

EXECUTIVE SUMMARY
West Oaks Phoenix Corp.
RN101246346
Docket No. 2016-0997-UCR-E

Order Type:

Order Affirming Emergency Order Appointing a Temporary Manager of a Water Utility

Media:

public drinking water

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

1.4 miles west of Farm-To-Market Road 986 on County Road 2320, Hunt County, Texas

Type of Operation:

Retail public drinking water utility (the "Utility")

Other Significant Matters:

Additional Pending Enforcement Actions:	None
Past-Due Penalties:	None
Past-Due Fees:	None
Other:	None
Interested Third-Parties:	None

Texas Register Publication Date: N/A

Comments Received: Pursuant to TEX. WATER CODE § 7.075, publication is not required for an Emergency Order.

Penalty Information

Total Penalty Assessed: N/A

Total Paid to General Revenue: N/A

Total Due to General Revenue: N/A

Compliance History Classifications:

Person/CN –N/A
Site/RN – N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: N/A

Investigation Information

Complaint Date(s): N/A
Date(s) of Investigation: N/A
Date(s) of NOV(s): N/A
Date(s) of NOE(s): N/A

Violation Information

Abandoned operations [TEX. WATER CODE §§ 13.412(f) and 13.4132 and 30 TEX. ADMIN. CODE § 291.142(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

None

Technical Requirements:

1. This Order is effective on June 30, 2016, the date executed by the Executive Director.
2. Immediately, Paula Weber ("Ms. Weber") is appointed to temporarily manage and operate the Utility.
3. Within sixty (60) days, Ms. Weber shall provide the Executive Director with an inventory of all Utility property received.
4. Ms. Weber shall serve as temporary manager until such time as a receiver is appointed to operate the Utility by a court of proper jurisdiction, or 180 days after the effective date of this Order (December 27, 2016), whichever occurs first.
5. Ms. Weber is authorized to exercise those powers and duties necessary to ensure the continued operations of the Utility and the provision of continuous and adequate services to customers, including the powers and duties set forth in TEX. WATER CODE § 13.4132.
6. Ms. Weber shall give the Executive Director an inventory of all Utility property received within sixty (60) days of the effective date of this Order.
7. Ms. Weber's requirement to post financial assurance with the TCEQ in an amount and type acceptable to the Executive Director has been waived by the Executive Director pursuant to 30 TEX. ADMIN. CODE § 291.143(c).
8. Ms. Weber's compensation will come from Utility revenues in the amount of twelve dollars (\$12.00) per month per connection.
9. Ms. Weber shall report to the Executive Director on a monthly basis in accordance with 30 TEX. ADMIN. CODE § 291.143(h).

Litigation Information

Date Petition(s) Filed: N/A
Date Green Card(s) Signed: N/A
Date Answer(s) Filed: N/A

EXECUTIVE SUMMARY
West Oaks Phoenix Corp.
RN101246346
Docket No. 2016-0997-UCR-E

Contact Information

TCEQ Attorneys: Meaghan Bailey, Litigation Division, (512) 239-3400
Lena Roberts, Litigation Division, (512) 239-3400
Vic McWherter, Public Interest Counsel, (512) 239-6363

TCEQ Enforcement Coordinator: N/A

TCEQ Regional Contact: Jeff Tate, Dallas/Fort Worth, (817) 588-5700

Respondent Contact: West Oaks Phoenix Corp., 10433 Coleridge, Dallas, Texas 75218

Respondent's Attorney: N/A

Background Facts:

1. The Utility provides potable water service for compensation to approximately 13 service connections, serves at least 25 people per day for at least 60 days per year, and provides water for human consumption. No other source of water is available to the customers of the Utility.
2. West Oaks Phoenix Corp.'s sole shareholder and only officer died in 2004 and it subsequently forfeited its existence as a Texas corporation on February 11, 2005.
3. Ms. Sandra Barbey was appointed on April 27, 2015, by the 53rd District Court of Travis County to operate the Utility as Receiver. Ms. Barbey's Receivership terminated on June 30, 2016.
4. The Utility was abandoned once the Receivership was terminated since West Oaks Phoenix Corp. is a defunct Texas corporation and is unable to operate the Utility to provide continuous and adequate service to the customers. Additionally, the Utility has failed to adequately maintain the Facility resulting in potential health hazards and a licensed operator is immediately required to ensure continuous and adequate water service.
5. On May 19, 2016, TCEQ and its contractor, the Texas Rural Water Association, held a community meeting for the Utility's customers to discuss potential options for receiving continuous and adequate water service after termination of the Receivership. The customers expressed interest in forming a nonprofit water supply corporation and attaining proper licensing for the purpose of acquiring the Utility to continue water service.
6. A potential health hazard exists as a result of the Utility's inability to provide continuous and adequate service.
7. A temporary manager is immediately required to assume operations of the Utility to ensure the quality of the water meets TCEQ rule requirements and complies with the Texas Water Code as well as the Texas Health and Safety Code, and is safe for public use and consumption.
8. On June 30, 2016, the Executive Director issued an Emergency Order appointing Paula Weber, a licensed public water system operator, as Temporary Manager for the Utility. Ms. Weber has agreed to serve as Temporary Manager of the utility in order to allow the Utility customers enough time to form and organize a water supply corporation and attain proper operator licenses.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF
WEST OAKS PHOENIX CORP.;
RN101246346

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**ORDER AFFIRMING EMERGENCY ORDER APPOINTING
A TEMPORARY MANAGER OF A WATER UTILITY**

DOCKET NO. 2016-0997-UCR-E

On August 3, 2016, the Texas Commission on Environmental Quality ("TCEQ" or "Commission") considered whether to affirm, modify, or set aside an Emergency Order (the "Emergency Order") regarding WEST OAKS PHOENIX CORP. ("West Oaks Phoenix"). The Emergency Order was issued by the Executive Director without a hearing on June 30, 2016. The Emergency Order was hand delivered to West Oaks Phoenix on June 30, 2016. The Emergency Order and the notice of the August 3, 2016, agenda hearing to affirm, modify, or set aside the Emergency Order were sent by certified mail return receipt requested, and via first class mail, postage prepaid, to West Oaks Phoenix's last known address on June 30, 2016. The Commission finds that the Executive Director appropriately issued the Emergency Order and that the requirements for an emergency order found in Chapters 5 and 13 of the Texas Water Code have been satisfied.

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

The June 30, 2016, Emergency Order Appointing a Temporary Manager of a Water Utility, attached hereto as Attachment A and incorporated into this Order by reference, is affirmed.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

Attachment A

**EMERGENCY ORDER APPOINTING
A TEMPORARY MANAGER
OF A WATER UTILITY**

Signed by the Executive Director on June 30, 2016

IN THE MATTER OF
AN ENFORCEMENT ACTION AGAINST
WEST OAKS PHOENIX CORP.;
RN101246346;

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CHIEF CLERK'S OFFICE

2016 JUN 30 AM 10:47

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**EMERGENCY ORDER
APPOINTING A TEMPORARY MANAGER
OF A WATER UTILITY**

On June 30, 2016, the Executive Director of the Texas Commission on Environmental Quality (the "Commission" or "TCEQ") issued this Emergency Order pursuant to TEX. WATER CODE chs. 5 and 13, TEX. HEALTH & SAFETY CODE ch. 341, and 30 TEX. ADMIN. CODE chs. 35, 290, and 291. The party made subject to this order is WEST OAKS PHOENIX CORP. ("West Oaks Phoenix").

**I.
FINDINGS OF FACT**

1. West Oaks Phoenix owns a public water system located 1.4 miles west of Farm-To-Market Road 986 on County Road 2320, Hunt County, Texas (the "Utility"). Ms. Sandra Barbey operates the Utility as Receiver.
2. The Utility provides potable water service for compensation to approximately 13 service connections, serves at least 25 people per day for at least 60 days per year, and provides water for human consumption. As such, the Utility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(69).
3. West Oaks Phoenix's sole shareholder and only officer died in 2004 and it subsequently forfeited its existence as a Texas corporation on February 11, 2005.
4. Ms. Barbey was appointed Receiver for the Utility on April 27, 2015, by the 53rd District Court of Travis County for the purpose of providing continuous and adequate water service to the customers. ("Exhibit A").
5. Ms. Barbey's Receivership will terminate on June 30, 2016. ("Exhibit B").
6. The Utility will be abandoned once the Receivership is terminated since West Oaks Phoenix is a defunct Texas corporation and is unable to operate the Utility to provide continuous and adequate service to the customers. Additionally, the Utility has failed to adequately maintain the Facility resulting in potential health hazards and a licensed operator is immediately required to ensure continuous and adequate water service.
7. Commission records and the Secretary of State database show that the mailing address for West Oaks Phoenix is 10433 Coleridge, Dallas, Texas

75218.

8. No other source of water is available to the more than 25 people whose water is supplied by the Utility.
9. On May 19, 2016, TCEQ and its contractor, the Texas Rural Water Association, held a community meeting for the Utility's customers to discuss potential options for receiving continuous and adequate water service after termination of the Receivership. The customers expressed interest in forming a nonprofit water supply corporation and attaining proper licensing for the purpose of acquiring the Utility to continue water service.
10. A potential health hazard exists as a result of the Utility's inability to provide continuous and adequate service. A licensed operator is immediately required to ensure the quality of the water in the State and to ensure the Utility operates in a safe manner and meets requirements in the Texas Water Code, the Texas Health and Safety Code, and TCEQ rules. Therefore, a temporary manager is necessary to assume operations of the Utility to ensure the quality of the water meets TCEQ rule requirements and complies with the Texas Water Code as well as the Texas Health and Safety Code, and is safe for public use and consumption.
11. Paula Weber has agreed to serve as temporary manager of the Utility in order to allow the Utility customers enough time to form and organize a water supply corporation and attain proper operator licenses. Ms. Weber can be reached by telephone at (972) 563-9704 and her mailing address is P.O. Box 1567, Terrell, Texas 75161.
12. This Order is necessary to ensure that continuous and adequate water service is provided to the customers of the Utility to effectuate the purposes of the Texas Water Code and the Texas Health and Safety Code.

II. CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact Nos. 1 and 2, West Oaks Phoenix owns and Ms. Barbey, as Receiver, operates the retail public utility as defined in TEX. WATER CODE § 13.002(19).
2. Findings of Fact Nos. 3 through 6 and 8 through 10 show that as of the date of the signing of this Emergency Order the Utility is being abandoned and that the appointment of a temporary manager is justified as defined in TEX. WATER CODE §§ 13.412(f) and 13.4132 and 30 TEX. ADMIN. CODE § 291.142 (a) and (c).
3. TEX. WATER CODE § 13.4132 authorizes the Commission to appoint a willing person to temporarily manage and operate a utility if the utility has discontinued service or abandoned operations or the provision of services or has been or is being referred to the Attorney General for the appointment of a receiver under TEX. WATER CODE § 13.412.

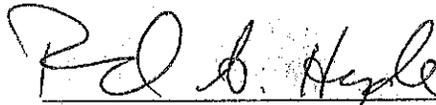
4. TEX. WATER CODE § 5.507 provides that the Commission may issue an Emergency Order appointing a willing person to temporarily manage and operate a utility under TEX. WATER CODE § 13.4132.
5. This Emergency Order may be issued without notice or hearing pursuant to TEX. WATER CODE § 5.501(b) and 30 TEX. ADMIN. CODE § 35.25.
6. TEX. WATER CODE § 5.501(c) and 30 TEX. ADMIN CODE §§ 35.12 and 291.143(a) authorize the TCEQ Executive Director to issue this Emergency Order.
7. TEX. WATER CODE §§ 5.501 and 5.507 and 30 TEX. ADMIN. CODE § 291.143(a) authorize the Executive Director to appoint a person to temporarily manage and operate a utility that has discontinued or abandoned operations or which is being referred to the office of the Attorney General for the appointment of the receiver.
8. TEX. WATER CODE § 13.4132 provides to the temporary manager the powers and duties necessary to ensure continued operation of the utility and the provision of continuous and adequate services to customers including the power and duty to read meters, bill for services, collect revenues, disburse funds, access all system components, and request rate increases.
9. Notice of the emergency order, once it has been issued, is adequate if the notice is mailed or hand delivered to the last known address of the Utility's headquarters, in accordance with TEX. WATER CODE § 5.507. The last known address for West Oaks Phoenix is set forth in Finding of Fact No. 7.

III. ORDER

1. This Order shall be effective on the date it is executed by the TCEQ Executive Director, i.e. June 30, 2016.
2. Immediately upon the effective date of this Emergency Order, Ms. Weber is hereby appointed to temporarily manage and operate the Utility.
3. Ms. Weber shall serve as temporary manager until such time as a receiver is appointed to operate the Utility by a court of proper jurisdiction, or 180 days after the effective date of this Order i.e. December 27, 2016, whichever occurs first.
4. Ms. Weber is authorized to exercise those powers and duties necessary to ensure the continued operations of the Utility and the provision of continuous and adequate services to customers, including the powers and duties set forth in TEX. WATER CODE § 13.4132.

5. Ms. Weber shall give the Executive Director an inventory of all Utility property received within sixty (60) days of the effective date of this Order.
6. Ms. Weber's requirement to post financial assurance with the TCEQ in an amount and type acceptable to the Executive Director has been waived by the Executive Director pursuant to 30 TEX. ADMIN. CODE § 291.143(c).
7. Ms. Weber's compensation will come from Utility revenues in the amount of twelve dollars (\$12.00) per month per connection.
8. Ms. Weber shall report to the Executive Director on a monthly basis in accordance with 30 TEX. ADMIN. CODE § 291.143(h).
9. Pursuant to TEX. WATER CODE § 5.504, the Commission will consider whether to affirm, modify or set aside this Order at its regular Agenda meeting on August 3, 2016 at 9:30 a.m., at TCEQ Park 35 Complex, 12118 North I-35, Building E, Room 201S, Austin, Texas. **At the August 3, 2016 Agenda meeting, West Oaks Phoenix may request an evidentiary hearing pursuant to 30 TEX. ADMIN. CODE § 35.25(c) for the purpose of presenting evidence and cross-examining witnesses regarding whether to affirm, modify, or set aside this Emergency Order. An Administrative Law Judge will be present at the Agenda to immediately hear the matter should a hearing be requested.**
10. The Chief Clerk shall provide a copy of this Order to each of the parties.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Richard A. Hyde, P.E.
Executive Director

EXHIBIT A

No. D-1-GV-03-004755

STATE OF TEXAS, and the
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY,
Plaintiffs,

v.

W. OAKS PHOENIX CORP.,
Defendant.

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IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
53rd JUDICIAL DISTRICT

Filed in The District Court
of Travis County, Texas

APR 21 2015
2:17
M.
Valerie B. Baker District Clerk

AMENDED ORDER APPOINTING RECEIVER AND REPLACING RECEIVER

ON THIS DAY, came on to be heard the motion to amend order appointing receiver and to replace receiver of the State of Texas, Plaintiff, acting through the Texas Commission on Environmental Quality to modify the Court's original order dated May 24, 2004, and its December 17, 2007 amended order, appointing LONZO GALE, Receiver of W. Oaks Phoenix Corp., by replacing the Receiver and limiting the term of the Receivership.

The State appeared through counsel of record while the Defendant failed to appear. The Court, having considered the motion and the arguments of counsel, finds that the State's motion should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

A. That Ms. Sandra Barbey is hereby appointed Receiver of all property described in the May 24, 2004 Order Appointing Receiver and the December 17, 2007 Amended Order Appointing Receiver and that upon filing the bond and taking the oath required by law Ms. Barbey shall be authorized, subject to the control of the Court, to do any and all acts

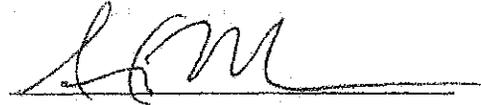
necessary to the proper and lawful conduct of the Receivership, including, but not limited to, those duties enumerated in the May 24, 2004 Order Appointing Receiver and the December 17, 2007 Amended Order Appointing Receiver;

B. That the term of the Receivership shall end on June 30, 2016, unless extended by the Court; and

C. That the Receiver shall investigate long-term options for the provision of water utility service to the customers of W. Oaks Phoenix Corp., and file a report with the Court no later than December 31, 2015, advising what options, if any, exist.

IT IS FURTHER ORDERED that the other provisions contained in the original May 24, 2004 Order Appointing Receiver and the December 17, 2007 Amended Order Appointing Receiver should remain unaltered and in full effect.

SIGNED this 27th day of April, 2015.



JUDGE PRESIDING

APPROVED AS TO FORM AND ENTRY REQUESTED BY:

KEN PAXTON
Attorney General of Texas

CHARLES E. ROY
First Assistant Attorney General

JAMES E. DAVIS
Deputy Attorney General for Civil Litigation

JON NIERMANN
Chief, Environmental Protection Division



ANTHONY W. BENEDICT
Assistant Attorney General
State Bar No. 02129100
Office of the Attorney General
Environmental Protection Division
P.O. Box 12548 (MC-066)
Austin, Texas 78711-2548
Tel: (512) 475-4153
Fax: (512) 320-0911

ATTORNEYS FOR THE STATE OF TEXAS

EXHIBIT B

No. D-1-GV-03-004755

STATE OF TEXAS, and the
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY,
Plaintiffs,

v.

W. OAKS PHOENIX CORP.,
Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

53rd JUDICIAL DISTRICT

ORDER GRANTING MOTION TO TERMINATE RECEIVERSHIP.

On this day, the Court heard the Motion to Terminate the Receivership, filed by the State of Texas. The State of Texas and the Texas Commission on Environmental Quality appeared through counsel, Matthew Miller and Jane Atwood. Defendant, West Oaks Phoenix Corporation did not appear. The Court-appointed Receiver, Sandra Barbey, appeared *pro se*.

The Court, having heard the argument of counsel and considering the pleadings on file in this matter, finds that good cause exists to grant the State of Texas's Motion to Terminate the Receivership.

Therefore, the Court hereby GRANTS the State's Motion to Terminate the Receivership. The Court ORDERS Sandra Barbey to render and submit to this Court a full, final, and complete accounting for all system assets, revenues, and expenses on or before June 30, 2016. Upon compliance with that order, Sandra Barbey is hereby released from her duties as Receiver on June 30, 2016.

Filed in The District Court
of Travis County, Texas

MAY 23 2016

At 2:30 P M.
Velva L. Price, District Clerk

C.M.

All property held by the receivership is hereby returned to the Defendant, West
Oaks Phoenix Corporation.

May 23, 2016
Date

Charles Ramsey
Honorable Judge Presiding

AFFIDAVIT OF STEVE ZAWROTNY

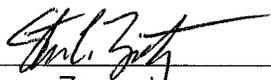
STATE OF TEXAS §
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COUNTY OF TARRANT §

My name is Steve Zawrotny. I am an Environmental Investigator for the Public Water Supply Program in the Dallas/Fort Worth office of the Texas Commission on Environmental Quality. 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.

WEST OAKS PHOENIX CORP. is the owner of a public water system (the "Utility") located 1.4 miles west of Farm-To-Market Road 986 on Country Road 2320, Hunt County, Texas (the "Utility's Headquarters.")

On June 30, 2016, at approximately 2:30 p.m., on behalf of the Executive Director of the Texas Commission on Environmental Quality, I arrived at the Utility's Headquarters to personally deliver the Emergency Order, TCEQ Docket No. 2016-0997-UCR-E in the matter of West Oaks Phoenix Corp. ("Emergency Order").

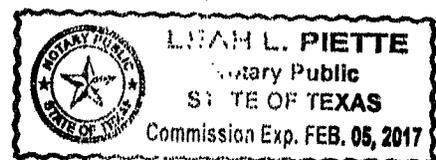
I affixed the Emergency Order to the outside of the Utility's pump house, which is located at the Utility's Headquarters. The location was chosen, so it would be visible to anybody that passed by.



Steve Zawrotny
Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day appeared Steve Zawrotny, personally known to me to be the person whose name is subscribed to the foregoing instrument and upon his oath acknowledged to me that the facts herein are true and correct.

Given under my hand and seal of office this July 1, A.D., 2016.



Notary Stamp without Bond



Notary Signature

AFFIDAVIT OF IAN GROETSCH

STATE OF TEXAS

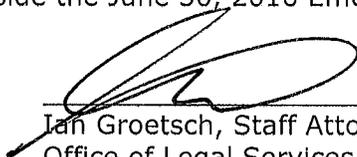
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COUNTY OF TRAVIS

My name is Ian Groetsch. I am a staff attorney in the Office of Legal Services at the Texas Commission on Environmental Quality ("TCEQ"). 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 June 30, 2016, on behalf of the Executive Director of the TCEQ, I sent via Certified Mail Return Receipt Requested (Article No. 7013 3020 0000 8592 3711) and via First Class Mail, postage prepaid to WEST OAKS PHOENIX CORP. at 10433 Coleridge, Dallas, Texas 75218, the June 30, 2016 Emergency Order and the Notice of Hearing to Modify, Affirm, or Set Aside the June 30, 2016 Emergency Order set for the August 3, 2016 Commission Agenda.

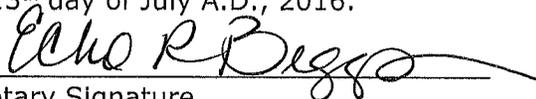
On June 30, 2016, on behalf of the Executive Director of the Texas Commission on Environmental Quality, I also sent via Certified Mail Return Receipt Requested (Article No. 7013 3020 0000 8592 3728) and via First Class Mail, postage prepaid to Sandra Barbey at P.O. Box 314, Magnolia, Texas 77353, the June 30, 2016 Emergency Order and the Notice of Hearing to Modify, Affirm, or Set Aside the June 30, 2016 Emergency Order set for the August 3, 2016 Commission Agenda.



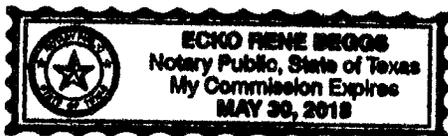
Ian Groetsch, Staff Attorney
Office of Legal Services, Litigation Division
Texas Commission on Environmental Quality

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

Given under my hand and seal of office this 13th day of July A.D., 2016.



Notary Signature



Notary without Bond

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

Compliance History Report for CN600682447, RN101246346, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator: CN600682447, W. OAKS PHOENIX CORP. **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN101246346, W OAK PHOENIX PWS **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: 1.4 miles west of Farm-To-Market Road 986 on County Road 2320, Hunt County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
1160097

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: July 13, 2016

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 13, 2011 to July 13, 2016

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

Name: James Baldwin

Phone: (512) 239-1337

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

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 June 15, 2016 (1306880)

Item 2 June 29, 2016 (1322809)

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