

Conrad D. Liles
RN105177836
Docket No. 2014-1773-LII-E

Order Type:

Default Order

Media:

LII

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

1843 State Hwy 75 North, Huntsville, Walker County;
3200 Robinson Creek Parkway, Huntsville, Walker County

Type of Operation:

licensed irrigator

Other Significant Matters:

Additional Pending Enforcement Actions: None
Past-Due Penalties: \$848.00 (2013-0556-LII-E; referred for collection)
Past-Due Fees: None
Other: None
Interested Third-Parties: Irrigator License No. LI0015712 (expires May 31, 2016)

Texas Register Publication Date: July 31, 2015

Comments Received: None

Penalty Information

Total Penalty Assessed: \$578

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$578

Compliance History Classifications:

Person/CN – N/A
Site/RN – N/A

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014

Conrad D. Liles
RN105177836
Docket No. 2014-1773-LII-E

Investigation Information

Complaint Date(s): N/A
Date(s) of Investigation: October 17, 2014
Date(s) of NOV(s): N/A
Date(s) of NOE(s): November 17, 2014

Violation Information

Failed to provide a homeowner with an irrigation system plan indicating the actual installation of the irrigation system that was installed [30 TEX. ADMIN. CODE § 344.63(4)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:
None

Technical Requirements:

1. Within 30 days, implement measures and/or procedures to ensure that irrigation system plans are provided to the owners of irrigation systems on completion of the irrigation systems.
2. Within 45 days, submit written certification to demonstrate compliance.

Litigation Information

Date Petition(s) Filed: February 20, 2015; March 26, 2015; May 14, 2015
Date Green Card(s) Signed: May 18, 2015; May 18, 2015; May 18, 2015
Date Answer(s) Filed: N/A

Contact Information

TCEQ Attorneys: Ryan Rutledge, Litigation Division, (512) 239-3400
Lena Roberts, Litigation Division, (512) 239-3400
Rudy Calderon, Public Interest Counsel, (512) 239-6363
TCEQ Enforcement Coordinator: Jennifer Nguyen, Enforcement Division, (512) 239-6160
TCEQ Regional Contact: Michael De La Cruz, Houston Regional Office, (512) 239-0259
Respondent Contact: Conrad Liles, P.O. Box 333, Huntsville, Texas 77342
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	24-Nov-2014	Screening	25-Nov-2014	EPA Due	
	PCW	25-Nov-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Conrad D. Liles				
Reg. Ent. Ref. No.	RN105177836				
Facility/Site Region	12-Houston	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	49713	No. of Violations	1
Docket No.	2014-1773-LII-E	Order Type	1660
Media Program(s)	Irrigators	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jennifer Nguyen
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$250
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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	20.0%	Enhancement	Subtotals 2, 3, & 7	\$50	
Notes	Enhancement for one order with denial of liability.				
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	\$278	*Capped at the Total EB \$ Amount			
Estimated Cost of Compliance	\$250				

SUM OF SUBTOTALS 1-7	Final Subtotal	\$300
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OTHER FACTORS AS JUSTICE MAY REQUIRE	92.7%	Adjustment	\$278
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance associated with Violation No. 1.		
	Final Penalty Amount	\$578	

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$578
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes			
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PAYABLE PENALTY	\$578
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Screening Date 25-Nov-2014

Docket No. 2014-1773-LII-E

PCW

Respondent Conrad D. Liles

Policy Revision 4 (April 2014)

Case ID No. 49713

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN105177836

Media [Statute] Irrigators

Enf. Coordinator Jennifer Nguyen

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>)	1	20%
	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) 20%

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

N/A

Adjustment Percentage (Subtotal 3) 0%

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

N/A

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for one order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 20%

>> **Final Compliance History Adjustment**

Final Adjustment Percentage *capped at 100% 20%

Screening Date 25-Nov-2014
Respondent Conrad D. Liles
Case ID No. 49713
Reg. Ent. Reference No. RN105177836
Media [Statute] Irrigators
Enf. Coordinator Jennifer Nguyen

Docket No. 2014-1773-LII-E

PCW

Policy Revision 4 (April 2014)
PCW Revision March 26, 2014

Violation Number

Rule Cite(s)

30 Tex. Admin. Code § 344.63(4)

Violation Description

Failed to provide the homeowner with an irrigation system plan indicating the actual installation of the irrigation system that was installed at 3200 Robinson Creek Parkway, Huntsville, Texas.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

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

>> **Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Matrix Notes

100% of the rule requirement was not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

One single event is recommended.

Good Faith Efforts to Comply

Reduction

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	(mark with x)

Notes

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Conrad D. Liles
Case ID No. 49713
Reg. Ent. Reference No. RN105177836
Media Irrigators
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description 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)	\$250	24-Jul-2013	17-Nov-2014	2.24	\$28	\$250	\$278

Notes for AVOIDED costs

Estimated cost to provide to the owner of irrigation system the irrigation system plan. The Date Required is the date of installation. The Final Date is the date the irrigation system plan was no longer required.

Approx. Cost of Compliance \$250

TOTAL \$278

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.



Compliance History Report

PUBLISHED Compliance History Report for CN603161589, RN105177836, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603161589, Conrad D. Liles **Classification:** NOT APPLICABLE **Rating:** N/A
Regulated Entity: RN105177836, LILES, CONRAD D **Classification:** NOT APPLICABLE **Rating:** N/A
Complexity Points: N/A **Repeat Violator:** N/A
CH Group: 14 - Other
Location: 1843 STATE HIGHWAY 75 NORTH, HUNTSVILLE, TX, WALKER COUNTY
TCEQ Region: REGION 12 - HOUSTON
ID Number(s): **LANDSCAPE IRRIGATION LICENSING** LICENSE LI0015712
BACKFLOW PREVENTION ASSEMBLY TESTER LICENSING LICENSE BP0014272

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

Date Compliance History Report Prepared: November 25, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 25, 2009 to November 25, 2014

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

Name: Jennifer Nguyen

Phone: (512) 239-6160

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: 01/25/2014 **ADMINORDER 2013-0556-LII-E (1660 Order-Agreed Order With Denial)**

Classification: Major

Citation: 30 TAC Chapter 344, SubChapter C 344.35(d)(2)

Description: Failed to obtain a permit required to install an irrigation system. Specifically, failed to obtain a required permit from the City of Oak Ridge North prior to installing an irrigation system at 26503 Oak Hill Drive, Oak Ridge North, Montgomery County, Texas.

Classification: Minor

Citation: 30 TAC Chapter 344, SubChapter C 344.61(b)

30 TAC Chapter 344, SubChapter F 344.61(c)(1)

30 TAC Chapter 344, SubChapter F 344.61(c)(5)

30 TAC Chapter 344, SubChapter F 344.61(c)(7)(A)

30 TAC Chapter 344, SubChapter F 344.61(c)(7)(C)

30 TAC Chapter 344, SubChapter F 344.61(c)(9)

Description: Failed to prepare a complete and accurate irrigation plan. Specifically, Respondent prepared an irrigation plan for an irrigation system at 26503 Oak Hill Drive, Oak Ridge North, Montgomery County, Texas that did not include complete coverage of the area to be irrigated, zone flow measurement for each zone, size of water meter, location, type, and size of heads, and was not signed and dated by a licensed irrigator or drawn to scale.

Classification: Moderate

Citation: 30 TAC Chapter 344, SubChapter G 344.71(b)

Description: Failed to include the required TCEQ statement on all written estimates, proposals, bids, and invoices. Specifically, Respondent failed to include the TCEQ statement: "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's web site is www.tceq.state.tx.us" on the invoice provided to the customer for the irrigation system installed at 26503 Oak Hill Drive, Oak Ridge North, Montgomery County, Texas.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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
ENFORCEMENT ACTION
CONCERNING
CONRAD D. LILES;
RN105177836**

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§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

DEFAULT ORDER

DOCKET NO. 2014-1773-LII-E

On _____ the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's First Amended Report and Petition, filed pursuant to TEX. WATER CODE chs. 7 and 37, TEX. OCC. CODE ch. 1903, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Conrad D. Liles ("Respondent").

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent owns and operates an irrigation business located at 1843 State Highway 75 North in Huntsville, Walker County, Texas (the "Business"). Respondent holds TCEQ Irrigator License no. LI0015712 and sells, designs, offers consultations regarding, installs, maintains, alters, repairs, and/or services landscape irrigation systems. Therefore, Respondent is subject to TCEQ jurisdiction pursuant to TEX. WATER CODE ch. 37 and TEX. OCC. CODE ch. 1903.
2. During a record review conducted on October 17, 2014, an investigator documented that Respondent failed to provide the homeowner with an irrigation system plan indicating the actual installation of the irrigation system that was installed at 3200 Robinson Creek Parkway in Huntsville, Walker County, Texas.
3. The Executive Director filed the "Executive Director's First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Conrad D. Liles" (the "EDFARP") in the TCEQ Chief Clerk's office on May 14, 2015.
4. By letter dated May 14, 2015, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDFARP. According to the return receipt "green card," Respondent received notice of the EDFARP on May 18, 2015, as evidenced by the signature on the card.
5. More than 20 days have elapsed since Respondent received notice of the EDFARP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 37, TEX. OCC. CODE ch. 1903, and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2, Respondent failed to provide a homeowner with an irrigation system plan indicating the actual installation of the irrigation system that was installed, in violation of 30 TEX. ADMIN. CODE § 344.63(4).
3. As evidenced by Findings of Fact Nos. 3 and 4, the Executive Director timely served Respondent with proper notice of the EDFARP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
4. As evidenced by Finding of Fact No. 5, Respondent failed to file a timely answer as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of five hundred seventy-eight dollars (\$578.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053.
7. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Respondent is assessed an administrative penalty in the amount of five hundred seventy-eight dollars (\$578.00) for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Conrad D. Liles; Docket No. 2014-1773-LII-E" to:

Financial Administration Division, Revenue Operations Section
Texas Commission on Environmental Quality
Attention: Cashier's Office, MC 214
P.O. Box 13088
Austin, Texas 78711-3088
3. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order, implement measures and/or procedures to ensure that irrigation system plans are provided to the owners of irrigation systems on completion of the irrigation systems, in accordance with 30 TEX. ADMIN. CODE § 344.63.
 - b. Within 45 days after the effective date of this Order, submit written certification, to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be accompanied by detailed supporting documentation,

including photographs, receipts, and/or other records, shall be signed by Respondent, and shall 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 fine and imprisonment for knowing violations."

The written certification and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

FOSD Water Program, Team Leader
Landscape Irrigation Program, MC 174
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. All relief not expressly granted in this Order is denied.
5. The provisions of this Order shall apply to and be binding upon Respondent.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
7. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
8. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

S I G N A T U R E P A G E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

AFFIDAVIT OF RYAN RUTLEDGE

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

"My name is Ryan Rutledge. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Conrad D. Liles" (the "EDPRP") was filed in the TCEQ Chief Clerk's office on February 20, 2015.

The EDPRP was mailed to Respondent's last known address on February 20, 2015, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDFARP on May 18, 2015, as evidenced by the signature on the card.

The Executive Director re-filed the EDPRP in the TCEQ Chief Clerk's office on March 26, 2015. The EDPRP was mailed to Respondent's last known address on March 26, 2015, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDFARP on May 18, 2015, as evidenced by the signature on the card.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's First Amended Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Conrad D. Liles" (the "EDFARP") was filed in the TCEQ Chief Clerk's office on May 14, 2015.

The EDFARP was mailed to Respondent's last known address on May 14, 2015, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDFARP on May 18, 2015, as evidenced by the signature on the card.

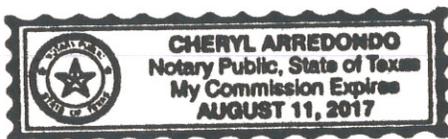
More than 20 days have elapsed since Respondent received notice of the EDPRP and the EDFARP. Respondent failed to file an answer and failed to request a hearing."

Ryan Rutledge

Ryan Rutledge, Staff Attorney
Office of Legal Services, Litigation Division
Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day personally appeared Ryan Rutledge, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

Subscribed and sworn to before me on this 21st day of August, A.D. 2015.



Notary without Bond

Cheryl Arredondo

Notary Public, State of Texas