSING LICENSE WQ0010799001

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: October 20, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 20, 2009 to October 20, 2014

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

Name: Jill Russell

Phone: (512) 239-4564

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:

- 1 Effective Date: 08/09/2010 ADMINORDER 2010-0165-MWD-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:Eff. Lim. and Mon. Req. No. 1 PERMIT
Description: Failed to meet permitted effluent limitations.
- 2 Effective Date: 03/09/2013 ADMINORDER 2012-1233-MWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:Eff. Lim. & Monit. Reqs. No. 1 PERMIT
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.
Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Rqmt Prov:Sludge Provisions PERMIT

Description: Failed to submit a complete sludge report for the monitoring period ending July 31, 2011 by Septemebr 1, 2011.

- 3 Effective Date: 07/18/2014 ADMINORDER 2014-0305-MWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:Eff. Lim. Mon. Req. No. 1 PERMIT
Effluent Limits PERMIT
Description: Failed to comply with permitted effluent limitations.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	November 16, 2009	(816716)	Item 20	July 09, 2012	(1033010)
Item 2	June 09, 2010	(847555)	Item 21	August 13, 2012	(1039517)
Item 3	August 13, 2010	(868515)	Item 22	September 10, 2012	(1048431)
Item 4	September 16, 2010	(875416)	Item 23	October 08, 2012	(1068395)
Item 5	October 14, 2010	(882966)	Item 24	November 12, 2012	(1068396)
Item 6	November 12, 2010	(897750)	Item 25	February 14, 2013	(1082145)
Item 7	December 16, 2010	(897751)	Item 26	March 13, 2013	(1090858)
Item 8	April 20, 2011	(929348)	Item 27	April 12, 2013	(1097200)
Item 9	June 03, 2011	(946891)	Item 28	May 14, 2013	(1108221)
Item 10	July 11, 2011	(954158)	Item 29	October 11, 2013	(1136796)
Item 11	August 05, 2011	(960733)	Item 30	November 14, 2013	(1142209)
Item 12	September 12, 2011	(966824)	Item 31	February 10, 2014	(1162042)
Item 13	September 22, 2011	(966823)	Item 32	March 12, 2014	(1168660)
Item 14	October 10, 2011	(972803)	Item 33	April 15, 2014	(1175831)
Item 15	November 14, 2011	(978944)	Item 34	May 14, 2014	(1182054)
Item 16	December 12, 2011	(985776)	Item 35	June 09, 2014	(1188948)
Item 17	January 15, 2012	(1082146)	Item 36	July 08, 2014	(1194499)
Item 18	May 14, 2012	(1017906)	Item 37	August 13, 2014	(1200781)
Item 19	June 11, 2012	(1025665)			

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.

- 1 Date: 11/30/2013 (1148650) CN600682348
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
- 2 Date: 12/31/2013 (1154727) CN600682348
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
- 3 Date: 04/01/2014 (1144535) CN600682348
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(4)
Description: Failure to prevent the unauthorized discharge of wastewater.

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
JIM HOGG COUNTY WATER
CONTROL AND IMPROVEMENT
DISTRICT No. 2
RN101523512**

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§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2014-1383-MWD-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 the Jim Hogg County Water Control and Improvement District No. 2 ("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 together stipulate that:

1. The Respondent owns and operates a wastewater treatment plant located approximately 3,700 feet east of the intersection of State Highway 285 and Farm-to-Market Road 1017, on the north side of State Highway 285 in Hebbronville, Jim Hogg County, Texas (the "Facility").
2. The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
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 notice of the violations alleged in Section II ("Allegations") on or about September 23, 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 Sixteen Thousand Eight Hundred Forty-One Dollars (\$16,841) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Three Hundred Eighty-Three Dollars (\$383) of the administrative penalty and Three Thousand Three Hundred Sixty-Eight Dollars (\$3,368) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Thirteen Thousand Ninety Dollars (\$13,090) of the administrative penalty shall be payable in 35 monthly payments of Three Hundred Seventy-Four Dollars (\$374) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

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 by August 12, 2014, the Respondent has implemented the following corrective measures at the Facility:
 - i. Began maintaining calibration records for the pH and dissolved oxygen ("D.O.") meters;
 - ii. Calibrated the Facility's flow meter; and
 - iii. Replaced the expired pH buffer solutions.
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 ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010799001, Operational Requirements No. 1, as documented during an investigation conducted on August 6, 2014. Specifically, the mechanical bar screen at the headworks of the Facility was not operational, and the bar screen provided was not effectively removing large solids; a substantial amount of visible solids were noted on the surface of the clarifier, and the stilling well was unevenly positioned, resulting in extensive amounts of solids being discharged into the clarifier; the ultraviolet light ("UV") disinfection system was not operating properly due to solids in the UV disinfection system and algae covering sections of the UV bulbs; an excessive amount of solids were noted in the wet well of the Las Lomitas No. 1 lift station; the audio-visual alarm system at the Las Lomitas No. 1 lift station failed to activate due to malfunctioning high water level floats; and the motor for lift pump No. 7 at the headworks of the Facility was not operational.
2. Failed to retain at the Facility, or make readily available for review by a TCEQ representative, monitoring and reporting records, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(c) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 3(b), as documented during an investigation conducted on August 6, 2014. Specifically, no calibration and maintenance records for the D.O. and pH meters were available for review at the time of the investigation.
3. Failed to accurately calibrate all automatic flow measuring or recording devices and all totalizing meters for measuring flows by a trained person at Facility start-up, and as often thereafter as necessary, to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 5, as documented during an investigation conducted on August 6, 2014. Specifically, the OCM III Milltronics flow meter was last calibrated on January 23, 2013. In addition, a flow meter accuracy test conducted during the investigation revealed that the secondary flow measuring device was not adequately calibrated to maintain a maximum error rate of plus or minus ten percent between the primary and secondary flow measuring devices. The calculated error rate between the primary and secondary flow measuring devices was 44.7 percent.
4. Failed to comply with specified test procedures, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0010799001, Monitoring and Reporting Requirements No. 2, as documented during an investigation conducted on August 6, 2014. Specifically, the pH 4, 7, and 10 buffer solutions used for calibrating the

Respondent's pH meter expired in November 2013, August 2013, and September 2013, respectively.

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: Jim Hogg County Water Control and Improvement District No. 2, Docket No. 2014-1383-MWD-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. It is further ordered that the Respondent shall undertake the following technical requirements.
 - a. Within 30 days after the effective date of this Agreed Order,
 - i. Update operational guidance and conduct employee training to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, including the routine inspection and maintenance of the lift stations and associated appurtenances in the Facility's collection system and the treatment units within the Facility;
 - ii. Repair or replace the mechanical bar screen at the headworks of the Facility;
 - iii. Remove and properly dispose of the excessive solids located in the wet well of the Las Lomitas No. 1 lift station;
 - iv. Make all necessary repairs at the Las Lomitas No. 1 lift station to ensure that the audio-visual alarm system self-activates during high wet well water levels; and
 - v. Repair or replace the motor for lift pump No. 7 at the headworks of the Facility.

- b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 2.a.i through 2.a.v, in accordance with Ordering Provision No. 2.e below.
- c. Within 60 days after the effective date of this Agreed Order:
 - i. Collect, remove, and properly dispose of the floating solids in the clarifier;
 - ii. Repair or replace the stilling well in the clarifier to ensure the proper disbursement of solids within the clarifier;
 - iii. Remove and properly dispose of the solids located within the UV disinfection system;
 - iv. Remove and properly dispose of algae covering the UV disinfection system's bulbs; and
 - v. Develop and implement a solids management plan ("SMP"). The SMP shall include a program of internal process control testing to monitor the efficiency of the Facility and to maintain the proper solids balance. The SMP shall provide procedures designed as guidance for the operator to act on as a result of process control tests, to properly adjust the solids balance, and to determine sludge wasting rates. The SMP shall be prepared by a registered Texas Professional Engineer or a Class "A" TCEQ Certified Wastewater Operator.
- d. Within 75 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 2.c.i through 2.c.v, in accordance with Ordering Provision No. 2.e below.
- e. The written certifications of compliance required by Ordering Provisions Nos. 2.b and 2.d shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public, and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is 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 certifications 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 copies to:

Water Section Manager
Harlingen Regional Office
Texas Commission on Environmental Quality
1804 West Jefferson Avenue
Harlingen, Texas 78550-5247

3. 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.
4. 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.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by 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.
6. 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.
7. 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.

8. 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

Ron Maurer
For the Executive Director

3/25/15
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.

SAE
Signature

12/8/14
Date

Santos E. Cantu

President

Name (Printed or typed)
Authorized Representative of
Jim Hogg County Water Control
And Improvement District No. 2

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.