

**WHITE
MARQUEZ
SOWARD**

MARKED WORK SESSION AGENDA

Friday, October 15, 2004

Texas Commission on Environmental Quality

9:30 a.m.
Room 201S, Building E
12100 Park 35 Circle

1. **Discussion of the Monthly Enforcement Report.** Anne Dobbs, Enforcement Division, presented this issue.

Action: No action taken.

2. **Consideration of the Agency's 2006/2007 Legislative Appropriations Request (LAR).** Glenn Shankle, Executive Director, and Linda Flores, Chief Financial Officer, presented this issue. Linda outlined the revisions to the LAR as a result of guidance provided by the Legislative Budget Board as described in the backup materials and requested the Commissioners' approval.

Action: Approve the revised Agency's 2006/2007 Legislative Appropriations Request. W/S; All agree.

3. **Docket Number 204-1609-MIS. Consideration of the interagency contract between the State Office of Administrative Hearings and the Texas Commission on Environmental Quality regarding conducting Texas Commission on Environmental Quality contested case hearings.** Duncan Norton, General Counsel, presented this issue from the backup materials and requested signature authority from the Commissioners' to place the interagency contract into effect.

Action: Approve signature authority to complete the contract. W/M; All agree.

4. **Consideration of issues relating to agency compliance and enforcement policies and practices.** Glenn Shankle, Executive Director, Tracy Gross, Office of General Counsel, and Tom Weber, Chief Engineer's Office, presented this issue from the backup materials. Committee Chairs will present the issues, recommendations, and significant public comments in general order beginning with those likely to require legislative changes or alternatives to statutory authority, followed by recommendations that would require rulemaking, other changes to processes, guidance or policy, and concluding with recommendations associated with compliance history. This issue will be considered in this meeting room at a special public meeting of the Commission at 9:30 am on November 1st, November 15th, and December 17th, 2004.

Action: No action taken.

5. **Discussion of activities associated with the State Implementation Plan and issues related to recommendations regarding PM 2.5, ozone, and carbon monoxide.** The Commission

discussed a comprehensive stakeholder process to continue discussions of the emissions balancing concept requested by the Austin Round Rock Early Action Compact. The following individual registered to speak on this issue:
Scheleen Walker, representing Travis County

Action. No action taken.

6. **Discussion of state and federal legislative issues potentially affecting the TCEQ. The commission may consider legislative proposals and federal rulemakings, as well as other state actions and state's participation in federal legislative and regulatory activities. The commission may also meet in closed meeting to receive legal advice regarding these matters, or any of the above matters, as authorized by Section 551.071 of the Open Meetings Act, Chapter 551 of the Government Code. Any commission action, decision, or vote on these matters will be made in open meeting in accordance with Section 551.102 of the Open Meetings Act, Chapter 551 of the Government Code.** Leonard Olson, Director Intergovernmental Relations, provided an update from the backup materials on legislative activities related to the upcoming 79th Legislative Session.

Action: No action taken.

7. **PUBLIC COMMENT SESSION: The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ, with the exception of pending permitting matters or other contested cases which are subject to the *ex parte* prohibition found in Texas Government Code §2001.061. In the interest of time, speakers will be limited to three minutes each, with the total time for public comment limited to one hour.** No speakers registered for public comment.

Action: No action taken.

8. **Planning for the next Commissioners' Work Session.** The next work session is Monday, November 1, at 9:30 am. The issue for consideration will be the agency compliance and enforcement policies and practices.
9. **Closed Session:** No closed session was convened.

Discussion of the Monthly Enforcement Report.

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners' Work Session

Date: October 15, 2004

Thru: John F. Steib, Jr., Deputy Director, Office of Compliance and Enforcement
Ann McGinley, Director, Enforcement Division

From: Anne Dobbs, Program Specialist, Enforcement Division

Subject: Monthly Enforcement Report

Issue Discussion of the Monthly Enforcement Report

Background and Current Practice

Within the Texas Commission on Environmental Quality, enforcement is handled within the Enforcement Division and Litigation Division for all program media types. In order to provide an overview of agency-wide enforcement actions and backlogs, a summary compiling each program's data is prepared for each month and is presented to the Commissioners during regularly scheduled Work Sessions. This report is required by Texas Water Code §7.003 - Enforcement Report (formerly Texas Health and Safety Code §382.087 - Report on Enforcement Actions Taken). Commission Action on this issue is not required.

ENFORCEMENT REPORT TO THE COMMISSION FOR AUGUST 2004

October 15, 2004 Commission Work Session

PROGRAMS	FORMAL ACTIONS INITIATED BY EDPR/PETITION OR DRAFT ORDER		ADMINISTRATIVE ORDERS ISSUED BY THE COMMISSION		FISCAL YEAR 2004 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TCEQ				
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE	SEP COST	SEP OFFSET
AGRICULTURE	0	8	0	8	\$233,840.00	\$793.00	\$129,922.00	\$203,125.00	\$103,125.00
AIR	23	310	48	183	\$4,031,220.00	\$237,144.00	\$2,385,560.00	\$1,408,516.00	\$1,408,516.00
INDUSTRIAL AND HAZARDOUS WASTE ¹	8	30	0	15	\$283,705.00	\$8,360.00	\$253,345.00	\$22,000.00	\$22,000.00
MUNICIPAL SOLID WASTE	4	45	2	25	\$210,130.00	\$6,920.00	\$156,705.00	\$46,505.00	\$46,505.00
OCCUPATIONAL CERTIFICATION	2	39	7	20	\$17,770.00	\$525.00	\$17,245.00	\$0.00	\$0.00
PETROLEUM STORAGE TANKS	71	640	57	260	\$1,229,325.00	\$124,035.00	\$1,096,915.00	\$8,375.00	\$8,375.00
PUBLIC WATER SUPPLY ²	16	145	17	77	\$257,014.00	\$5,072.00	\$194,390.00	\$55,989.00	\$55,989.00
WATER QUALITY	43	257	29	132	\$1,266,534.00	\$61,379.00	\$846,577.00	\$358,578.00	\$358,578.00
MULTI-MEDIA	6	58	8	41	\$776,545.00	\$43,132.00	\$485,998.00	\$263,950.00	\$263,950.00
TOTALS	173	1532	168	761	\$8,306,083.00	\$487,360.00	\$5,566,657.00	\$2,367,038.00	\$2,267,038.00

¹ Includes radioactive waste and underground injection control cases

² Includes water rights cases

ENFORCEMENT REPORT TO THE COMMISSION FOR AUGUST 2004

October 15, 2004 Commission Work Session

PROGRAMS	WRITTEN NOTICES OF VIOLATION (NOVS) ISSUED REGARDING TCEQ INVESTIGATIONS ³		NOVS ISSUED REGARDING SELF REPORTED DATA REQUIRED BY PUBLIC WATER SUPPLY AND WASTEWATER TREATMENT FACILITIES		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS ⁴	CASES BEING TRACKED FOR COMPLIANCE ⁵
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	41	138	N/A	N/A	1	1	9	33
AIR	219	1091	N/A	N/A	5	45	267	252
INDUSTRIAL AND HAZARDOUS WASTE	17	158	N/A	N/A	1	15	69	153
MUNICIPAL SOLID WASTE	16	204	N/A	N/A	1	11	51	112
OCCUPATIONAL CERTIFICATION	0	9	N/A	N/A	0	8	23	41
PETROLEUM STORAGE TANKS	98	1184	N/A	N/A	16	162	568	378
PUBLIC WATER SUPPLY	106	1317	279	3971	4	30	198	388
WATER QUALITY	108	1644	3	178	3	18	271	215
MULTI-MEDIA	9	78	N/A	N/A	0	8	71	135
TOTALS	614	5823	282	4149	31	298	1527	1707

³ Includes NOVs issued regarding investigations and enforcement cases. The investigations that these NOVs address could be either record reviews or onsite investigations.

⁴ Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet, unless the action is an AG referral for which the case will be considered to be under development until issuance of a Final Judgment. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

⁵ Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 4) is finalized.

ENFORCEMENT REPORT TO THE COMMISSION FOR AUGUST 2004

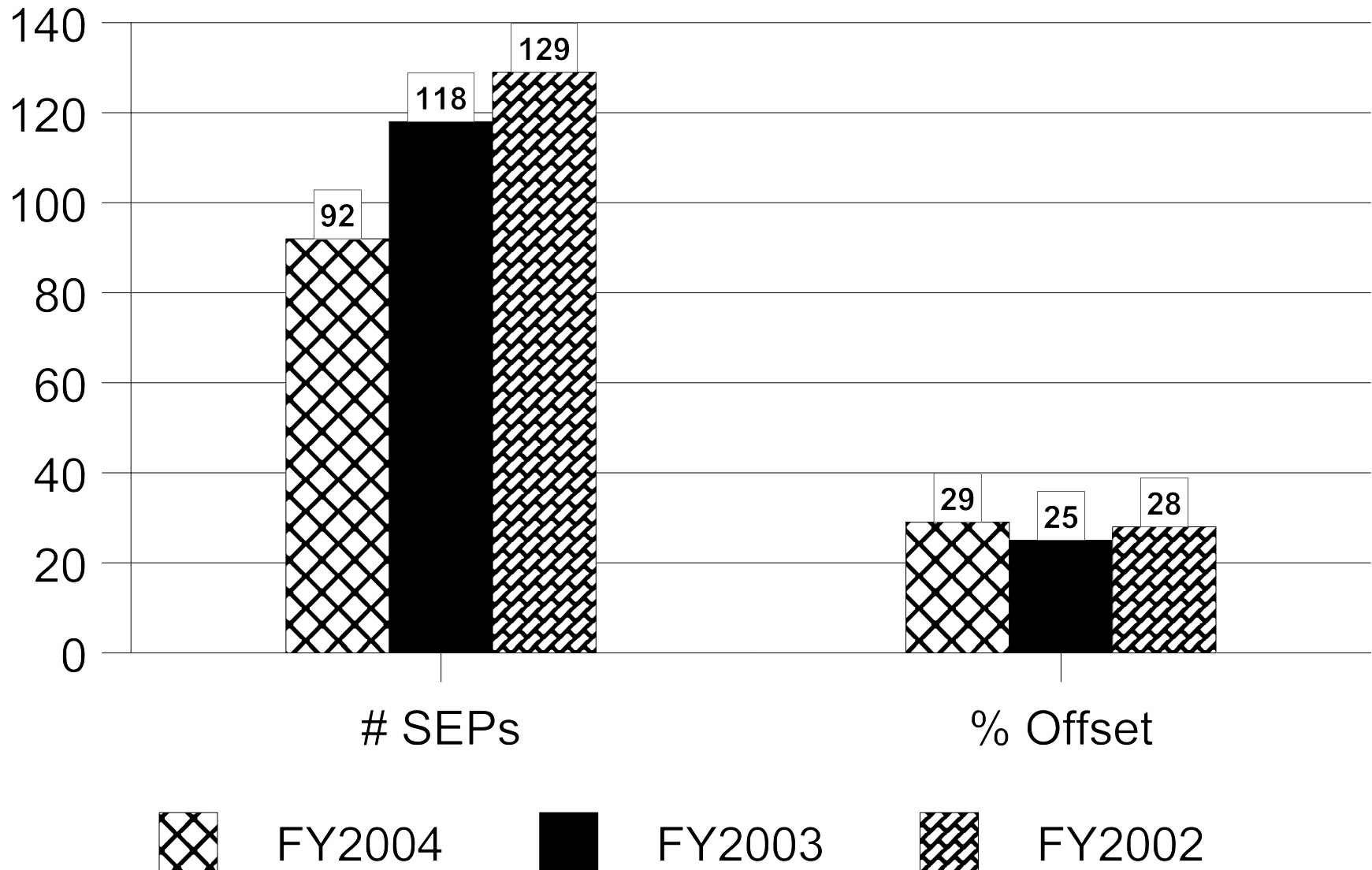
October 15, 2004 Commission Work Session

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TCEQ		CASES PENDING AT THE STATE OFFICE OF ADMIN. HEARINGS	CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL ⁶	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS ⁷		NOTICE OF AUDIT LETTERS RECEIVED REGARDING VOLUNTARY ENVIRONMENTAL SELF AUDITS		DISCLOSURE OF VIOLATIONS LETTERS RECEIVED REGARDING VOLUNTARY ENVIRONMENTAL SELF AUDITS		CASES SCREENED AND APPROVED FOR ENFORCEMENT ACTION	
	Total	Backlog	Total	Total	Month	FY	Month	FY	Month	FY	Month	FY
AGRICULTURE	16	8	3	1	0	0	1	16	0	0	0	9
AIR	298	44	5	16	1	3	14	688	2	37	36	381
INDUSTRIAL AND HAZARDOUS WASTE	58	19	7	36	1	7	1	5	1	7	2	45
MUNICIPAL SOLID WASTE	72	24	8	32	0	5	0	2	0	0	9	60
OCCUPATIONAL CERTIFICATION	42	8	1	2	0	0	0	4	0	0	2	34
PETROLEUM STORAGE TANKS	625	99	27	16	0	3	0	10	1	7	111	838
PUBLIC WATER SUPPLY	163	33	4	44	1	9	0	0	0	0	15	195
WATER QUALITY	320	56	7	34	0	4	1	32	0	0	18	321
MULTI-MEDIA	79	25	7	8	1	6	4	122	5	33	11	91
TOTALS	1673	316	69	189	4	37	21	879	9	84	204	1974

⁶ AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

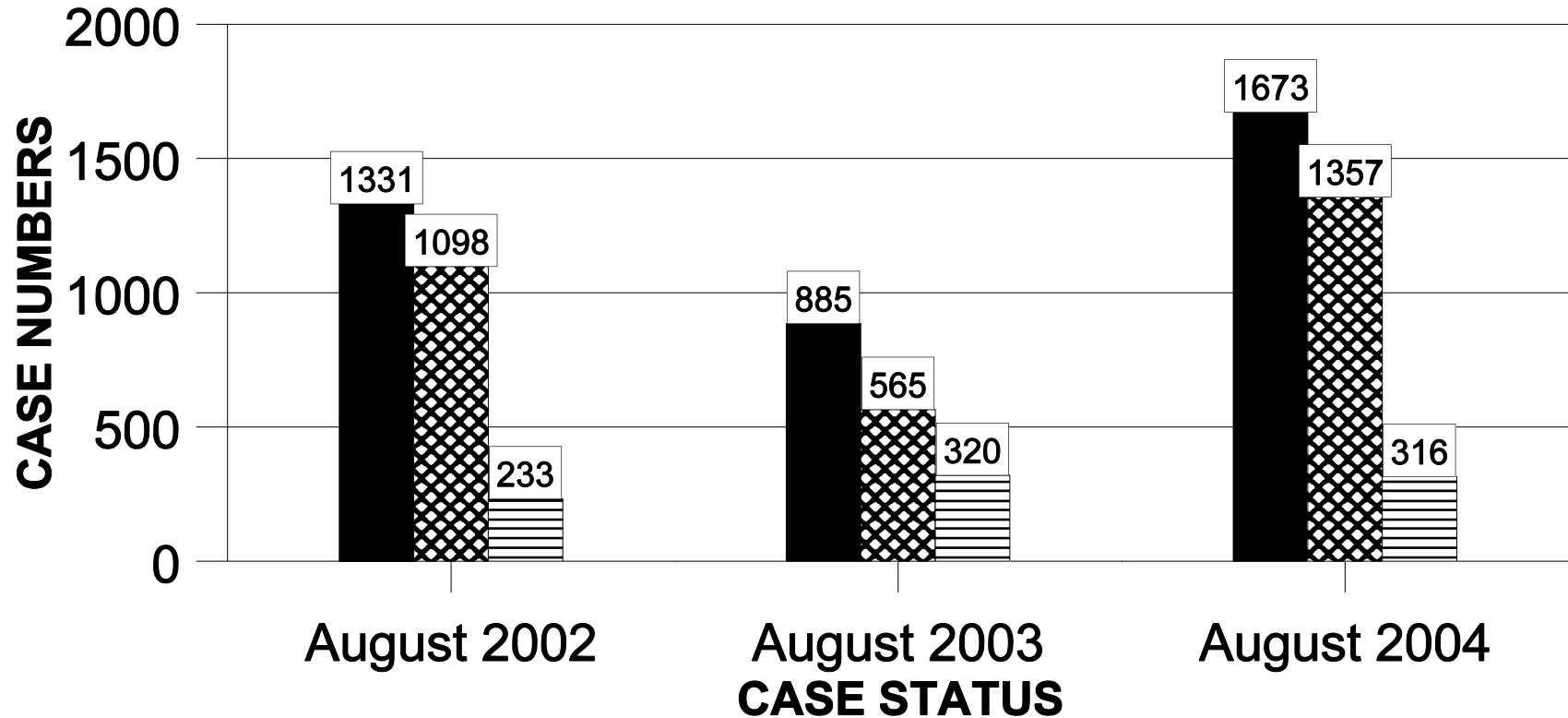
⁷ These numbers are obtained from the Attorney General's Office.

Comparison of Supplemental Environmental Project (SEP) Data (thru August)



AGENCY-WIDE BACKLOG DISTRIBUTION

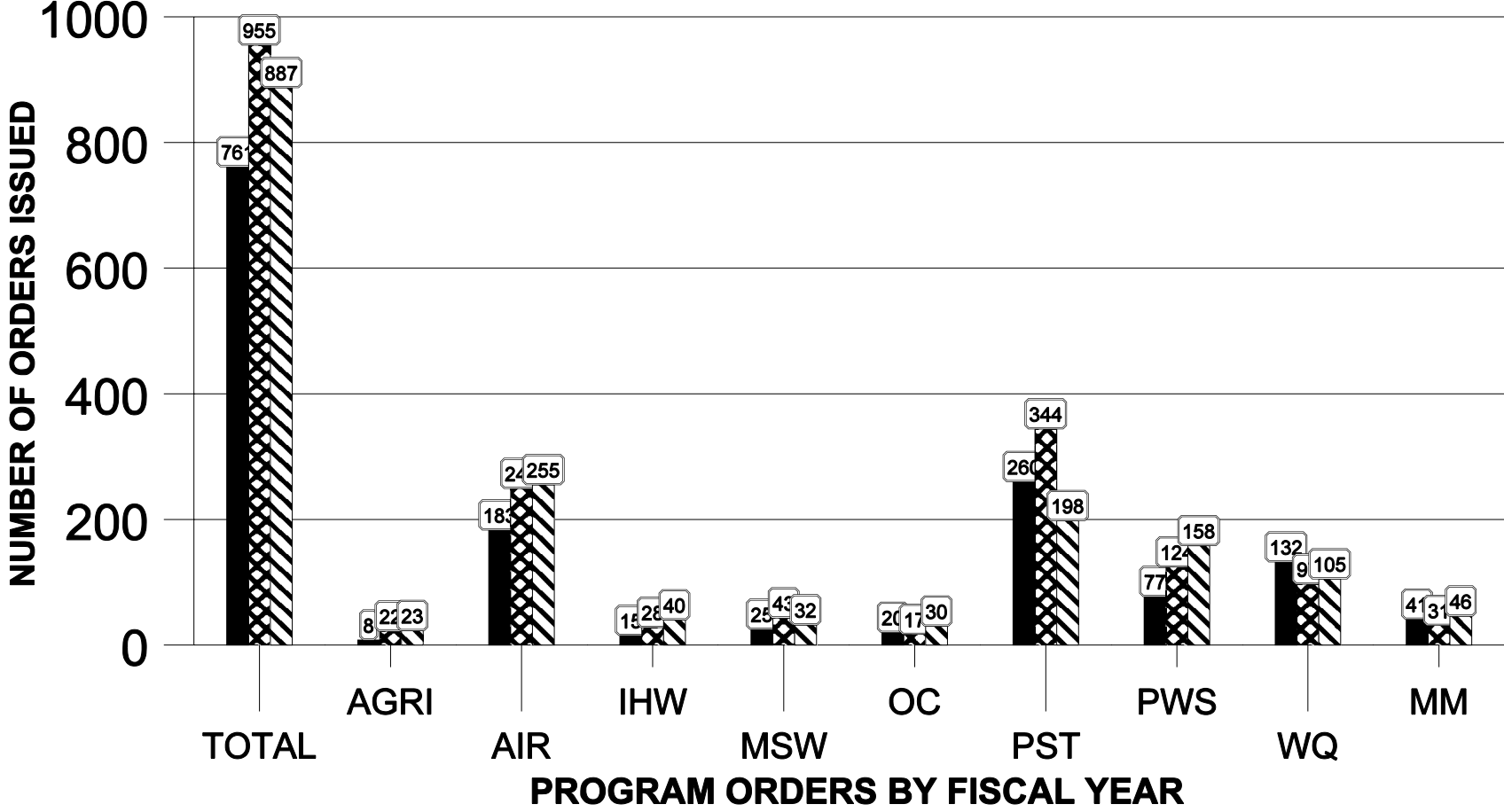
FY 2002 - FY 2004





■ Pending
▨ Backlogged

▩ On Time

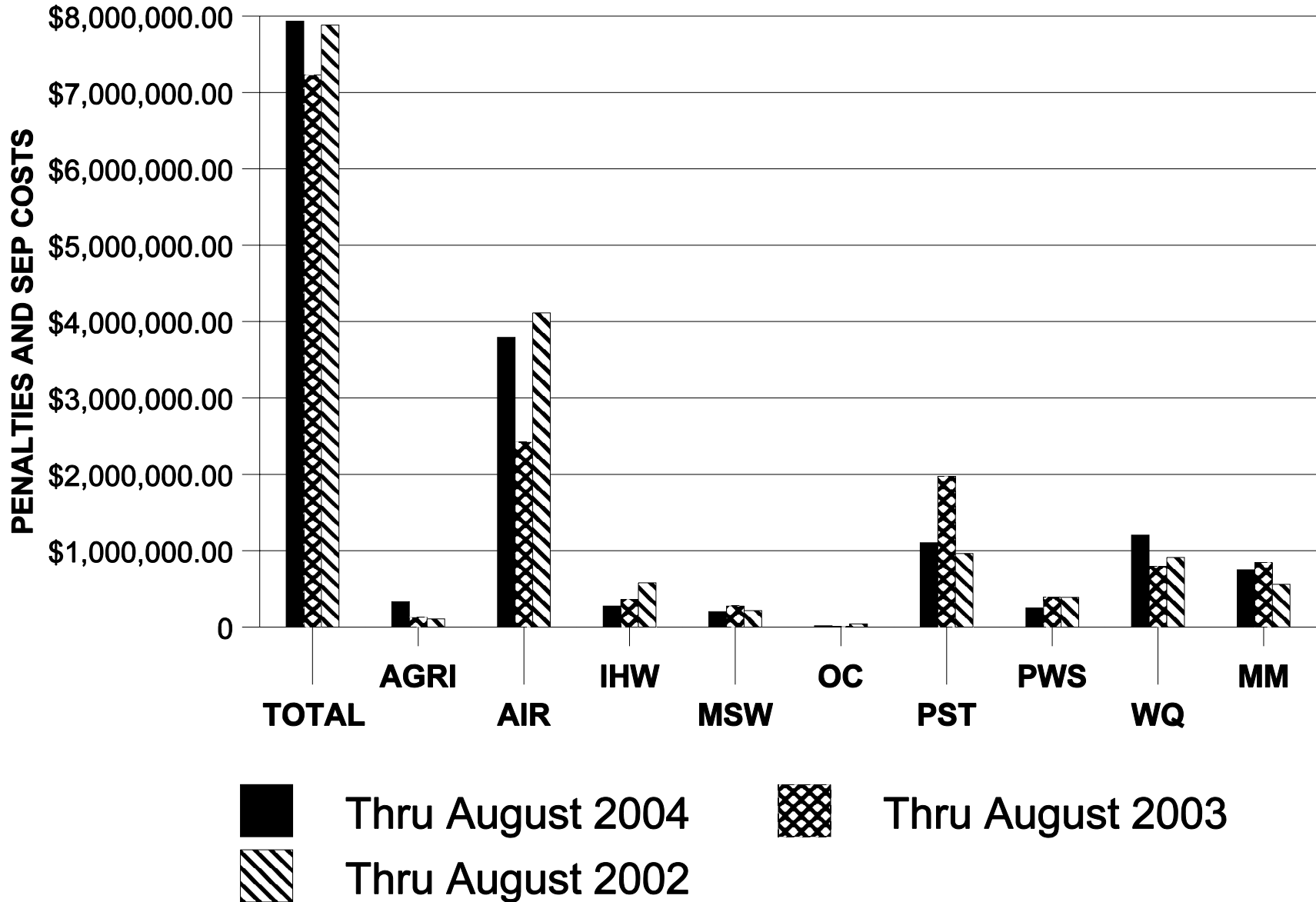
COMPARISON OF ORDERS ISSUED FY 2002 thru FY 2004



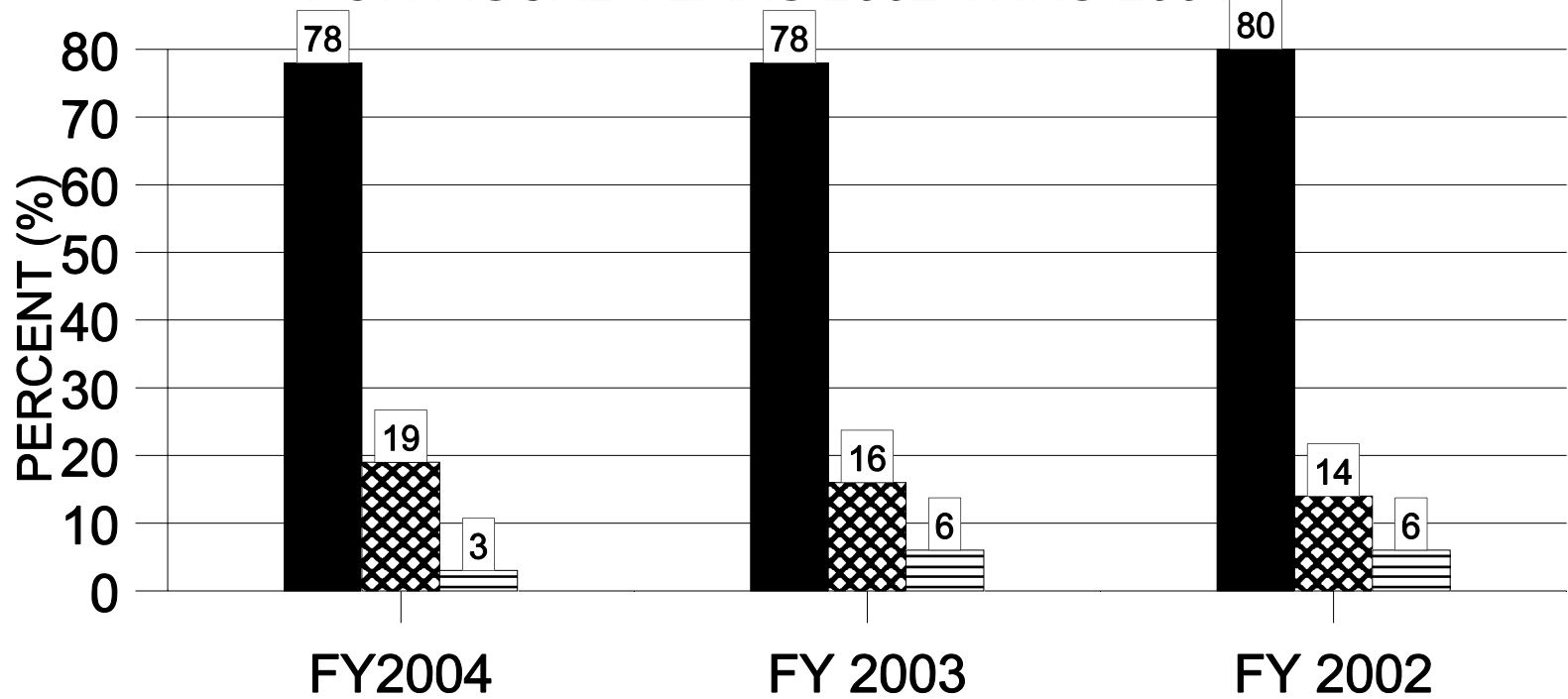
 Thru August 2004
 Thru August 2002

 Thru August 2003

COMPARISON OF ORDERS ISSUED FY 2002 thru FY 2004



FINAL ORDER STATISTICS FOR FISCAL YEARS 2002 THRU 2004



- Settled by Enforcement Division
- ▣ Resolved in Litigation Division w/o SOAH Referral
- ▤ Resolved after SOAH Referral

Administrative Orders Issued

Singles Programs

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	7364	Drilling Specialties Company, LLC	1803	MONTGOMERY	9/25/03	6,350.00	0.00	6,350.00	0.00	0.00
AQ	5928	U.S. Clay, L.P.	4049	CAMERON	9/25/03	2,100.00	0.00	1,050.00	1,050.00	1,050.00
AQ	6004	Firestone Polymers, LLC	292	ORANGE	9/25/03	10,220.00	2,044.00	8,176.00	0.00	0.00
AQ	7361	Atofina Petrochemicals, Inc.	1267	JEFFERSON	9/25/03	7,560.00	1,512.00	6,048.00	0.00	0.00
AQ	5330	IRONHORSE MFG INC	JE0913J	JEFFERSON	9/25/03	9,200.00	0.00	9,200.00	0.00	0.00
AQ	5363	COMPASS OPERATING LLC	53003	KARNES	9/25/03	7,500.00	1,500.00	6,000.00	0.00	0.00
AQ	5971	Mason County Feeders, LTD.	BG1309J	BEXAR	9/25/03	1,050.00	0.00	1,050.00	0.00	0.00
AQ	3168	The Premcor Refining Group Inc.	2303A	JEFFERSON	10/10/03	8,000.00	1,600.00	3,200.00	3,200.00	3,200.00
AQ	6025	Phillips Pipe Line Company	HG0565J	HARRIS	10/10/03	2,600.00	520.00	2,080.00	0.00	0.00
AQ	9841	Pioneer Hi-Bred International, Inc.	HN0160N	HIDALGO	10/10/03	3,150.00	0.00	3,150.00	0.00	0.00
AQ	8030	OPPER ENTERPRISE INC	MQ1716T	MONTGOMERY	10/10/03	1,050.00	0.00	1,050.00	0.00	0.00
AQ	6478	ICO WORLDWIDE LP	HG0539K	HARRIS	10/10/03	1,975.00	395.00	1,580.00	0.00	0.00
AQ	5264	E. I. Dupont De Nemours and Company	JE0033C	JEFFERSON	10/10/03	25,125.00	5,025.00	10,050.00	10,050.00	10,050.00
AQ	3251	Structural Metals, Inc.	NONE	GUADALUPE	10/10/03	94,887.00	0.00	32,262.00	62,625.00	62,625.00
AQ	7782	Solutia, Inc.	38336	BRAZORIA	10/10/03	37,500.00	7,500.00	15,000.00	15,000.00	15,000.00
AQ	3715	Boral Bricks, Inc.	21012	RUSK	10/10/03	22,500.00	4,500.00	18,000.00	0.00	0.00
AQ	5970	Randy Roan Construction, Inc.	948639L	MONTGOMERY	10/10/03	2,700.00	0.00	2,700.00	0.00	0.00
AQ	5941	Stewart Motor Company of Corsicana, Inc. dba Stewart Motor Company	55515	NAVARRO	10/19/03	6,300.00	0.00	6,300.00	0.00	0.00
AQ	8563	Chevron USA, Inc.	457	MIDLAND	10/19/03	1,925.00	385.00	1,540.00	0.00	0.00
AQ	4990	G-P Gypsum Corporation	HE0006D	HARDEMAN	11/2/03	3,350.00	0.00	3,350.00	0.00	0.00
AQ	4887	Air Liquide America Corporation	BL0626U	BRAZORIA	11/2/03	0.00	0.00	0.00	0.00	0.00
AQ	5938	Osburn Contractors, Inc.	932818Q	DALLAS	11/2/03	10,000.00	0.00	10,000.00	0.00	0.00
AQ	5959	High Island Petrochemicals, L.L.C.	CI0113C	CHAMBERS	11/2/03	1,110.00	0.00	1,110.00	0.00	0.00
AQ	5961	Ysleta Independent School District	EE1018R	EL PASO	11/2/03	750.00	150.00	600.00	0.00	0.00
AQ	6041	Acadia Elastomers Corporation	NA0035U	NACOGDOCHE	11/2/03	14,000.00	2,800.00	11,200.00	0.00	0.00
AQ	6042	Oasis Pipe Line Company Texas L.P.	CA0027J	CALDWELL	11/2/03	3,750.00	750.00	3,000.00	0.00	0.00
AQ	5712	Das Brot, Inc.	DB3131K	DALLAS	11/2/03	3,550.00	0.00	3,550.00	0.00	0.00
AQ	6018	Lifetime Doors Inc.	RI0010S	ROBERTSON	11/2/03	1,370.00	0.00	1,370.00	0.00	0.00
AQ	5800	Quicksilver Resources Inc.	FG0629T	FORT BEND	11/2/03	650.00	130.00	520.00	0.00	0.00
AQ	2895	Ocean Energy, Inc.	HX1519Q	HARRIS	11/2/03	5,625.00	1,125.00	4,500.00	0.00	0.00
AQ	3751	Chevron USA, Inc.	15311	HARRIS	11/16/03	2,075.00	415.00	1,660.00	0.00	0.00
AQ	5795	Millenium Polymers, Ltd.	HG3371D	HARRIS	11/16/03	7,500.00	6,900.00	600.00	0.00	0.00
AQ	5823	Ameron International Corporation	1017	WICHITA	11/16/03	950.00	0.00	950.00	0.00	0.00
AQ	5723	Valero Refining Company Texas L.P.	1231	NUECES	11/16/03	8,050.00	0.00	8,050.00	0.00	0.00
AQ	4758	Kelly-Moore Paint Company, Inc.	11957	TARRANT	11/16/03	2,375.00	475.00	1,900.00	0.00	0.00
AQ	5950	Hill-Lake Gas Storage, L.P.	2544	EASTLAND	11/16/03	2,375.00	0.00	2,375.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	6043	Kinder Morgan Co2 Company, L.P.	15470	SCURRY	11/16/03	5,000.00	1,000.00	4,000.00	0.00	0.00
AQ	8560	Watertown Soles, Inc.	0004	VAL VERDE	11/16/03	1,300.00	260.00	1,040.00	0.00	0.00
AQ	5982	Chevron USA, Inc.	13483	CROCKETT	12/5/03	20,000.00	4,000.00	16,000.00	0.00	0.00
AQ	5303	Penske Truck Leasing Co., L.P.	EE1312O	EL PASO	12/5/03	750.00	0.00	750.00	0.00	0.00
AQ	1	United Structures of America, Inc.	HG1387C	HARRIS	12/5/03	2,125.00	425.00	1,700.00	0.00	0.00
AQ	5094	Duke Energy Field Services, L.P.	21434	CROCKETT	12/5/03	7,740.00	1,548.00	3,096.00	3,096.00	3,096.00
AQ	5862	Exxon Mobil Corporation	23353	KLEBERG	12/5/03	1,875.00	375.00	1,500.00	0.00	0.00
AQ	5909	Precision Pipe & Excavating, L.L.C.	49390	FORT BEND	12/5/03	5,000.00	1,000.00	4,000.00	0.00	0.00
AQ	8896	Chevron Phillips Chemical Company, LP	JE0508W	JEFFERSON	12/21/03	134,850.00	0.00	67,425.00	67,425.00	67,425.00
AQ	2500	Duke Energy Field Services, L.P.	SQ0013E	SUTTON	12/21/03	2,000.00	400.00	800.00	800.00	800.00
AQ	6016	Chevron Phillips Chemical Company, LP	HG0310V	HARRIS	12/21/03	22,750.00	0.00	22,750.00	0.00	0.00
AQ	7454	Sherwin Alumina, L.P.	SD0037N	SAN PATRICIO	12/21/03	6,300.00	0.00	3,150.00	3,150.00	3,150.00
AQ	4300	Tyson Fresh Meats, Inc.	PG0024R	POTTER	12/21/03	95,350.00	0.00	95,350.00	0.00	0.00
AQ	6007	Apac-Texas, Inc.	922632U	DALLAS	12/21/03	5,100.00	1,020.00	4,080.00	0.00	0.00
AQ	5936	Owens Corning	RB0010D	RANDALL	1/8/04	10,000.00	2,000.00	8,000.00	0.00	0.00
AQ	6494	Motiva Enterprises, LLC	JE0095D	JEFFERSON	1/8/04	39,750.00	0.00	19,875.00	19,875.00	19,875.00
AQ	5939	PTP Auto Tech Inc. dba MAACO Auto Painting & Body Works	DF0462H	DENTON	1/8/04	3,800.00	3,200.00	600.00	0.00	0.00
AQ	5851	Protherm Services Group, LLC	NONE	HARRIS	1/8/04	1,100.00	0.00	1,100.00	0.00	0.00
AQ	7243	Equistar Chemicals, LP	HG0770G	HARRIS	1/8/04	9,610.00	0.00	9,610.00	0.00	0.00
AQ	5997	B. & E. Grain, Inc.	JH0051N	JOHNSON	1/8/04	4,160.00	832.00	3,328.00	0.00	0.00
AQ	9376	Orange Crush Recyclers Management, L.L.C.	55240L001	DALLAS	1/18/04	0.00	0.00	0.00	0.00	0.00
AQ	5884	Northern Natural Gas Company	SF0036Q	SCHLEICHER	1/30/04	2,500.00	500.00	2,000.00	0.00	0.00
AQ	8364	ExxonMobil Oil Corporation	JE0062S	JEFFERSON	1/30/04	25,000.00	0.00	25,000.00	0.00	0.00
AQ	5620	Saint-Gobain Vetrotex America, Inc.	WH0014S	WICHITA	1/30/04	13,125.00	0.00	6,563.00	6,562.00	6,562.00
AQ	9122	Weatherford Aerospace, Inc.	PC0008N	PARKER	1/30/04	2,550.00	510.00	2,040.00	0.00	0.00
AQ	5934	WOOLSLAYER COMPANIES INC	LH0213A	LIBERTY	1/30/04	4,050.00	810.00	3,240.00	0.00	0.00
AQ	7316	Duke Energy Field Services, L.P.	JE0200H	JEFFERSON	3/5/04	24,000.00	0.00	24,000.00	0.00	0.00
AQ	6040	EL Paso Field Services Management, Inc.	WH0097L	WICHITA	3/5/04	13,500.00	2,700.00	10,800.00	0.00	0.00
AQ	6027	Hampshire Chemical Corp.	HG4998P	HARRIS	3/5/04	87,856.00	0.00	43,928.00	43,928.00	43,928.00
AQ	5986	Sunoco, Inc. (R&M)	HG0825G	HARRIS	3/5/04	28,644.00	5,729.00	22,915.00	0.00	0.00
AQ	396	Citgo Refining and Chemicals Company L.P.	NE0027V	NUECES	3/5/04	1,740,000.00	0.00	870,000.00	870,000.00	870,000.00
AQ	41	Trinity Industries, Inc.	HG0498W	HARRIS	3/5/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9671	Webb-Duval Gatherers, A Texas General Partnership	WE0066J	WEBB	3/5/04	1,625.00	325.00	1,300.00	0.00	0.00
AQ	9460	Koch Pipeline Company, L.P.	TA1222P	TARRANT	3/14/04	22,184.00	0.00	22,184.00	0.00	0.00
AQ	14974	Equistar Chemicals, LP	NE0051B	NUECES	3/14/04	0.00	0.00	0.00	0.00	0.00
AQ	7464	Valero Refining-Texas, L.P.	HG0130C	HARRIS	3/14/04	8,750.00	0.00	8,750.00	0.00	0.00
AQ	5908	Teppco Crude Oil, L.P.	AH0087R	AUSTIN	3/14/04	7,500.00	1,500.00	6,000.00	0.00	0.00
AQ	9567	Fort Dearborn Company	TA0172M	TARRANT	3/22/04	2,375.00	0.00	2,375.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	9433	WTG GAS PROCESSING, L.P.	MF0001W	MARTIN	3/22/04	2,125.00	0.00	2,125.00	0.00	0.00
AQ	61	Houston Pipe Line Company	HG0918V	HARRIS	4/5/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	9956	Republic Waste Services of Texas, Ltd.	1495	ECTOR	4/19/04	770.00	154.00	616.00	0.00	0.00
AQ	7359	Atofina Petrochemicals, Inc.	JE0005H	JEFFERSON	5/14/04	146,875.00	29,375.00	58,750.00	58,750.00	58,750.00
AQ	10358	TRI-UNION DEVELOPMENT CORPORATION	NONE	BRAZORIA	5/14/04	750.00	150.00	600.00	0.00	0.00
AQ	9697	Western Gas Resources, Inc.	UB0009T	UPTON	5/14/04	4,750.00	0.00	4,750.00	0.00	0.00
AQ	5933	Varco, L.P.	ML0047G	MIDLAND	5/14/04	71,000.00	14,200.00	28,400.00	28,400.00	28,400.00
AQ	7360	Atofina Petrochemicals, Inc.	18936	JEFFERSON	5/14/04	106,407.00	0.00	53,204.00	53,203.00	53,203.00
AQ	5854	Pedro Castrellon dba Paca's Body Shop	EB0983B	ECTOR	5/14/04	2,100.00	0.00	2,100.00	0.00	0.00
AQ	5980	C & R Distributing, Inc. dba C & R Fuel Control #42	EE1271D	EL PASO	5/14/04	750.00	150.00	600.00	0.00	0.00
AQ	5885	Chevron USA, Inc.	EE0082P	EL PASO	5/24/04	27,405.00	5,481.00	21,924.00	0.00	0.00
AQ	8404	Texas Petrochemicals LP	HG0562P	HARRIS	5/24/04	25,000.00	5,000.00	10,000.00	10,000.00	10,000.00
AQ	10152	Ingersoll-Rand Company	DB0476R	DALLAS	5/24/04	1,975.00	395.00	1,580.00	0.00	0.00
AQ	10010	Clearstream Wastewater Systems, Inc.	HF0034K	HARDIN	5/24/04	2,000.00	0.00	2,000.00	0.00	0.00
AQ	9207	Crosstex Asset Management, LP	HH0181U	HARRISON	5/24/04	2,000.00	400.00	1,600.00	0.00	0.00
AQ	11303	PACIFIC NATURAL ENERGY LLC	2063	DALLAS	5/24/04	2,000.00	400.00	1,600.00	0.00	0.00
AQ	10291	Kinder Morgan Tejas Pipeline, L. P.	HG1391L	HARRIS	5/24/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	10251	E. D. Baker Company, Ltd.	54240	HUTCHINSON	6/13/04	10,000.00	0.00	10,000.00	0.00	0.00
AQ	418	Dynegy Midstream Services, Limited Partnership	PE0190V	PECOS	6/13/04	16,000.00	0.00	16,000.00	0.00	0.00
AQ	5649	Interstate Highway Construction, Inc.	907899L	DALLAS	6/13/04	40,000.00	0.00	40,000.00	0.00	0.00
AQ	9955	Casita Enterprises, Inc.	1802	NAVARRO	6/13/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9843	Crown Cork & Seal Company (USA), Inc.	FG0082W	FORT BEND	6/13/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	10564	E. R. Carpenter, L.P.	HG0141U	HARRIS	6/13/04	1,975.00	395.00	1,580.00	0.00	0.00
AQ	5889	BP America Production Company	UB0001M	UPTON	6/13/04	1,900.00	380.00	1,520.00	0.00	0.00
AQ	5661	Gulf Coast Waste Disposal Authority	GB0032G	GALVESTON	6/13/04	17,044.00	3,409.00	0.00	13,635.00	13,635.00
AQ	10173	Franklin Building Materials, Inc.	EE0862E	EL PASO	6/13/04	2,700.00	540.00	2,160.00	0.00	0.00
AQ	10174	BP Amoco Chemical Company	GB0001R	GALVESTON	6/13/04	1,625.00	325.00	1,300.00	0.00	0.00
AQ	9457	Huntsman Petrochemical Corporation	20485	JEFFERSON	6/13/04	14,250.00	0.00	14,250.00	0.00	0.00
AQ	5846	DMV Stainless USA, Inc.	HG3179U	HARRIS	7/1/04	2,650.00	0.00	2,650.00	0.00	0.00
AQ	11103	Tema Oil and Gas Company	GB0540F	*MULTIPLE	7/1/04	4,750.00	0.00	4,750.00	0.00	0.00
AQ	10242	LINDE GAS INC	HX2334A	HARRIS	7/1/04	2,025.00	405.00	1,620.00	0.00	0.00
AQ	9740	Calpine Natural Gas, L.P.	BL0441L	BRAZORIA	7/1/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	10458	Maverick Tube, L.P.	MQ0028B	MONTGOMERY	7/1/04	2,650.00	530.00	2,120.00	0.00	0.00
AQ	10498	Lyondell-Citgo Refining Company LP	HG0048L	HARRIS	7/1/04	8,200.00	0.00	8,200.00	0.00	0.00
AQ	5850	Regal Food Service, Inc.	HG6914K	HARRIS	7/1/04	1,050.00	0.00	1,050.00	0.00	0.00
AQ	9555	Johns Manville	JH0025O	JOHNSON	7/1/04	12,500.00	0.00	12,500.00	0.00	0.00
AQ	10925	Stericycle, Inc.	KB0006V	KAUFMAN	7/1/04	900.00	180.00	720.00	0.00	0.00

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AQ	6020	AMY FOODS INC	HX3206D	HARRIS	7/1/04	2,300.00	0.00	2,300.00	0.00	0.00
AQ	9874	BOLLINGER TEXAS CITY LP	GB0593H	GALVESTON	7/1/04	2,725.00	0.00	2,725.00	0.00	0.00
AQ	5979	Ultra Fuel & Oil, L.L.C.	EE0813R	EL PASO	7/1/04	650.00	130.00	520.00	0.00	0.00
AQ	10699	The Goodyear Tire & Rubber Company	SK0021C	SMITH	7/1/04	3,750.00	750.00	3,000.00	0.00	0.00
AQ	10578	Crane Plumbing LLC	DB0907L	DALLAS	7/5/04	2,000.00	0.00	2,000.00	0.00	0.00
AQ	10519	Amerada Hess Corporation	TD0001H	TERRY	7/5/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9741	El Paso Field Services Management, Inc.	DI0016B	DIMMIT	7/5/04	4,600.00	920.00	3,680.00	0.00	0.00
AQ	10459	Freeman Decorating Services, Inc.	DB1520J	DALLAS	7/5/04	8,400.00	1,680.00	6,720.00	0.00	0.00
AQ	10378	Owens Corning	RB0010D	RANDALL	7/5/04	2,250.00	450.00	1,800.00	0.00	0.00
AQ	10745	Sea Lion Technology, Inc.	GB0067K	GALVESTON	7/5/04	970.00	194.00	776.00	0.00	0.00
AQ	5855	Duke Energy Field Services, L.P.	MF0012R	MARTIN	7/5/04	12,500.00	0.00	6,250.00	6,250.00	6,250.00
AQ	9240	Hunt Oil Company	HM0010V	HENDERSON	7/5/04	28,125.00	5,625.00	11,250.00	11,250.00	11,250.00
AQ	9952	Akzo Nobel Catalysts, LLC	HG0037Q	HARRIS	7/30/04	2,825.00	565.00	2,260.00	0.00	0.00
AQ	13354	Pioneer Natural Resources USA, Inc.	MR0121W	MOORE	7/30/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	9961	Behr Climate Systems, Inc.	TA0614B	TARRANT	7/30/04	6,750.00	1,350.00	5,400.00	0.00	0.00
AQ	13165	PEAK SULFUR INC	JE0073N	JEFFERSON	7/30/04	20,000.00	4,000.00	16,000.00	0.00	0.00
AQ	11639	MOCKINGBIRD SKILLMAN MOBIL INC	NONE	DALLAS	7/30/04	638.00	0.00	638.00	0.00	0.00
AQ	12098	El Paso Water Utilities	EE1016V	EL PASO	7/30/04	750.00	150.00	600.00	0.00	0.00
AQ	5874	Akzo Nobel Industrial Specialties Inc.	FG0042L	HARRIS	7/30/04	39,578.00	0.00	39,578.00	0.00	0.00
AQ	9674	The University of Texas Southwestern Medical Center	DB2459D	DALLAS	7/30/04	2,550.00	510.00	0.00	2,040.00	2,040.00
AQ	10983	William Marsh Rice University	HG1149U	HARRIS	7/30/04	2,400.00	480.00	1,920.00	0.00	0.00
AQ	5956	Longhorn Glass Manufacturing, L.P.	HG0028R	HARRIS	7/30/04	7,875.00	0.00	3,938.00	3,937.00	3,937.00
AQ	11332	Nisseki Chemical Texas Inc.	HG3626Q	HARRIS	7/30/04	1,675.00	335.00	1,340.00	0.00	0.00
AQ	11183	Peebles Lumber Company, LLC	NONE	MARION	7/30/04	13,000.00	2,600.00	10,400.00	0.00	0.00
AQ	10903	Penreco	GB0054T	GALVESTON	8/13/04	3,150.00	630.00	2,520.00	0.00	0.00
AQ	6000	Avis Rent A Car System, Inc.	EE0865V	EL PASO	8/13/04	750.00	150.00	600.00	0.00	0.00
AQ	10091	Gulfstream Aerospace LP	TA3682J	TARRANT	8/13/04	970.00	0.00	970.00	0.00	0.00
AQ	7664	Oxy Vinyls, LP	HG0193B	HARRIS	8/13/04	20,550.00	4,110.00	8,220.00	8,220.00	8,220.00
AQ	9787	Enbridge Energy Company, Inc.	BE0028D	BEE	8/13/04	6,750.00	0.00	6,750.00	0.00	0.00
AQ	12186	Chevron Phillips Chemical Company, LP	HG0566H	HARRIS	8/13/04	1,710.00	0.00	1,710.00	0.00	0.00
AQ	11946	Campbell Soup Supply Company L.L.C.	LA0005R	LAMAR	8/13/04	4,950.00	990.00	3,960.00	0.00	0.00
AQ	10800	Houston Pipe Line Company	LK0044R	LIVE OAK	8/13/04	2,000.00	0.00	2,000.00	0.00	0.00
AQ	10781	Eott Energy Pipeline Limited Partnership	CV0048K	COOKE	8/13/04	2,875.00	0.00	2,875.00	0.00	0.00
AQ	4888	Air Liquide America Corporation	BL0626U	BRAZORIA	8/13/04	41,310.00	0.00	41,310.00	0.00	0.00
AQ	11377	MILES, GILBERT	EE1463P	EL PASO	8/13/04	1,050.00	0.00	1,050.00	0.00	0.00
AQ	11245	PONDEROSA PINE ENERGY PARTNERS LTD	JH0230L	JOHNSON	8/13/04	2,000.00	400.00	1,600.00	0.00	0.00
AQ	12264	J.J.S. Enterprises Inc	EE0795R	EL PASO	8/13/04	900.00	180.00	720.00	0.00	0.00
AQ	12626	GulfTerra Texas Pipeline, L.P.	KJ0019V	KLEBERG	8/13/04	2,000.00	400.00	1,600.00	0.00	0.00

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AQ	12746	Unocal Pipeline Company	CJ0051K	CHEROKEE	8/28/04	9,000.00	1,800.00	7,200.00	0.00	0.00
AQ	10621	Joe Amos dba J & J Sports	DF0697B	DENTON	8/28/04	4,350.00	0.00	4,350.00	0.00	0.00
AQ	8561	Charles J. Engle dba Fabens Oil Company	EE1001L	EL PASO	8/28/04	750.00	150.00	600.00	0.00	0.00
AQ	10561	AES Wolf Hollow, LP	HQ0112O	HOOD	8/28/04	7,200.00	1,440.00	5,760.00	0.00	0.00
AQ	11382	Williams Field Services Group, Inc.	GB0156K	*MULTIPLE	8/28/04	100,050.00	13,500.00	86,550.00	0.00	0.00
AQ	6019	Shallow Ford Construction Co., Inc.	939213H	CULBERSON	8/28/04	10,500.00	0.00	10,500.00	0.00	0.00
AQ	5988	GSF Energy, L.L.C. dba McCarty Road Landfill Gas Recovery Facility	1512	HARRIS	8/28/04	21,420.00	4,284.00	17,136.00	0.00	0.00
AQ	11126	Kettle Cooked Foods, Inc.	TA4004G	TARRANT	8/28/04	1,625.00	325.00	1,300.00	0.00	0.00
AQ	9944	Temple-Inland Forest Products Corporation	1778	ANGELINA	8/28/04	45,087.00	9,017.00	18,035.00	18,035.00	18,035.00
AQ	12744	Equistar Chemicals, LP	8639A	JEFFERSON	8/28/04	5,100.00	1,020.00	4,080.00	0.00	0.00
AQ	14808	Commercial Metals Company	EE0068J	EL PASO	8/28/04	770.00	154.00	616.00	0.00	0.00
AQ	12091	LITTLE BIG INCH PIPELINE COMPANY INC	EE1673C	EL PASO	8/28/04	650.00	130.00	520.00	0.00	0.00
AQ	3659	BASF Corporation	BL0021O	BRAZORIA	8/28/04	10,000.00	0.00	10,000.00	0.00	0.00
AQ	268	Marathon Oil Company	HT0132D	*MULTIPLE	8/28/04	186,675.00	37,335.00	74,670.00	74,670.00	74,670.00
AQ	5777	Flex-O-Lite, Inc.	LA0012U	LAMAR	8/28/04	41,275.00	0.00	41,275.00	0.00	0.00
AQ	5282	City of El Paso	EE1118M	EL PASO	8/30/04	2,540.00	0.00	0.00	2,540.00	2,540.00
AQ	10379	Georgia-Pacific Corporation	LH0026B	LIBERTY	8/30/04	2,875.00	575.00	2,300.00	0.00	0.00
AQ	13586	Kraft Foods Global Inc	HG0473P	HARRIS	8/30/04	1,975.00	395.00	1,580.00	0.00	0.00
AQ	12846	KMCO LP	HG0426B	HARRIS	8/30/04	3,575.00	715.00	2,860.00	0.00	0.00
AQ	5985	Sid Richardson Pipeline, Ltd.	PE0042O	PECOS	8/30/04	5,200.00	0.00	2,600.00	2,600.00	2,600.00
AQ	12689	T & C Tires, inc	NONE	DALLAS	8/30/04	500.00	100.00	400.00	0.00	0.00
AQ	12444	L.F. Manufacturing, Inc.	LF0053U	LEE	8/30/04	6,950.00	0.00	3,475.00	3,475.00	3,475.00
AQ	11905	U.S. Minerals, LLC	GB0132B	GALVESTON	8/30/04	2,675.00	0.00	2,675.00	0.00	0.00
AQ	12164	IMOT, INC.	JH0459A	TARRANT	8/30/04	3,255.00	0.00	3,255.00	0.00	0.00
AQ	9696	Kinder Morgan Co2 Company, L.P.	SG0029C	SCURRY	8/30/04	9,500.00	0.00	4,750.00	4,750.00	4,750.00
AQ	13348	General Aluminum Company of Texas, L.P.	DB0386T	DALLAS	8/30/04	13,500.00	2,700.00	10,800.00	0.00	0.00
AQ	10483	Gorham Pet Rest Cremation Services, Inc.	TH0746V	TRAVIS	8/30/04	1,155.00	231.00	924.00	0.00	0.00
AQ	9679	Parkview Metal Products, Inc.	HK0046W	HAYS	8/30/04	8,100.00	1,620.00	6,480.00	0.00	0.00
AQ	12044	GILBERT REYES	EE0812T	EL PASO	8/30/04	1,050.00	0.00	1,050.00	0.00	0.00
AQ	9779	ExxonMobil Oil Corporation	JE0149F	JEFFERSON	8/30/04	6,000.00	1,200.00	4,800.00	0.00	0.00
AQ	9854	BP Amoco Chemical Company	BL0002S	BRAZORIA	8/30/04	7,500.00	0.00	7,500.00	0.00	0.00
AQ	13266	Patterson Petroleum, L.P.	FG0040P	FORT BEND	8/30/04	750.00	150.00	600.00	0.00	0.00
AQ	10030	Shell Chemical LP	HG0659W	HARRIS	8/30/04	5,000.00	0.00	5,000.00	0.00	0.00
AQ	9739	Occidental Permian Ltd.	UB0058G	UPTON	8/30/04	14,625.00	2,925.00	11,700.00	0.00	0.00
Subtotal for AQ : 183						4,031,220.00	237,144.00	2,385,560.00	1,408,516.00	1,408,516.00
IHW	165	PERMENTER, DENNIS G *	F1530	SHELBY	9/25/03	900.00	180.00	720.00	0.00	0.00
IHW	2728	US Liquids Inc.	33969	HARRIS	10/10/03	19,500.00	3,900.00	15,600.00	0.00	0.00
IHW	1677	United Casing Incorporated	NONE	NUECES	10/10/03	18,750.00	0.00	18,750.00	0.00	0.00

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IHW	511	Engine Components, Inc.	31567	BEXAR	10/10/03	44,000.00	0.00	22,000.00	22,000.00	22,000.00
IHW	9870	PLATZER SHIP YARDS INC	NONE	HARRIS	10/19/03	0.00	0.00	0.00	0.00	0.00
IHW	7461	Univeral Forest Products Texas, L.P.	86058	WALKER	11/2/03	2,500.00	500.00	2,000.00	0.00	0.00
IHW	2960	Battery Reclamation, Inc.	50352	REEVES	3/5/04	35,150.00	0.00	35,150.00	0.00	0.00
IHW	4168	Battery Conservation Technologies	50352	REEVES	3/5/04	45,375.00	0.00	45,375.00	0.00	0.00
IHW	7608	Calidad Environmental Services, Inc.	86032	BEXAR	3/14/04	4,080.00	0.00	4,080.00	0.00	0.00
IHW	580	Atofina Petrochemicals, Inc. *	52083	HOWARD	3/22/04	8,000.00	0.00	8,000.00	0.00	0.00
IHW	532	Galveston Environmental Services, Inc.	34323	GALVESTON	3/22/04	48,125.00	0.00	48,125.00	0.00	0.00
IHW	2076	Navarro Pecan Company, Inc.	F0881	NAVARRO	5/14/04	4,050.00	0.00	4,050.00	0.00	0.00
IHW	608	ALTON COLEY *	83214	GREGG	5/14/04	34,375.00	0.00	34,375.00	0.00	0.00
IHW	2854	Amon Enterprises, Inc. *	65565	DALLAS	7/1/04	18,000.00	3,600.00	14,400.00	0.00	0.00
IHW	2834	Leading Edge Aviation Services Amarillo, Inc.	83022	POTTER	7/5/04	900.00	180.00	720.00	0.00	0.00
Subtotal for IHW : 15						283,705.00	8,360.00	253,345.00	22,000.00	22,000.00
MSW	2718	Starr County	HAT0030	STARR	10/10/03	4,500.00	900.00	0.00	3,600.00	3,600.00
MSW	2893	City of La Grulla	1033	STARR	11/2/03	15,500.00	3,100.00	0.00	12,400.00	12,400.00
MSW	2097	BRANCH, JOE	455040126	TARRANT	12/21/03	10,000.00	0.00	10,000.00	0.00	0.00
MSW	652	YANCEY, BOBBY	NONE	MONTGOMERY	1/8/04	4,050.00	0.00	4,050.00	0.00	0.00
MSW	2457	Larry Fulton dba Chopperman	455010001	GRAY	2/13/04	7,000.00	0.00	7,000.00	0.00	0.00
MSW	2682	ESCALONA RICHARD	455150061	HIDALGO	2/13/04	650.00	130.00	520.00	0.00	0.00
MSW	3059	Enviroclean Management Services, Llc	2245A	DALLAS	3/5/04	25,000.00	0.00	25,000.00	0.00	0.00
MSW	8546	LEATHERMAN, ROYCE D	F1333	TARRANT	3/5/04	8,250.00	0.00	8,250.00	0.00	0.00
MSW	2534	Waste Environmental Controls of South Texas, Ltd.	455150049	CAMERON	3/22/04	600.00	0.00	600.00	0.00	0.00
MSW	2723	PAREIDA, JUAN	455150060	CAMERON	5/14/04	1,800.00	360.00	1,440.00	0.00	0.00
MSW	296	REESE, RALPH	NONE	JEFFERSON	5/24/04	19,500.00	0.00	19,500.00	0.00	0.00
MSW	635	City of Wichita Falls	1428	WICHITA	5/24/04	13,650.00	0.00	0.00	13,650.00	13,650.00
MSW	640	City of Brownwood	1562	BROWN	6/13/04	9,500.00	0.00	9,500.00	0.00	0.00
MSW	2818	WALDREP, BOBBY RAY	14413	CAMERON	6/13/04	20,000.00	0.00	20,000.00	0.00	0.00
MSW	9940	POLK COUNTY	1384A	POLK	6/13/04	2,500.00	0.00	0.00	2,500.00	2,500.00
MSW	2806	Quality Caliche Pit, Inc.	455150022	HIDALGO	7/1/04	18,375.00	0.00	18,375.00	0.00	0.00
MSW	2420	BRIMHALL, RUSSELL E JR	A85476	MARION	7/5/04	250.00	0.00	250.00	0.00	0.00
MSW	2417	Enviro Save Oil Recovery Company Of America	A85288	MCLENNAN	7/5/04	1,250.00	0.00	1,250.00	0.00	0.00
MSW	639	Waste Management of Texas, Inc.	1503	HUNT	7/30/04	5,200.00	0.00	5,200.00	0.00	0.00
MSW	2427	RICKY PALASOTA	455090081	BRAZOS	7/30/04	14,000.00	0.00	14,000.00	0.00	0.00
MSW	2681	Valley Baptist Medical Center	NONE	CAMERON	7/30/04	11,500.00	2,300.00	9,200.00	0.00	0.00
MSW	2722	BROOKS COUNTY	379	BROOKS	7/30/04	10,605.00	0.00	0.00	10,605.00	10,605.00
MSW	2683	ESCALONA, JUAN	HAW006	HIDALGO	7/30/04	650.00	130.00	520.00	0.00	0.00
MSW	11124	Mesquite Landfill TX, L P	556	DALLAS	8/30/04	2,050.00	0.00	2,050.00	0.00	0.00

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PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
MSW	2350	CITY OF BARTLETT	370	BELL	8/30/04	3,750.00	0.00	0.00	3,750.00	3,750.00
Subtotal for MSW : 25						210,130.00	6,920.00	156,705.00	46,505.00	46,505.00
OL	5836	PROSE, GEOFFREY A	OS0005006	DENTON	9/25/03	250.00	50.00	200.00	0.00	0.00
OL	8887	FARR, DUDLEY E	HJDHLIHKK	WILLIAMSON	9/25/03	0.00	0.00	0.00	0.00	0.00
OL	7270	PHILLIPS, FRANCIS X	OS0004760	PARKER	9/25/03	750.00	0.00	750.00	0.00	0.00
OL	6055	MUSICK, MELVIN K	OS0007939	BROWN	9/25/03	1,750.00	0.00	1,750.00	0.00	0.00
OL	2890	Alberto De Leon dba De Leon Construction	NONE	CAMERON	10/19/03	3,125.00	0.00	3,125.00	0.00	0.00
OL	2667	BARKER, MIKE	NONE	COLEMAN	11/16/03	250.00	50.00	200.00	0.00	0.00
OL	5948	ANDERSON, BRYAN	NONE	DENTON	12/5/03	625.00	125.00	500.00	0.00	0.00
OL	5942	BARE, DARIN W	OS0008258		12/5/03	250.00	50.00	200.00	0.00	0.00
OL	5975	MEEK, JACK	NONE	EASTLAND	12/21/03	750.00	150.00	600.00	0.00	0.00
OL	5580	PETTIT, ERNEST M	OS0006237	HOPKINS	5/14/04	525.00	0.00	525.00	0.00	0.00
OL	7407	JAMIE B. WALTON DBA LAGO LANDSCAPE AND IRRIGATION REPAIR	NONE	TRAVIS	5/24/04	2,500.00	0.00	2,500.00	0.00	0.00
OL	2511	NEWMAN, GORDON	079059	FORT BEND	6/13/04	263.00	0.00	263.00	0.00	0.00
OL	13189	KDT Construction, Inc.	OS0006580	FREESTONE	7/5/04	250.00	50.00	200.00	0.00	0.00
OL	5579	RASBERRY, GRANVILLE	OS0005451	HARRIS	8/13/04	250.00	0.00	250.00	0.00	0.00
OL	5891	WHATLEY, WILLIAM	OS0005954	TRAVIS	8/13/04	2,969.00	0.00	2,969.00	0.00	0.00
OL	8393	ALDRIDGE, WILLIS C	HJEMMEGKK	COLLIN	8/16/04	625.00	0.00	625.00	0.00	0.00
OL	14691	TREVINO, ALARICO	OS0008066	HIDALGO	8/28/04	1,500.00	0.00	1,500.00	0.00	0.00
OL	11720	BATES, JAMES	NONE	HAYS	8/28/04	250.00	50.00	200.00	0.00	0.00
OL	10780	DUNN, DAVID	NONE	WILSON	8/28/04	263.00	0.00	263.00	0.00	0.00
OL	5658	Tony E. Williams, Jr. dba All Southeast Landscape, Inc.	NONE	HARRIS	8/28/04	625.00	0.00	625.00	0.00	0.00
Subtotal for OL : 20						17,770.00	525.00	17,245.00	0.00	0.00
PST	8026	STUART, JEFFREY	2350	CROCKETT	9/25/03	8,500.00	0.00	8,500.00	0.00	0.00
PST	2256	BEAVERS, BARRY DON	10719	MITCHELL	9/25/03	15,500.00	0.00	15,500.00	0.00	0.00
PST	357	C & W Enterprises, Inc.	25830	TOM GREEN	9/25/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	5543	West Texas Gas, Inc.	NONE	MIDLAND	9/25/03	1,000.00	0.00	500.00	500.00	500.00
PST	2742	Mahnor, Inc.	28570	AUSTIN	9/25/03	1,875.00	375.00	1,500.00	0.00	0.00
PST	2781	S. K. Associates, Inc.	35210	HARRIS	9/25/03	1,050.00	0.00	1,050.00	0.00	0.00
PST	2107	AMIN, JOGESH	12640	TARRANT	9/25/03	4,500.00	0.00	4,500.00	0.00	0.00
PST	2399	LUMMAS BILLY D	4666	LEON	9/25/03	15,300.00	0.00	15,300.00	0.00	0.00
PST	2745	FFP Operating Partners LP	0018564	TARRANT	9/25/03	2,425.00	0.00	2,425.00	0.00	0.00
PST	2787	Nolan Oil Company, Inc.	NONE	ORANGE	9/25/03	1,400.00	280.00	1,120.00	0.00	0.00
PST	2195	Maral International, Inc., dba One Stop Food Mart	39704	HARRIS	9/25/03	2,500.00	0.00	2,500.00	0.00	0.00
PST	5890	ULLAH BROTHERS INCORPORATED	24161	SAN PATRICIO	9/25/03	8,000.00	1,600.00	6,400.00	0.00	0.00
PST	3064	Petro-Chemical Transport, Inc.	NONE	HARRIS	9/25/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	1502	Addison Enterprises Inc.	0042963	DALLAS	9/25/03	29,700.00	0.00	29,700.00	0.00	0.00

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PST	2547	PATRIOT PETROLEUM INC	26493	JEFFERSON	9/25/03	15,000.00	0.00	15,000.00	0.00	0.00
PST	2711	GARRHON ENTERPRISES INC DBA TEXACO FOOD MART	13509	TARRANT	10/10/03	1,050.00	0.00	1,050.00	0.00	0.00
PST	5749	C & R Distributing, Inc. dba C & R Fuel Control #42	3731	EL PASO	10/10/03	500.00	100.00	400.00	0.00	0.00
PST	1706	Jain Vijay	66101	GALVESTON	10/10/03	1,250.00	0.00	1,250.00	0.00	0.00
PST	2749	Namz Enterprises, Inc.	48419	HARRIS	10/10/03	2,275.00	455.00	1,820.00	0.00	0.00
PST	2692	Ahmad Adam	36620	TRAVIS	10/10/03	2,000.00	400.00	1,600.00	0.00	0.00
PST	2810	Hollon Oil Company	67687	HIDALGO	10/10/03	1,000.00	200.00	800.00	0.00	0.00
PST	2656	UMAR BHATI INC	27138	DALLAS	10/10/03	6,800.00	1,360.00	5,440.00	0.00	0.00
PST	2237	Convenience Corner, Inc.	27555	GRAYSON	10/19/03	1,500.00	0.00	1,500.00	0.00	0.00
PST	2429	Masters Mart Inc. dba Porter Chevron	70002	MONTGOMERY	10/19/03	21,875.00	0.00	21,875.00	0.00	0.00
PST	2196	Danny's Enterprises, Inc. dba Westview Texaco	6746	HARRIS	10/19/03	1,000.00	0.00	1,000.00	0.00	0.00
PST	2848	Andrews Transport, Inc.	55242	HARRIS	11/2/03	2,550.00	0.00	2,550.00	0.00	0.00
PST	2248	MIKANI, NIZAR	27149	DENTON	11/2/03	15,000.00	0.00	15,000.00	0.00	0.00
PST	2474	K.R. Andani Corporation	21876	DALLAS	11/2/03	10,500.00	0.00	10,500.00	0.00	0.00
PST	2833	Julius Petrus, Jr.	60013	SAN PATRICIO	11/16/03	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	2955	RAINBOW OILS OF SAN ANGELO INC	51582	TOM GREEN	11/16/03	43,750.00	0.00	43,750.00	0.00	0.00
PST	2819	COPC INTERNATIONAL USA INC	44493	COLLIN	11/16/03	4,225.00	845.00	3,380.00	0.00	0.00
PST	2532	US Department of Justice	3807	HOWARD	11/16/03	2,000.00	400.00	1,600.00	0.00	0.00
PST	5995	WISEBUY INC	73380	HUNT	11/16/03	6,000.00	1,200.00	4,800.00	0.00	0.00
PST	2435	THOROUGHbred PROPERTIES INC	2202	NACOGDOCHE	11/16/03	11,500.00	10,900.00	600.00	0.00	0.00
PST	2546	Shekhani Enterprises, Inc. dba Westview Texaco	6746	HARRIS	11/16/03	10,000.00	0.00	10,000.00	0.00	0.00
PST	2192	DEAN, GLORIA	21930	ARANSAS	11/16/03	10,500.00	0.00	10,500.00	0.00	0.00
PST	264	Woody's Superettes, Incorporated	20747	HUNT	12/5/03	59,325.00	0.00	59,325.00	0.00	0.00
PST	2826	City Transit Management Co., Inc. dba Citibus of Lubbock	12649	LUBBOCK	12/5/03	1,625.00	325.00	1,300.00	0.00	0.00
PST	2669	V&S Petroleum, Ltd.	37648	WILLIAMSON	12/5/03	1,875.00	375.00	1,500.00	0.00	0.00
PST	2710	BARRERA, FRANCISCO	47006	STARR	12/5/03	11,250.00	5,250.00	6,000.00	0.00	0.00
PST	2829	8524 Gulf, LLC dba First Stop Food Store No. 16	46831	HARRIS	12/5/03	1,925.00	385.00	1,540.00	0.00	0.00
PST	2814	FFP TRANSPORTATION LLC	18793	TRAVIS	12/21/03	450.00	90.00	360.00	0.00	0.00
PST	8941	Ameriasia International, Inc.	70761	TARRANT	12/21/03	3,210.00	0.00	3,210.00	0.00	0.00
PST	557	Sun Coast Resources, Inc.	69744	HARRIS	12/21/03	2,100.00	0.00	2,100.00	0.00	0.00
PST	2689	Azaan Enterprises, Inc.	69485	HARRIS	12/21/03	4,590.00	918.00	3,672.00	0.00	0.00
PST	2563	Kayani-1, Inc.	73462	JEFFERSON	12/21/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	9014	MILK PRODUCTS LLC	3171	TRAVIS	12/21/03	2,460.00	0.00	2,460.00	0.00	0.00
PST	2668	M K FAMILY LIMITED PARTNERSHIP	22736	WILLIAMSON	12/21/03	4,500.00	900.00	3,600.00	0.00	0.00
PST	2559	Midland Farmers Cooperative	2312	MIDLAND	12/21/03	2,925.00	585.00	2,340.00	0.00	0.00
PST	9041	Cosby Management, Inc.	18861	DALLAS	1/8/04	4,000.00	0.00	4,000.00	0.00	0.00

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PST	9216	TEXAS PANHANDLE MHMR	25242	POTTER	1/8/04	800.00	0.00	800.00	0.00	0.00
PST	2835	HAKEMY, SHAR BAZ	5654	COLLIN	1/8/04	2,700.00	540.00	2,160.00	0.00	0.00
PST	2272	San Antonio Independent School District	3073	BEXAR	1/8/04	8,000.00	1,600.00	6,400.00	0.00	0.00
PST	2748	SUNDANCE CAR WASH LLP	4003	LUBBOCK	1/8/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9074	R & S LEASING	9487	WASHINGTON	1/8/04	3,200.00	0.00	3,200.00	0.00	0.00
PST	9134	Alpha Beta Enterprises, Inc.	9064	DALLAS	1/8/04	4,100.00	0.00	4,100.00	0.00	0.00
PST	9245	KEN'S TEXACO, INC.	11737	BEXAR	1/8/04	970.00	0.00	970.00	0.00	0.00
PST	9076	QUAINTANCE, STAN	35541	BELL	1/8/04	1,900.00	0.00	1,900.00	0.00	0.00
PST	2812	BETTS OIL & BUTANE INC	47907	HIDALGO	1/8/04	1,000.00	200.00	800.00	0.00	0.00
PST	392	TIDEPORT PETROLEUM INC	13392	NUECES	1/9/04	10,500.00	0.00	10,500.00	0.00	0.00
PST	2164	Petrotex Fuels, Inc.	17618	ORANGE	1/30/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	9169	COLUMBUS ISD	49494	COLORADO	1/30/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9174	EASTERN DHAKA INC	35237	GALVESTON	1/30/04	1,640.00	0.00	1,640.00	0.00	0.00
PST	9176	MEADOWS, MICHAEL	36794	WASHINGTON	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9232	Ajay & Anil Interests Inc.	33597	MATAGORDA	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9024	The Adobe Group, Inc.	14882	CAMERON	1/30/04	800.00	0.00	800.00	0.00	0.00
PST	2623	VIRANI, FIROZ G	47878	BEXAR	1/30/04	13,650.00	0.00	13,650.00	0.00	0.00
PST	9146	HASHMI, KHALID M	33647	BELL	1/30/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	2765	M & M Innovations, Inc.	18921	ELLIS	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9023	Snyder One Stop, Inc.	37741	SCURRY	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	8978	SHARARA, MEDHAT AHMED	26342	HARRIS	1/30/04	3,280.00	0.00	3,280.00	0.00	0.00
PST	9021	SAIDI, RIAD A	49027	HARRIS	1/30/04	800.00	0.00	800.00	0.00	0.00
PST	2377	Addison Enterprises Inc.	10887	DALLAS	1/30/04	900.00	0.00	900.00	0.00	0.00
PST	9204	CYN-GAIL PARTNERS	20407	PALO PINTO	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9055	PATEL, MINESH	29301	HARRIS	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	2809	Donna ISD	45503	HIDALGO	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9273	Raymond Martin dba Martin Oil Company dba In-N-Out Grocery #1	11932	PALO PINTO	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9015	THORNTON, HENRY	11531	LIBERTY	1/30/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9019	MANSOORI, MOHAMMAD HASSAN	13582	DALLAS	1/30/04	4,000.00	0.00	4,000.00	0.00	0.00
PST	9069	Dans Texasco Service Inc.	23202	TRAVIS	1/30/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	2850	MARE DIA AMIN	18396	MONTGOMERY	2/13/04	6,750.00	1,350.00	5,400.00	0.00	0.00
PST	9111	K & K Inc.	12411	CARSON	2/13/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9615	Metro Suppliers, Inc. dba Great Hills Texaco	51472	TRAVIS	2/13/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	2544	AHMAD, NAJI OTHMAN	30096	HARRIS	2/13/04	12,500.00	0.00	12,500.00	0.00	0.00
PST	9877	Woody's Smokehouse, Inc.	4577	LEON	2/13/04	3,200.00	0.00	3,200.00	0.00	0.00
PST	9677	J & J Powermart, L.L.C.	35786	HAYS	2/13/04	3,900.00	780.00	3,120.00	0.00	0.00
PST	9027	NGUYEN LOAN	8062	JEFFERSON	3/5/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9052	PETERS, ROSEMARY	50201	COLORADO	3/5/04	2,400.00	0.00	2,400.00	0.00	0.00

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PST	15015	Coastal Transport Co., Inc.	29455	BEXAR	3/5/04	500.00	0.00	500.00	0.00	0.00
PST	9053	Park N Fly of Texas, Inc.	2497	HARRIS	3/5/04	800.00	0.00	800.00	0.00	0.00
PST	8982	La Marque ISD	21614	GALVESTON	3/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9037	TT & KH Inc	14132	HARRIS	3/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	301	J. A. M. Distributing Company	T002445	HARRIS	3/5/04	3,000.00	600.00	2,400.00	0.00	0.00
PST	9094	ECBD DEVELOPMENT LP	16791	TARRANT	3/5/04	950.00	0.00	950.00	0.00	0.00
PST	2483	DIMITRIOS BITZIOS AND MIKE KOUSOUNIS	17668	GALVESTON	3/5/04	6,000.00	0.00	6,000.00	0.00	0.00
PST	9464	City of Galveston	1251	GALVESTON	3/14/04	950.00	0.00	950.00	0.00	0.00
PST	9107	Melissa Rogers dba Bob's Town & Country Market	49214	VAN ZANDT	3/14/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9374	JAIN, RAKESH	46589	GALVESTON	3/14/04	950.00	0.00	950.00	0.00	0.00
PST	2540	Car Shine, Inc.	60388	HARRIS	3/14/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	9943	Kason Automatic Transmission, Inc.	43615	BOWIE	3/14/04	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	8919	KASSAM, MEMENJI	NONE	CHAMBERS	3/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9138	ZAID, RICHARD	1991	HARRIS	3/14/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	9020	DORSEY, KI CHONG	20484	HARRIS	3/14/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9065	Adams Craig E	33791	HARRIS	3/14/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9496	Food Fast Holdings, Ltd.	883	SMITH	3/14/04	3,150.00	630.00	2,520.00	0.00	0.00
PST	2958	Coastal Transport Co., Inc.	29455	BEXAR	3/14/04	14,000.00	0.00	14,000.00	0.00	0.00
PST	9339	SAAB PETROLEUM CORP	68761	BRAZORIA	3/14/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9016	C W & A Inc.	9942	VICTORIA	3/14/04	820.00	0.00	820.00	0.00	0.00
PST	9045	Budget Rent-A-Car Of El Paso, Inc.	22651	EL PASO	3/14/04	800.00	0.00	800.00	0.00	0.00
PST	339	Palm Valley Distributing Company	73589	HIDALGO	3/14/04	5,000.00	0.00	5,000.00	0.00	0.00
PST	2259	Northwest Petroleum, L.P.	69454	WILLIAMSON	3/14/04	10,000.00	0.00	10,000.00	0.00	0.00
PST	9228	BARRILLEAUX, MICHAEL C	33827	MONTGOMERY	3/14/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	9541	Metro Suppliers, Inc. dba Great Hills Texaco	59555	TRAVIS	3/14/04	12,000.00	2,400.00	9,600.00	0.00	0.00
PST	9067	SMONKO, DAVID S	43177	BELL	3/14/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	2775	SALMAN, MOHAMMAD	14581	MONTGOMERY	3/14/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9022	PIRZADA INC	30587	HARRIS	3/14/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9121	DAY, DAREN	29604	KAUFMAN	3/22/04	4,200.00	0.00	4,200.00	0.00	0.00
PST	9096	HUYNH, PHUONG CONG	69591	HARRIS	3/22/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9051	VO, NO THI KY	24374	BEXAR	3/22/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9669	7-Eleven, Inc.	7387	DALLAS	3/22/04	1,150.00	0.00	1,150.00	0.00	0.00
PST	8944	Kohettur, Inc.	39734	HARRIS	3/22/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	2599	Uppal Brothers, Inc. dba Save Way Food Mart	44704	TARRANT	4/5/04	6,250.00	0.00	6,250.00	0.00	0.00
PST	9095	Rose Grocery Corp. dba Rose Grocery	10702	HARRIS	4/5/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9412	Oasis Car Wash, Inc. dba Oasis Car Wash & Lube Center	70690	ORANGE	4/5/04	3,220.00	644.00	2,576.00	0.00	0.00
PST	8920	Adman Company	29157	MCLENNAN	4/5/04	3,150.00	0.00	3,150.00	0.00	0.00

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PST	10362	Little "Nutt" Oil Co.	NONE	PANOLA	4/5/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9463	V&S Petroleum, Ltd.	62970	TRAVIS	4/5/04	1,000.00	200.00	800.00	0.00	0.00
PST	8921	T & F AGRI SERVICE & CONST INC	4701	WASHINGTON	4/19/04	475.00	0.00	475.00	0.00	0.00
PST	9332	SHEPHERD, HAROLD	71198	HOUSTON	4/19/04	4,875.00	975.00	3,900.00	0.00	0.00
PST	9352	J F A Oil Company	18734	HARRIS	4/19/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	2764	C. J. Yun, Inc.	0019982	NUECES	4/19/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	2494	Pyrali Hooda dba Howdy Doody #15	16526	DENTON	4/19/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9338	DUTTON, DANNY *	43124	GRAYSON	4/19/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9480	USR COMPANY	8180	DENTON	4/19/04	800.00	0.00	800.00	0.00	0.00
PST	9075	ACSS DALLAS INDUSTRIAL INC	10082	TARRANT	5/14/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9962	Luke's Little Super, Inc. dba Luke's Little Supermarket & Deli I	27214	GALVESTON	5/14/04	2,540.00	0.00	2,540.00	0.00	0.00
PST	5179	MEDINA, ABRIL *	15473	NUECES	5/14/04	12,500.00	0.00	12,500.00	0.00	0.00
PST	7569	Madanco Corporation	35088	GALVESTON	5/14/04	6,875.00	0.00	6,875.00	0.00	0.00
PST	9847	Frontier Tank Lines, Inc.	NONE	DALLAS	5/14/04	900.00	180.00	720.00	0.00	0.00
PST	9043	THOMSON, KENNETH *	66631	SHELBY	5/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9079	COOK, FORREST GLENN	26727	HARRIS	5/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	5001	Circleville Store & Grain, Inc.	40767	WILLIAMSON	5/24/04	14,400.00	0.00	14,400.00	0.00	0.00
PST	9142	Knightco Oil, Inc. dba Superior Lubricants	33904	TARRANT	5/24/04	4,200.00	0.00	4,200.00	0.00	0.00
PST	9205	Saif D Corporation dba Sunny Food Mart	251	BASTROP	5/24/04	3,800.00	0.00	3,800.00	0.00	0.00
PST	8943	Ovais Incorporated dba Sunny Food Mart	47574	BURLESON	5/24/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9114	Allied Trading Corporation dba A & Q Chevron Food Mart	46851	HARRIS	5/24/04	2,910.00	0.00	2,910.00	0.00	0.00
PST	9289	Abuiny Enterprises, Inc. dba Mainland Conoco	5707	DALLAS	5/24/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9173	MOMIN, BARKAT	35291	HARRIS	5/24/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9233	BOENING BROS DAIRY INC	11987	WILSON	6/13/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9062	IBRAHIM, SAMIR	23141	HARRIS	6/13/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	10904	Jack Ray & Sons Oil Co., Inc.	17966	DALLAS	6/13/04	7,200.00	1,440.00	5,760.00	0.00	0.00
PST	9665	Saz, Inc. dba One Market	18002	NUECES	6/13/04	1,625.00	325.00	1,300.00	0.00	0.00
PST	9570	Alyan Inc,	43542	ORANGE	6/13/04	7,820.00	1,564.00	6,256.00	0.00	0.00
PST	2782	Siber Enterprise, Inc.	39774	HARRIS	6/13/04	8,500.00	1,700.00	6,800.00	0.00	0.00
PST	9281	CORDER, JOHN MICHAEL	29311	HARRIS	6/13/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9137	Air Liquide America L.P.	46364	HARRIS	6/13/04	1,110.00	0.00	1,110.00	0.00	0.00
PST	9805	KRENEK, MARY J	25415	NACOGDOCHE	6/13/04	7,000.00	1,400.00	5,600.00	0.00	0.00
PST	9561	GARCIA, GUSTAVO *	10378	JIM WELLS	6/13/04	4,750.00	0.00	4,750.00	0.00	0.00
PST	8918	NIETO, JOSE G *	35981	HIDALGO	6/13/04	4,200.00	0.00	4,200.00	0.00	0.00
PST	9073	PATEL, BRIJESH	25511	HOUSTON	6/13/04	4,880.00	0.00	4,880.00	0.00	0.00
PST	9502	Northwest Petroleum, L.P.	71238	WILLIAMSON	6/13/04	5,625.00	1,125.00	4,500.00	0.00	0.00
PST	9108	CALVERT, DON	8171	DENTON	7/1/04	3,800.00	0.00	1,900.00	1,900.00	1,900.00

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PST	10943	Bay Oil Company	35080	GALVESTON	7/1/04	1,000.00	200.00	800.00	0.00	0.00
PST	9867	REID MICHAEL AND REID ANGELA	40447	GREGG	7/1/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	2430	PANJWANI ENTERPRISES INC	939	MONTGOMERY	7/1/04	10,000.00	0.00	10,000.00	0.00	0.00
PST	8977	Performance Food Group of Texas, L. P.	36751	VICTORIA	7/1/04	1,900.00	0.00	1,900.00	0.00	0.00
PST	9211	GLASSCOCK, BRADLEY	25321	RUSK	7/1/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9177	NEW BLESSINGS INC	9161	TARRANT	7/1/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9297	Shaheen Grocery, Inc.	50255	HARRIS	7/1/04	5,500.00	1,100.00	4,400.00	0.00	0.00
PST	2823	Alamo Star, Inc.	39474	BEXAR	7/1/04	3,900.00	780.00	3,120.00	0.00	0.00
PST	9085	METECH INC	17652	JEFFERSON	7/1/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	2847	CITY INTERNATIONAL LTD	34055	CHAMBERS	7/5/04	2,500.00	0.00	2,500.00	0.00	0.00
PST	11417	KAMALIE, NASROLAH	45459	GALVESTON	7/5/04	525.00	0.00	525.00	0.00	0.00
PST	12327	University of Texas Medical Branch at Galveston	30977	GALVESTON	7/5/04	2,750.00	550.00	2,200.00	0.00	0.00
PST	9970	Petromax Oil, Inc.	29210	HARRIS	7/5/04	1,650.00	0.00	1,650.00	0.00	0.00
PST	2343	Pan American General Hospital, L.L.C.	31789	EL PASO	7/5/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	2716	BAYTOWN BUSINESS INC	4954	HARRIS	7/5/04	8,750.00	0.00	8,750.00	0.00	0.00
PST	9180	ENHANCED BUSINESS CORPORATION	35344	HARRIS	7/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	13125	Aztec Rental Center No. 2 Inc	19646	HARRIS	7/5/04	1,540.00	308.00	1,232.00	0.00	0.00
PST	2577	KHADER, MIKE	10910	BEXAR	7/5/04	11,700.00	0.00	11,700.00	0.00	0.00
PST	9846	Mack Massey Motors, LP	18758	EL PASO	7/5/04	2,040.00	408.00	1,632.00	0.00	0.00
PST	10355	AA & MM International, Inc.	39050	GALVESTON	7/5/04	13,500.00	2,700.00	10,800.00	0.00	0.00
PST	2770	Majic Market, Inc.	5641	TARRANT	7/5/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9803	MCCALL-T LTD	56297	HARRIS	7/5/04	3,000.00	600.00	2,400.00	0.00	0.00
PST	12745	TUCKER FUEL & OIL CO INC	24004	DALLAS	7/5/04	450.00	90.00	360.00	0.00	0.00
PST	8980	Mahraj Corporation	13431	DALLAS	7/5/04	2,625.00	0.00	2,625.00	0.00	0.00
PST	13347	HARLINGEN MEDICAL CENTER LP	75045	CAMERON	7/5/04	1,625.00	325.00	1,300.00	0.00	0.00
PST	2753	JAY BRUMMETT AND GEORGE FADDOUL	45785	BASTROP	7/5/04	4,500.00	900.00	3,600.00	0.00	0.00
PST	12764	Three L, Inc.	51653	FORT BEND	7/5/04	1,000.00	200.00	800.00	0.00	0.00
PST	2830	PRASAD, AJIT	41188	TRINITY	7/30/04	12,600.00	0.00	12,600.00	0.00	0.00
PST	12690	Mail Contractors of America, Inc.	45401	DALLAS	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
PST	11334	MOLUBHOY, PERWEZ	72959	COLLIN	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
PST	9655	ADAMCIK, FRED *	14243	FAYETTE	7/30/04	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	8981	ZACHARIAH CHERIAN	14941	FORT BEND	7/30/04	10,460.00	0.00	10,460.00	0.00	0.00
PST	11044	COOK CHILDRENS HOSPITAL	73740	TARRANT	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	13346	MANORA ENTERPRISES INC	61916	TARRANT	7/30/04	800.00	0.00	800.00	0.00	0.00
PST	11519	INARA CONVENIENCE INC.	5590	TARRANT	7/30/04	10,400.00	2,080.00	8,320.00	0.00	0.00
PST	11821	McCraw Oil Company, Inc.	51224	FANNIN	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	12804	Groendyke Transport, Inc.	71080	TARRANT	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	12404	N.K.ENTERPRISES INC.	39852	HARRIS	7/30/04	4,080.00	816.00	3,264.00	0.00	0.00

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PST	10443	Hays City Corporation	NONE	FAYETTE	7/30/04	600.00	0.00	600.00	0.00	0.00
PST	1370	EL CHITO INC	35345	HARRIS	7/30/04	3,500.00	0.00	3,500.00	0.00	0.00
PST	9963	KHOJA, ASHIQ ALI	31669	GALVESTON	7/30/04	1,100.00	0.00	1,100.00	0.00	0.00
PST	9515	TRY TRANSPORTATION INC	38628	EL PASO	8/13/04	1,220.00	244.00	976.00	0.00	0.00
PST	13427	Chevron USA, Inc.	17941	HARRIS	8/13/04	750.00	150.00	600.00	0.00	0.00
PST	9253	FRANCO, HENRY	1574	HOWARD	8/13/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	11779	Texan Markets, Inc.	69820	TRAVIS	8/13/04	5,100.00	1,020.00	4,080.00	0.00	0.00
PST	11227	MCMC AUTO LTD	20963	TARRANT	8/13/04	14,000.00	2,800.00	11,200.00	0.00	0.00
PST	9013	Best Deal Enterprises, Inc.	72991	GALVESTON	8/13/04	2,700.00	0.00	2,700.00	0.00	0.00
PST	9595	MUNAWAR, MUNIR A	47930	ARANSAS	8/13/04	4,500.00	900.00	3,600.00	0.00	0.00
PST	9047	Ahor Enterprise Inc.	59801	HARRIS	8/13/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	11304	MANCHACA SERVICE CENTER INC	16311	TRAVIS	8/13/04	6,750.00	1,350.00	5,400.00	0.00	0.00
PST	9563	CHUNG, CATANGOK	1939	EL PASO	8/13/04	4,000.00	800.00	3,200.00	0.00	0.00
PST	7419	LAWRENCE, DOUGLAS M	41583	HENDERSON	8/13/04	22,000.00	21,400.00	600.00	0.00	0.00
PST	2469	Al-Huseini, Inc.	30618	MONTGOMERY	8/13/04	33,125.00	0.00	33,125.00	0.00	0.00
PST	9288	MUGHAL, NASIR	5474	GALVESTON	8/13/04	820.00	0.00	820.00	0.00	0.00
PST	10369	FARIDA-AZIZ ENTERPRISES INC	26782	FORT BEND	8/13/04	3,800.00	0.00	3,800.00	0.00	0.00
PST	11743	J. A. M. Distributing Company	T002445	HARRIS	8/13/04	1,000.00	200.00	800.00	0.00	0.00
PST	9030	Rahat Enterprises, Inc.	43127	GUADALUPE	8/13/04	2,550.00	0.00	2,550.00	0.00	0.00
PST	10963	Advance Petroleum Distributing Company, Inc.	38928	TARRANT	8/13/04	3,000.00	0.00	3,000.00	0.00	0.00
PST	12924	American Electric Power Services Corporation	66444	DALLAS	8/13/04	750.00	150.00	600.00	0.00	0.00
PST	12692	PATEL, MUKESH	47061	RAINS	8/13/04	1,625.00	325.00	1,300.00	0.00	0.00
PST	11579	PM FUEL SERVICE INC	44975	DALLAS	8/13/04	900.00	180.00	720.00	0.00	0.00
PST	13188	BRANDENBURG PRODUCTS INC	NONE	DALLAS	8/13/04	450.00	90.00	360.00	0.00	0.00
PST	10739	Texas Gulf Coast Enterprise, Inc.	73015	GALVESTON	8/13/04	11,700.00	2,340.00	9,360.00	0.00	0.00
PST	1334	ENDARI, JOSEPH T	26694	JEFFERSON	8/16/04	6,250.00	0.00	6,250.00	0.00	0.00
PST	9175	D & B Express Marts, Inc.	10212	HUNT	8/28/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	13207	AHMED, ASHFAQ	74944	DALLAS	8/28/04	2,310.00	462.00	1,848.00	0.00	0.00
PST	9161	Uppal Brothers, Inc. dba Save Way Food Mart	44704	TARRANT	8/28/04	5,350.00	0.00	5,350.00	0.00	0.00
PST	9695	City of Duncanville	45773	DALLAS	8/28/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	12285	SUPERIOR LUBRICANTS INC	33905	TARRANT	8/28/04	1,000.00	200.00	800.00	0.00	0.00
PST	9282	CARRALES, JANIE G	23552	JIM WELLS	8/28/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9222	HAQUE, MAZI BUL	41194	CHEROKEE	8/28/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9571	HAIRGROVE, VAN	32139	SHELBY	8/28/04	14,400.00	13,800.00	600.00	0.00	0.00
PST	10442	UNIVERSAL TRANSPORT INC	NONE	DALLAS	8/28/04	38,400.00	0.00	38,400.00	0.00	0.00
PST	11924	BP Amoco Chemical Company	12999	BRAZORIA	8/28/04	2,320.00	464.00	1,856.00	0.00	0.00
PST	12484	BARBER BOATS & MOTORS INC	44553	DALLAS	8/28/04	5,600.00	1,120.00	4,480.00	0.00	0.00

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PST	666	Gilbert Interests, Inc.	NONE	TRAVIS	8/28/04	10,350.00	0.00	10,350.00	0.00	0.00
PST	14831	Bay Oil Company	35080	GALVESTON	8/28/04	1,000.00	200.00	800.00	0.00	0.00
PST	13306	OMAR, BASLAN S	46261	TRAVIS	8/28/04	1,800.00	360.00	1,440.00	0.00	0.00
PST	9680	Corpus Christi ISD	4340	NUECES	8/28/04	5,000.00	1,000.00	4,000.00	0.00	0.00
PST	9088	New Way Enterprise Inc.	35274	BRAZORIA	8/28/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	2759	City of Lubbock	30251	LUBBOCK	8/30/04	4,500.00	900.00	0.00	3,600.00	3,600.00
PST	13187	Jeff Luce dba Luce Oil and Gas Company	61350	REAL	8/30/04	3,600.00	720.00	2,880.00	0.00	0.00
PST	11903	Duran Holdings, LTD.	NONE	TARRANT	8/30/04	500.00	100.00	400.00	0.00	0.00
PST	11741	IBD CORP	49421	TARRANT	8/30/04	2,040.00	408.00	1,632.00	0.00	0.00
PST	11337	GILBERT FOOD STORES INC	55925	COLLIN	8/30/04	2,040.00	408.00	1,632.00	0.00	0.00
PST	9576	Truman Arnold Companies	NONE	HUNT	8/30/04	11,130.00	2,226.00	8,904.00	0.00	0.00
PST	9436	PETRO EXPRESS MANAGEMENT LLC	26914	JEFFERSON	8/30/04	4,280.00	0.00	4,280.00	0.00	0.00
PST	2705	EILES, BRUCE A	46277	WOOD	8/30/04	4,800.00	4,200.00	600.00	0.00	0.00
PST	9283	Ikes's Texaco, Inc.	0023062	ECTOR	8/30/04	4,750.00	0.00	2,375.00	2,375.00	2,375.00
PST	5798	Petro-Chemical Transport, Inc.	NONE	BURNET	8/30/04	1,000.00	0.00	1,000.00	0.00	0.00
PST	2693	ANA, INC.	57399	HARRIS	8/30/04	1,875.00	375.00	1,500.00	0.00	0.00
PST	13446	RAHMAN, MOHAMMAD ATAUR	7422	HUNT	8/30/04	3,950.00	790.00	3,160.00	0.00	0.00
PST	9199	Port Arthur Retails, Inc.	16557	JEFFERSON	8/30/04	1,000.00	0.00	1,000.00	0.00	0.00
PST	9113	Silver Rose Enterprises, Inc.	64891	TARRANT	8/30/04	4,470.00	0.00	4,470.00	0.00	0.00
PST	8937	ANS, Inc.	9067	SMITH	8/30/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	13005	La Feria Co-Op Gin	4970	CAMERON	8/30/04	11,000.00	2,200.00	8,800.00	0.00	0.00
PST	9498	SHOUKAT, MOHAMMAD	39049	GALVESTON	8/30/04	1,120.00	0.00	1,120.00	0.00	0.00
PST	12024	FROTAN, MOHAMMAD	73447	COLLIN	8/30/04	2,700.00	540.00	2,160.00	0.00	0.00
Subtotal for PST : 260						1,229,325.00	124,035.00	1,096,915.00	8,375.00	8,375.00
PWS	5766	SOUTHWESTERN HOLDINGS INC	1890015	PRESIDIO	9/25/03	1,500.00	0.00	1,500.00	0.00	0.00
PWS	5963	City of Crowell	0780001	FOARD	9/25/03	1,400.00	0.00	1,400.00	0.00	0.00
PWS	3729	BELLEWOOD WSC	1011945	HARRIS	9/25/03	1,250.00	0.00	1,250.00	0.00	0.00
PWS	5967	LILBERT LOONEYVILLE WSC	1740013	NACOGDOCHE	9/25/03	2,430.00	0.00	2,430.00	0.00	0.00
PWS	5548	Terra Southwest, Inc.	0610161	DENTON	9/25/03	975.00	0.00	975.00	0.00	0.00
PWS	5486	JACKSON, H S *	0610086	DENTON	9/25/03	7,813.00	0.00	7,813.00	0.00	0.00
PWS	1279	LEWIS, CODY B	1500019	LLANO	10/10/03	5,000.00	0.00	5,000.00	0.00	0.00
PWS	2590	City of Princeton	NONE	COLLIN	10/10/03	625.00	0.00	625.00	0.00	0.00
PWS	4605	R & R MOBILE HOME MANAGEMENT INC	2460031	WILLIAMSON	10/10/03	3,563.00	0.00	3,563.00	0.00	0.00
PWS	5577	BEENE, ANN	0250043	BROWN	10/19/03	6,875.00	0.00	6,875.00	0.00	0.00
PWS	5325	Gerard Hungerford dba River Ranch Estates	2350043	VICTORIA	10/19/03	7,813.00	0.00	7,813.00	0.00	0.00
PWS	5190	BUTLER WSC	0810013	FREESTONE	11/2/03	1,028.00	0.00	1,028.00	0.00	0.00
PWS	5965	CRESTVIEW RV CENTER	1050026	HAYS	11/2/03	1,738.00	0.00	1,738.00	0.00	0.00
PWS	8882	BARNETT, NORMAN	1011183	HARRIS	11/2/03	4,466.00	0.00	4,466.00	0.00	0.00

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PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
PWS	5968	City of Weslaco	1080011	HIDALGO	11/2/03	3,960.00	0.00	0.00	3,960.00	3,960.00
PWS	2827	City of Springtown	NONE	PARKER	11/2/03	910.00	0.00	910.00	0.00	0.00
PWS	8559	San Antonio Water System	NONE	BEXAR	11/16/03	780.00	156.00	624.00	0.00	0.00
PWS	6021	POST OAK SUD	1090030	HILL	11/16/03	450.00	90.00	360.00	0.00	0.00
PWS	5819	City of Balmoreha	1950002	REEVES	12/5/03	485.00	0.00	485.00	0.00	0.00
PWS	5899	City of Edinburg	1080004	HIDALGO	12/5/03	19,900.00	3,980.00	0.00	15,920.00	15,920.00
PWS	11820	City of Center	2100001	SHELBY	12/5/03	2,875.00	0.00	2,875.00	0.00	0.00
PWS	7462	KELLY, FRANCIS	0250032	BROWN	1/1/04	0.00	0.00	0.00	0.00	0.00
PWS	8269	W OAKS PHOENIX CORP	1160097	HUNT	1/1/04	0.00	0.00	0.00	0.00	0.00
PWS	7301	ARETE REAL ESTATE AND DEVELOPMENT COMPANY	1013170	HARRIS	1/29/04	0.00	0.00	0.00	0.00	0.00
PWS	6796	LINCECUM, JOHN K	0200159	BRAZORIA	1/30/04	2,398.00	0.00	2,398.00	0.00	0.00
PWS	5739	City of Port Arthur	1230009	JEFFERSON	1/30/04	1,125.00	225.00	0.00	900.00	900.00
PWS	9784	CONSOLIDATED WSC	1130027	HOUSTON	1/30/04	765.00	153.00	612.00	0.00	0.00
PWS	7338	MILLIKEN, P A	0610070	DENTON	2/14/04	0.00	0.00	0.00	0.00	0.00
PWS	7939	VV Water Supply System, Inc.	0610052	DENTON	2/15/04	0.00	0.00	0.00	0.00	0.00
PWS	5731	Cedron Creek Ranch Association dba Cedron Creek Ranch Water Supply	0180051	BOSQUE	3/5/04	1,600.00	0.00	1,600.00	0.00	0.00
PWS	9804	City of Beeville	0130001	BEE	3/14/04	650.00	0.00	650.00	0.00	0.00
PWS	3489	Afton Park Civic Improvement Association	1700147	MONTGOMERY	3/14/04	1,563.00	0.00	0.00	0.00	0.00
PWS	6014	MUSTANG VALLEY WSC	0180038	BOSQUE	3/14/04	788.00	0.00	788.00	0.00	0.00
PWS	5646	Sonora Investments, LLC	2180004	SUTTON	3/14/04	2,438.00	0.00	1,238.00	1,200.00	1,200.00
PWS	5744	H-M-W Special Utility District of Harris and Montgomery Counties	1700228	MONTGOMERY	3/14/04	23,554.00	0.00	23,554.00	0.00	0.00
PWS	6685	Southern Utilities Company	2120063	SMITH	3/22/04	36,425.00	0.00	36,425.00	0.00	0.00
PWS	9860	D & M Water Supply Corporation	1740010	NACOGDOCHE	4/5/04	500.00	100.00	400.00	0.00	0.00
PWS	5529	City of La Villa	1080023	HIDALGO	5/14/04	18,025.00	0.00	18,025.00	0.00	0.00
PWS	5085	FIELDER, MARY	0200425	BRAZORIA	5/24/04	6,250.00	0.00	6,250.00	0.00	0.00
PWS	9569	Amir Saif dba Sun Power Travel Plaza	0610239	DENTON	5/24/04	2,275.00	0.00	2,275.00	0.00	0.00
PWS	11901	SAMPOGNA, HUMBERTO	1010658	HARRIS	5/24/04	2,450.00	0.00	2,450.00	0.00	0.00
PWS	5911	Lake Brownwood Christian Retreat	0250030	BROWN	6/13/04	1,613.00	0.00	0.00	1,613.00	1,613.00
PWS	7408	FULLER, SHAWN	1520249	LUBBOCK	6/13/04	3,300.00	0.00	3,300.00	0.00	0.00
PWS	5864	BRYANT, KATHIE	0270008	BURNET	6/13/04	3,014.00	0.00	3,014.00	0.00	0.00
PWS	7939	VV Water Supply System, Inc.	0610052	DENTON	6/14/04	0.00	0.00	0.00	0.00	0.00
PWS	9596	CUSTOM FOOD GROUP	0200504	BRAZORIA	7/1/04	1,563.00	0.00	1,563.00	0.00	0.00
PWS	10172	City of Round Rock	2460003	WILLIAMSON	7/5/04	555.00	0.00	555.00	0.00	0.00
PWS	7443	City of Graham	2520001	YOUNG	7/5/04	16,302.00	0.00	0.00	16,302.00	16,302.00
PWS	3777	PKCC LP *	0270113	BURNET	7/20/04	0.00	0.00	0.00	0.00	0.00
PWS	9786	BARNHART WSC	1180001	IRION	7/30/04	805.00	0.00	805.00	0.00	0.00
PWS	12284	MUSKRELLA, MIKE	0790234	FORT BEND	7/30/04	330.00	0.00	330.00	0.00	0.00

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PWS	9840	AQUA PURE WSC	0180031	BOSQUE	7/30/04	945.00	0.00	945.00	0.00	0.00
PWS	9716	Southwestern Electric Power Company	1020059	HARRISON	8/13/04	488.00	0.00	488.00	0.00	0.00
PWS	11744	NEW HORIZONS RANCH AND CENTER INC	1670009	MILLS	8/13/04	1,093.00	0.00	1,093.00	0.00	0.00
PWS	9873	City of Sonora	2180001	SUTTON	8/13/04	8,636.00	0.00	0.00	8,636.00	8,636.00
PWS	13589	Moscow Water Supply Corporation	1870125	POLK	8/13/04	263.00	53.00	210.00	0.00	0.00
PWS	11902	WEDGEWOOD HOSPITALITY INC	0790415	FORT BEND	8/13/04	1,250.00	0.00	1,250.00	0.00	0.00
PWS	3777	PKCC LP *	0270113	BURNET	8/26/04	0.00	0.00	0.00	0.00	0.00
PWS	8554	HARROLD WSC	2440002	WILBARGER	8/28/04	1,575.00	315.00	1,260.00	0.00	0.00
PWS	12324	City of Hamlin	1270002	JONES	8/28/04	2,354.00	0.00	2,354.00	0.00	0.00
PWS	13349	Dimensional Investments, Inc. dba Cutten Square Shopping Center	1011082	HARRIS	8/28/04	420.00	0.00	420.00	0.00	0.00
PWS	6626	THALIA WSC	0780013	FOARD	8/28/04	2,800.00	0.00	2,800.00	0.00	0.00
PWS	6035	City of Watauga	2200328	TARRANT	8/30/04	1,575.00	0.00	1,575.00	0.00	0.00
PWS	13887	H.I.S. Instead, Inc.	0680174	ECTOR	8/30/04	2,050.00	0.00	2,050.00	0.00	0.00
PWS	9848	BRUSHY CREEK MUD	2460061	WILLIAMSON	8/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PWS	11899	GIRL SCOUTS OF SOUTH TEXAS COUNCIL	0840142	GALVESTON	8/30/04	1,240.00	0.00	0.00	1,240.00	1,240.00
Subtotal for PWS : 66						230,913.00	5,072.00	174,507.00	49,771.00	49,771.00
WATE RIGHT	5863	City of Cooper	NONE	DELTA	11/2/03	53.00	0.00	53.00	0.00	0.00
WATE RIGHT	2593	City of Galveston	NONE	GALVESTON	11/16/03	1,338.00	0.00	1,338.00	0.00	0.00
WATE RIGHT	2594	City of Port Lavaca	NONE	CALHOUN	12/21/03	1,363.00	0.00	1,363.00	0.00	0.00
WATE RIGHT	2595	City of Terrell	NONE	KAUFMAN	4/5/04	1,943.00	0.00	0.00	1,943.00	1,943.00
WATE RIGHT	2845	EBCO Land Development, LTD.	5694	MONTGOMERY	5/14/04	13,750.00	0.00	13,750.00	0.00	0.00
WATE RIGHT	2591	BARTON CREEK WSC	NONE	TRAVIS	5/24/04	525.00	0.00	525.00	0.00	0.00
WATE RIGHT	5805	City of Pecan Gap	NONE	DELTA	6/13/04	565.00	0.00	565.00	0.00	0.00
WATE RIGHT	7444	City of Graham	2520001	YOUNG	7/1/04	4,275.00	0.00	0.00	4,275.00	4,275.00
WATE RIGHT	5824	Bell County Water Control and Improvement District No. 3	0140031	BELL	8/28/04	263.00	0.00	263.00	0.00	0.00
WATE RIGHT	5825	ROCKETT SUD	0700033	ELLIS	8/28/04	1,313.00	0.00	1,313.00	0.00	0.00
WATE RIGHT	8407	HIDALGO COUNTY IRRIGATION DISTRICT 5	NONE	HIDALGO	8/30/04	713.00	0.00	713.00	0.00	0.00
Subtotal for WATERIGHT : 11						26,101.00	0.00	19,883.00	6,218.00	6,218.00
WQ	2551	Pilgrim's Pride Corporation	TXR050410	NACOGDOCHE	9/25/03	5,425.00	0.00	5,425.00	0.00	0.00
WQ	797	City of Mission	TPDES0070017	HIDALGO	9/25/03	29,500.00	0.00	0.00	29,500.00	29,500.00
WQ	1002	Dickson Weatherproof Nail Company	TPDES0093513	HARRIS	9/25/03	65,450.00	0.00	65,450.00	0.00	0.00
WQ	2836	THE SPANOS CORPORATION	11-02022201	TRAVIS	9/25/03	1,600.00	320.00	1,280.00	0.00	0.00

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WQ	8344	BARRERA, CLAUDIO	NONE	JIM WELLS	9/25/03	875.00	0.00	875.00	0.00	0.00
WQ	1192	Luce Bayou Pud	TPDES0074870	HARRIS	9/25/03	19,475.00	0.00	0.00	19,475.00	19,475.00
WQ	2815	Superior Derrick Services, Inc.	WQ0012443001	HARRIS	10/10/03	10,118.00	2,024.00	8,094.00	0.00	0.00
WQ	8236	City of Trenton	TX0026794000	FANNIN	10/10/03	6,120.00	0.00	0.00	6,120.00	6,120.00
WQ	2633	City of Groesbeck	WQ0010182001	LIMESTONE	10/10/03	870.00	174.00	696.00	0.00	0.00
WQ	1052	City of Gregory	WQ0010092001	SAN PATRICIO	10/10/03	44,375.00	0.00	0.00	44,375.00	44,375.00
WQ	2674	Garrett Creek Ranch, Inc.	WQ0013427001	WISE	10/10/03	9,075.00	0.00	9,075.00	0.00	0.00
WQ	2552	Wal-Mart Stores, Inc.	WQ0003597000	ANDERSON	10/10/03	8,100.00	1,620.00	6,480.00	0.00	0.00
WQ	1854	CYPRESS HILLS MUD 1	WQ0012327001	HARRIS	10/10/03	2,900.00	0.00	2,900.00	0.00	0.00
WQ	2510	YATES, GERALD	101335	HOUSTON	10/10/03	238.00	0.00	238.00	0.00	0.00
WQ	2729	MCLENNAN COUNTY WCID 2	WQ0010344001	MCLENNAN	10/10/03	5,200.00	1,040.00	4,160.00	0.00	0.00
WQ	2786	TEJAS MACHINES INC	NONE	MONTGOMERY	10/10/03	3,800.00	0.00	3,800.00	0.00	0.00
WQ	5697	RONALD J MILLER DBA IMS PROPERTY MANAGEMENT	NONE	WILSON	10/19/03	3,125.00	0.00	3,125.00	0.00	0.00
WQ	6461	South Hampton Refining Co	TPDES0003204	HARDIN	10/19/03	5,400.00	0.00	2,700.00	2,700.00	2,700.00
WQ	9568	ESPINOZA STONE INC	00000011	WILLIAMSON	10/19/03	2,500.00	0.00	2,500.00	0.00	0.00
WQ	3576	Participation Development Corporation (Texas), Inc.	WQ0011506001	HENDERSON	11/2/03	15,400.00	0.00	15,400.00	0.00	0.00
WQ	7459	Hays Consolidated ISD	11-02070204	HAYS	11/2/03	650.00	130.00	520.00	0.00	0.00
WQ	2671	REED PARQUE LIMITED PARTNERSHIP	WQ0013968001	HARRIS	11/2/03	8,400.00	0.00	8,400.00	0.00	0.00
WQ	2644	City of Rhome	WQ0010701002	WISE	11/2/03	16,380.00	0.00	16,380.00	0.00	0.00
WQ	2757	Southwest Nut Company	NONE	EL PASO	11/2/03	2,140.00	0.00	2,140.00	0.00	0.00
WQ	986	City of Florence	WQ0010944001	WILLIAMSON	11/2/03	6,450.00	0.00	6,450.00	0.00	0.00
WQ	2498	City Of Shamrock	WQ0010279003	WHEELER	11/2/03	19,795.00	0.00	0.00	19,795.00	19,795.00
WQ	2556	H.I.S. Instead, Inc.	WQ0014395001	GREGG	11/2/03	13,050.00	0.00	13,050.00	0.00	0.00
WQ	2790	Conroe Sand & Clay, LTD	NONE	MONTGOMERY	11/2/03	6,600.00	0.00	6,600.00	0.00	0.00
WQ	2604	City of Yantis	WQ0012187001	WOOD	11/2/03	5,996.00	0.00	5,996.00	0.00	0.00
WQ	2794	Plains Cotton Cooperative Association	WQ0000335000	COMAL	11/2/03	15,625.00	0.00	15,625.00	0.00	0.00
WQ	2701	Aqua Texas, Inc.	TPDES0075663	HARRIS	11/16/03	9,200.00	0.00	9,200.00	0.00	0.00
WQ	2758	Tapia Dairy #3, L.L.C.	NONE	RUNNELS	11/16/03	2,240.00	0.00	2,240.00	0.00	0.00
WQ	2673	Aqua Texas, Inc.	TPDES0119571	HARRIS	11/16/03	10,000.00	2,000.00	8,000.00	0.00	0.00
WQ	944	Bell County Water Control and Improvement District No. 3	TPDES0069191	BELL	11/16/03	8,000.00	1,600.00	6,400.00	0.00	0.00
WQ	2752	City of Abilene	TPDES0023973	JONES	11/16/03	6,750.00	1,350.00	0.00	5,400.00	5,400.00
WQ	2842	COMAL COUNTY	NONE	COMAL	11/16/03	3,000.00	600.00	2,400.00	0.00	0.00
WQ	2629	HARRIS COUNTY MUD 284	TPDES0095702	HARRIS	11/16/03	6,440.00	1,288.00	5,152.00	0.00	0.00
WQ	1006	Harris County Water Control and Improvement District 1	TPDES0023311	HARRIS	11/16/03	66,000.00	0.00	66,000.00	0.00	0.00
WQ	1917	Orange County Water Control and Improvement District No. 1	TPDES0108081	ORANGE	11/16/03	5,000.00	1,000.00	0.00	4,000.00	4,000.00
WQ	2703	City of Skellytown	10283001	CARSON	12/5/03	4,200.00	0.00	0.00	4,200.00	4,200.00

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WQ	5951	LAGUNA MADRE WATER DISTRICT	TPDES0023621	CAMERON	12/5/03	13,420.00	0.00	13,420.00	0.00	0.00
WQ	2626	Aqua Texas, Inc.	TPDES0046744	HARRIS	12/5/03	5,560.00	0.00	5,560.00	0.00	0.00
WQ	2580	CITY OF COLMESNEIL	TPDES0100692	TYLER	12/5/03	3,000.00	600.00	0.00	2,400.00	2,400.00
WQ	5794	Quail Creek MUD	TPDES0023477	VICTORIA	12/21/03	6,220.00	0.00	6,220.00	0.00	0.00
WQ	5695	LAVERN, ROBERT GEORGE	TPDES0124931	HENDERSON	12/21/03	14,000.00	2,800.00	11,200.00	0.00	0.00
WQ	2730	Double Diamond Utilities Co.	TPDES0099015	PALO PINTO	12/21/03	2,100.00	420.00	1,680.00	0.00	0.00
WQ	7401	O'Quinn Land and Cattle Company, Ltd.	11-01061301	HAYS	12/21/03	1,500.00	0.00	1,500.00	0.00	0.00
WQ	928	City of Whitehouse	TPDES0072770	SMITH	12/21/03	24,890.00	0.00	24,890.00	0.00	0.00
WQ	2646	Ergon Asphalt & Emulsions, Inc.	WQ0003877000	TITUS	1/8/04	2,800.00	0.00	2,800.00	0.00	0.00
WQ	2645	Air Liquide America L.P.	WQ0001954000	BRAZORIA	1/30/04	7,800.00	1,560.00	6,240.00	0.00	0.00
WQ	965	Central Independent School District Public Facility Corporation	WQ0012214001	ANGELINA	1/30/04	0.00	0.00	0.00	0.00	0.00
WQ	2630	Fort Bend County MUD 112	WQ0013628001	FORT BEND	1/30/04	3,625.00	0.00	3,625.00	0.00	0.00
WQ	2797	LIPAR GROUP INC	WQ0014029001	MONTGOMERY	1/30/04	10,640.00	2,128.00	8,512.00	0.00	0.00
WQ	2665	Greenville Electric Utility System	WQ0002984000	HUNT	2/13/04	6,600.00	1,320.00	5,280.00	0.00	0.00
WQ	2813	A & A Salvage, Inc.	TXR05L093	GALVESTON	2/13/04	3,150.00	0.00	3,150.00	0.00	0.00
WQ	2642	City of Rockdale	WQ0010658001	MILAM	3/5/04	8,200.00	1,640.00	0.00	6,560.00	6,560.00
WQ	9556	Booker Packing Company	WQ0002757000	LIPSCOMB	3/5/04	9,200.00	0.00	9,200.00	0.00	0.00
WQ	7447	CLARK, VICKIE L *	11-00000018	TRAVIS	3/5/04	3,150.00	630.00	2,520.00	0.00	0.00
WQ	1970	U S Department of the Army	WQ0012074001	COMAL	3/5/04	1,300.00	0.00	1,300.00	0.00	0.00
WQ	5842	BAYOU CLUB OF HOUSTON	WQ0012233001	HARRIS	3/5/04	10,530.00	0.00	10,530.00	0.00	0.00
WQ	7317	ISCHY WALTER AND ISCHY NOLAN	00000011	WILLIAMSON	3/5/04	2,500.00	0.00	2,500.00	0.00	0.00
WQ	977	City of San Augustine	TPDES0022349	SAN AUGUSTIN	3/14/04	23,100.00	0.00	0.00	23,100.00	23,100.00
WQ	2803	Federal Bureau of Prisons	NONE	JEFFERSON	3/14/04	5,000.00	0.00	0.00	5,000.00	5,000.00
WQ	2317	City of Ore City	TPDES0024236	UPSHUR	3/14/04	10,751.00	2,151.00	0.00	8,600.00	8,600.00
WQ	2090	FORT HANCOCK WCID	WQ0011173001	HUDSPETH	3/14/04	11,250.00	0.00	11,250.00	0.00	0.00
WQ	2735	Thousand Trails, Inc.	TPDES0097675	RAINS	3/22/04	10,800.00	0.00	5,400.00	5,400.00	5,400.00
WQ	2686	HAWLEY, BAILEY RAY	22632	WOOD	3/31/04	0.00	0.00	0.00	0.00	0.00
WQ	5853	Equistar Chemicals, LP	TPDES0119792	HARRIS	4/5/04	54,725.00	0.00	54,725.00	0.00	0.00
WQ	9855	City of Stockdale	NONE	WILSON	4/19/04	5,400.00	0.00	0.00	5,400.00	5,400.00
WQ	10759	LEGGETT, RONNIE LEE	NONE	POLK	5/14/04	1,000.00	200.00	800.00	0.00	0.00
WQ	1040	MATAGORDA COUNTY	TPDES0098205	MATAGORDA	5/14/04	15,750.00	0.00	0.00	15,750.00	15,750.00
WQ	2654	City of Mart	TPDES0026051	MCLENNAN	5/14/04	7,280.00	1,456.00	5,824.00	0.00	0.00
WQ	9948	City of Alvarado	TPDES0033278	JOHNSON	5/14/04	6,500.00	0.00	6,500.00	0.00	0.00
WQ	10232	CMH Parks, Inc.	TPDES0083429	HARRIS	5/24/04	1,010.00	202.00	808.00	0.00	0.00
WQ	9536	Sac-N-Pac Stores, Inc.	11-95112702A	HAYS	6/13/04	6,000.00	1,200.00	4,800.00	0.00	0.00
WQ	9920	Aqua Texas, Inc.	TPDES0026247	HARRIS	6/13/04	6,720.00	0.00	6,720.00	0.00	0.00
WQ	10638	CITY OF DAINGERFIELD	TPDES0027031	MORRIS	6/13/04	2,340.00	468.00	1,872.00	0.00	0.00
WQ	2603	Town of Buckholts	TPDES0073008	MILAM	6/13/04	10,350.00	2,070.00	8,280.00	0.00	0.00

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WQ	10580	Memorial Hills Municipal Utility District	TPDES0046671	HARRIS	6/13/04	1,900.00	380.00	1,520.00	0.00	0.00
WQ	10238	City of Coolidge	TPDES0057045	LIMESTONE	6/13/04	6,875.00	1,375.00	5,500.00	0.00	0.00
WQ	10598	Protherm Services Group, LLC	WQ0003974000	HARRIS	7/1/04	3,680.00	736.00	2,944.00	0.00	0.00
WQ	10212	MASSEY, JIMMIE WAYNE	TPDES0070297	MATAGORDA	7/1/04	3,000.00	600.00	2,400.00	0.00	0.00
WQ	11921	VERRY, RICHARD ALLEN	TPDES0085871	HARRIS	7/1/04	3,000.00	600.00	2,400.00	0.00	0.00
WQ	2686	HAWLEY, BAILEY RAY	22632	WOOD	7/2/04	0.00	0.00	0.00	0.00	0.00
WQ	2816	Brazoria County MUD 21	WQ0014222001	BRAZORIA	7/5/04	3,565.00	713.00	2,852.00	0.00	0.00
WQ	10361	FMC Technologies, Inc.	WQ0002611000	HARRIS	7/5/04	19,950.00	0.00	9,975.00	9,975.00	9,975.00
WQ	9964	City of Palmer	TPDES0026603	ELLIS	7/5/04	18,160.00	0.00	18,160.00	0.00	0.00
WQ	9954	ALEDO ISD	WQ0013438001	PARKER	7/5/04	2,580.00	516.00	2,064.00	0.00	0.00
WQ	9902	BENNEFIELD, BRUCE	NONE	NEWTON	7/5/04	1,000.00	200.00	800.00	0.00	0.00
WQ	2841	Dutch Boy Cleaners, Inc.	NONE	BEXAR	7/5/04	4,000.00	800.00	3,200.00	0.00	0.00
WQ	10191	Applied Industrial Materials Corporation	TPDES0094129	GALVESTON	7/5/04	940.00	188.00	752.00	0.00	0.00
WQ	9294	Chemical Specialties, Inc.	WQ0001878000	BRAZORIA	7/5/04	10,600.00	2,120.00	8,480.00	0.00	0.00
WQ	2515	REYNOLDS, DAVID	TX0124877	ANDERSON	7/5/04	14,280.00	0.00	14,280.00	0.00	0.00
WQ	10131	City Of New London	TPDES0087360	RUSK	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
WQ	10359	Big Oaks Municipal Utility District	TPDES0096911	FORT BEND	7/30/04	5,600.00	1,120.00	4,480.00	0.00	0.00
WQ	9780	Pure Utilities, L.C.	TPDES0063509	POLK	7/30/04	3,220.00	644.00	2,576.00	0.00	0.00
WQ	9454	Marathon Ashland Petroleum LLC	TX0003697	GALVESTON	7/30/04	15,750.00	0.00	15,750.00	0.00	0.00
WQ	10398	EL PASO COUNTY WCID 4	TPDES0065013	EL PASO	7/30/04	5,000.00	0.00	5,000.00	0.00	0.00
WQ	9660	Texas Department of Public Safety	11-03030501	WILLIAMSON	7/30/04	7,500.00	1,500.00	6,000.00	0.00	0.00
WQ	10560	Linde Gas, L.L.C. *	TX0118389	HARRIS	7/30/04	9,480.00	0.00	9,480.00	0.00	0.00
WQ	2009	Texas Parks And Wildlife Department	WQ0014199001	BURNET	7/30/04	9,775.00	0.00	0.00	9,775.00	9,775.00
WQ	10151	MARSHALL, SANDRA	NONE	NEWTON	7/30/04	625.00	125.00	500.00	0.00	0.00
WQ	9564	KARBALAI, LAURA REDOW	TPDES0123579	HARRIS	7/30/04	14,375.00	2,875.00	11,500.00	0.00	0.00
WQ	9853	BAHRAM SOLHJOU	WQ0012882001	HARRIS	8/13/04	3,120.00	624.00	2,496.00	0.00	0.00
WQ	13828	Hausman 18 Joint Venture, Ltd.	13-03012702	BEXAR	8/13/04	900.00	180.00	720.00	0.00	0.00
WQ	2553	City of Lakeport	TPDES0071871	GREGG	8/13/04	20,900.00	0.00	0.00	20,900.00	20,900.00
WQ	11357	RANKIN ROAD WEST MUD	TPDES0097047	HARRIS	8/13/04	4,400.00	880.00	0.00	3,520.00	3,520.00
WQ	10241	Contractor's Supplies, Inc.	TXG110197	*MULTIPLE	8/13/04	6,200.00	1,240.00	4,960.00	0.00	0.00
WQ	1059	City of Hidalgo	TPDES0058386	HIDALGO	8/28/04	2,595.00	0.00	2,595.00	0.00	0.00
WQ	13350	THE LOOKOUT PARTNERS LP	11-03040301	WILLIAMSON	8/28/04	1,875.00	375.00	1,500.00	0.00	0.00
WQ	2612	Hooks Mobile Home Park, Ltd.	WQ0012083001	HARRIS	8/28/04	4,275.00	0.00	4,275.00	0.00	0.00
WQ	2588	LEVERETTS CHAPEL ISD	WQ0011113001	RUSK	8/28/04	7,746.00	1,549.00	6,197.00	0.00	0.00
WQ	1482	Creek Park Corporation	WQ0013868001	JOHNSON	8/28/04	7,200.00	0.00	7,200.00	0.00	0.00
WQ	11338	SAWYER RANCH LTD	11-01052201	HAYS	8/28/04	950.00	0.00	950.00	0.00	0.00
WQ	12666	TXU Generation Company LP	TPDES0001015	DALLAS	8/28/04	2,800.00	560.00	2,240.00	0.00	0.00
WQ	12865	Leon Springs Utility Company	WQ0012557001	BEXAR	8/28/04	14,430.00	2,886.00	11,544.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
WQ	9951	City of Tenaha	WQ0010818001	SHELBY	8/28/04	2,000.00	400.00	0.00	1,600.00	1,600.00
WQ	11397	Robroy Industries-Texas, L.P.	WQ0001052000	UPSHUR	8/28/04	10,445.00	0.00	10,445.00	0.00	0.00
WQ	11719	WESTWOOD WSC	WQ0011337001	JASPER	8/28/04	6,250.00	0.00	6,250.00	0.00	0.00
WQ	2640	Kelly Lane Utility Company	WQ0013219001	TRAVIS	8/28/04	3,900.00	0.00	3,900.00	0.00	0.00
WQ	12694	City of Gonzales	WQ0010488001	GONZALES	8/28/04	4,700.00	940.00	3,760.00	0.00	0.00
WQ	14348	WEEKLEY HOMES LP	13-03052901	BEXAR	8/28/04	750.00	150.00	600.00	0.00	0.00
WQ	2853	Ricetec, Inc.	WQ0014068001	BRAZORIA	8/30/04	10,500.00	0.00	10,500.00	0.00	0.00
WQ	10235	CITY OF CADDO MILLS	WQ0010425001	HUNT	8/30/04	8,350.00	0.00	0.00	8,350.00	8,350.00
WQ	333	Gulf Marine Fabricators, Inc.	WQ0003012000	SAN PATRICIO	8/30/04	19,500.00	1,600.00	8,950.00	8,950.00	8,950.00
WQ	12266	Union Water Supply Corporation	WQ0013842001	STARR	8/30/04	3,150.00	630.00	2,520.00	0.00	0.00
WQ	990	ConocoPhillips Company	WQ0000721000	BRAZORIA	8/30/04	140,250.00	0.00	70,125.00	70,125.00	70,125.00
WQ	11246	HILL COUNTRY BIBLE CHURCH INC	11-02060607B	WILLIAMSON	8/30/04	5,000.00	1,000.00	4,000.00	0.00	0.00
WQ	13485	City of Somerset	WQ0011822001	BEXAR	8/30/04	850.00	170.00	680.00	0.00	0.00
WQ	14832	CITY OF CAMPBELL	WQ0013791001	HUNT	8/30/04	12,360.00	0.00	0.00	12,360.00	12,360.00
WQ	2670	THOMAS, TOMMY JOE	WQ0012919001	HARRIS	8/30/04	14,100.00	0.00	14,100.00	0.00	0.00
WQ	2755	City of Sabinal	WQ0010604001	UVALDE	8/30/04	6,560.00	1,312.00	0.00	5,248.00	5,248.00
Subtotal for WQ : 132						1,266,534.00	61,379.00	846,577.00	358,578.00	358,578.00
WWA	2825	Lueck Dairies Texas, L.L.C.	TX0121835	ERATH	11/16/03	1,925.00	385.00	1,540.00	0.00	0.00
WWA	1132	SCHOUTEN DENNIS & SCHOUTEN CORNELIUS T & SCHOUTEN NICHOLAS	WQ0004133000	ERATH	1/30/04	11,550.00	0.00	11,550.00	0.00	0.00
WWA	2243	BYL, PAUL *	WQ0003316000	ERATH	1/30/04	4,375.00	0.00	4,375.00	0.00	0.00
WWA	1515	Tapia Dairy #3, L.L.C.	WQ0004012000	TOM GREEN	2/13/04	7,700.00	0.00	7,700.00	0.00	0.00
WWA	4021	Pilgrim Poultry GP	WQ0004032000	CAMP	4/19/04	200,000.00	0.00	100,000.00	200,000.00	100,000.00
WWA	3772	Calvin Pareo dba Pareo Dairy	TPDES0131342	COMANCHE	4/19/04	4,000.00	0.00	2,000.00	2,000.00	2,000.00
WWA	1125	R J SMELLEY COMPANY INC	WQ0002422000	TARRANT	5/24/04	2,250.00	0.00	1,125.00	1,125.00	1,125.00
WWA	9957	JENNETT, NILES *	WQ0003286000	ERATH	7/5/04	2,040.00	408.00	1,632.00	0.00	0.00
Subtotal for WWA : 8						233,840.00	793.00	129,922.00	203,125.00	103,125.00
Total for Singles Programs : 720						7,529,538.00	444,228.00	5,080,659.00	2,103,088.00	2,103,088.00

Multi-Media Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
MM	8033	KEY, CLIFFORD GLEN	NONE	NEWTON	9/25/03	6,000.00	0.00	6,000.00	0.00	0.00
MM	6023	PRICE, WILLARD	SC0013P	SAN JACINTO	9/25/03	1,800.00	360.00	1,440.00	0.00	0.00
MM	8543	Century Trucking, Inc.	NONE	HARDIN	9/25/03	3,750.00	0.00	3,750.00	0.00	0.00
MM	5914	CANTU, RUDY	BG1264G	BEXAR	10/10/03	2,100.00	0.00	2,100.00	0.00	0.00
MM	5867	BILL TURNER DBA TURNER ROOFING	NONE	NEWTON	10/10/03	3,675.00	0.00	3,675.00	0.00	0.00
MM	351	Tecon Water Company, L.P.	1700386	MONTGOMERY	10/10/03	63,044.00	0.00	63,044.00	0.00	0.00
MM	8240	Rohm And Haas Texas Incorporated	29010	HARRIS	10/10/03	50,580.00	10,116.00	40,464.00	0.00	0.00
MM	2720	MARVIN AND BETTY WHITEHEAD DBA	NONE	JASPER	10/10/03	5,250.00	0.00	5,250.00	0.00	0.00
MM	3588	City of Kountze	1000001	HARDIN	10/10/03	14,938.00	0.00	0.00	14,938.00	14,938.00
MM	5957	BASIC EQUIPMENT COMPANY	NE0495H	NUECES	10/10/03	5,250.00	0.00	5,250.00	0.00	0.00
MM	5944	Greif, Inc.	1763	HARRIS	12/5/03	19,270.00	0.00	19,270.00	0.00	0.00
MM	7972	WALKER BROTHERS CONSTRUCTION	NONE	NEWTON	12/21/03	7,500.00	6,900.00	600.00	0.00	0.00
MM	2792	CITY OF THE COLONY	WQ0011570001	*MULTIPLE	1/8/04	20,535.00	4,000.00	16,535.00	16,535.00	16,535.00
MM	5501	COASTLINE RESOURCES INC	85547	SAN PATRICIO	1/30/04	24,725.00	0.00	24,725.00	0.00	0.00
MM	8023	M TRANSPORTS INC	HAU0031	CAMERON	1/30/04	9,450.00	0.00	9,450.00	0.00	0.00
MM	7138	B & B Construction Co., Inc.	NONE	TERRY	4/19/04	3,500.00	0.00	3,500.00	0.00	0.00
MM	6699	Ransom Industries, LP	SK0041T	SMITH	5/14/04	112,250.00	0.00	56,125.00	56,125.00	56,125.00
MM	9664	Conner Steel Products Inc.	80773	TOM GREEN	5/14/04	6,820.00	0.00	6,820.00	0.00	0.00
MM	5803	City of Alice	1250001	JIM WELLS	5/24/04	1,363.00	273.00	0.00	1,090.00	1,090.00
MM	5709	FLORES, FELIX	GL0133J	GUADALUPE	5/24/04	5,000.00	0.00	5,000.00	0.00	0.00
MM	7173	Sneed Shipbuilding, Inc.	OC0065S	ORANGE	6/13/04	7,000.00	0.00	7,000.00	0.00	0.00
MM	10052	Crown Cork & Seal Company (USA), Inc.	TB0016Q	TAYLOR	7/1/04	2,625.00	0.00	2,625.00	0.00	0.00
MM	9196	Texas Pacifico Transportation, LTD.	F1534	TOM GREEN	7/1/04	12,780.00	0.00	12,780.00	0.00	0.00
MM	10053	TPI Petroleum, Inc.	65750	CLAY	7/5/04	11,500.00	2,300.00	9,200.00	0.00	0.00
MM	5813	Waste Management of Texas, Inc.	249C	TRAVIS	7/5/04	244,420.00	0.00	122,210.00	122,210.00	122,210.00
MM	5811	BFI WASTE SYSTEMS OF NORTH AMERICA, INC.	1447	TRAVIS	7/5/04	28,000.00	0.00	14,000.00	14,000.00	14,000.00
MM	6031	NUECES COUNTY WCID 5	1780010	NUECES	7/5/04	6,600.00	0.00	0.00	6,600.00	6,600.00
MM	10244	City Of Earth	455020031	LAMB	7/5/04	7,000.00	1,400.00	5,600.00	0.00	0.00
MM	13245	AEP Texas North Company	31872	*MULTIPLE	7/5/04	7,970.00	1,270.00	3,350.00	3,350.00	3,350.00
MM	11760	FORTNER, JAMES RICKEY JR	NONE	COLLIN	7/30/04	500.00	100.00	400.00	0.00	0.00
MM	10357	COOKS POINT WSC	0260028	BURLESON	7/30/04	1,220.00	127.00	1,093.00	0.00	0.00
MM	9670	Nacogdoches County	BE00062	NACOGDOCHE	7/30/04	16,875.00	3,375.00	0.00	13,500.00	13,500.00
MM	13529	City Of San Angelo	NONE	TOM GREEN	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
MM	16122	YFZ Land, Limited Liability Company	NONE	SCHLEICHER	8/2/04	0.00	0.00	0.00	0.00	0.00
MM	9953	MYERS, JOHN	TXR05R128	LLANO	8/13/04	9,450.00	8,850.00	600.00	0.00	0.00
MM	3187	Top Cut Tree Service, Inc.	MQ0308P	MONTGOMERY	8/13/04	8,750.00	0.00	8,750.00	0.00	0.00
MM	6030	H & H Meat Products, Inc.	NONE	HIDALGO	8/28/04	6,000.00	0.00	6,000.00	0.00	0.00
MM	9293	TROPHY IMPORTS & EXPORTS INC	47553	HIDALGO	8/28/04	15,413.00	3,083.00	12,330.00	0.00	0.00

Date Range Selected : 09/01/2003 - 08/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
MM	164	Richmar Foods, Inc.	74807	EL PASO	8/30/04	2,040.00	408.00	1,632.00	0.00	0.00
MM	10367	RANCO INC	38665	CAMERON	8/30/04	3,990.00	0.00	3,990.00	0.00	0.00
MM	9681	City Of Jasper	1210001	JASPER	8/30/04	15,812.00	210.00	0.00	15,602.00	15,602.00
Total for Multi-Media Programs : 41						776,545.00	43,132.00	485,998.00	263,950.00	263,950.00
Total for all Programs : 761						8,306,083.00	487,360.00	5,566,657.00	2,367,038.00	2,267,038.00

Summary of SEPs:

Total Orders : 761
Orders with SEPs : 92
Orders with SEPs % : 12.1
Orders with SEP Offset % : 29.0

* There are Multiple Respondent Names associated to this Case No.

ENFORCEMENT REPORT TO THE COMMISSION FOR JULY 2004

October 15, 2004 Commission Work Session

PROGRAMS	FORMAL ACTIONS INITIATED BY EDPR/PETITION OR DRAFT ORDER		ADMINISTRATIVE ORDERS ISSUED BY THE COMMISSION		FISCAL YEAR 2004 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TCEQ				
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE	SEP COST	SEP OFFSET
AGRICULTURE	1	8	1	8	\$233,840.00	\$793.00	\$129,922.00	\$203,125.00	\$103,125.00
AIR	27	288	33	135	\$3,399,078.00	\$150,518.00	\$1,954,334.00	\$1,294,226.00	\$1,294,226.00
INDUSTRIAL AND HAZARDOUS WASTE ¹	3	22	2	15	\$283,705.00	\$8,360.00	\$253,345.00	\$22,000.00	\$22,000.00
MUNICIPAL SOLID WASTE	3	41	8	23	\$204,330.00	\$6,920.00	\$154,655.00	\$42,755.00	\$42,755.00
OCCUPATIONAL CERTIFICATION	2	37	1	13	\$11,288.00	\$475.00	\$10,813.00	\$0.00	\$0.00
PETROLEUM STORAGE TANKS	22	569	42	203	\$931,650.00	\$61,213.00	\$868,037.00	\$2,400.00	\$2,400.00
PUBLIC WATER SUPPLY ²	17	129	8	60	\$228,881.00	\$4,704.00	\$176,501.00	\$46,113.00	\$46,113.00
WATER QUALITY	20	214	23	103	\$940,478.00	\$46,883.00	\$666,070.00	\$227,525.00	\$227,525.00
MULTI-MEDIA	5	52	12	33	\$715,090.00	\$30,581.00	\$452,696.00	\$248,348.00	\$248,348.00
TOTALS	100	1360	130	593	\$6,948,340.00	\$310,447.00	\$4,666,373.00	\$2,086,492.00	\$1,986,492.00

¹ Includes radioactive waste and underground injection control cases

² Includes water rights cases

ENFORCEMENT REPORT TO THE COMMISSION FOR JULY 2004

October 15, 2004 Commission Work Session

PROGRAMS	WRITTEN NOTICES OF VIOLATION (NOVS) ISSUED REGARDING TCEQ INVESTIGATIONS ³		NOVS ISSUED REGARDING SELF REPORTED DATA REQUIRED BY PUBLIC WATER SUPPLY AND WASTEWATER TREATMENT FACILITIES		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS ⁴	CASES BEING TRACKED FOR COMPLIANCE ⁵
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	14	97	N/A	N/A	0	1	9	33
AIR	111	872	N/A	N/A	4	40	243	212
INDUSTRIAL AND HAZARDOUS WASTE	22	141	N/A	N/A	0	14	67	153
MUNICIPAL SOLID WASTE	13	188	N/A	N/A	1	10	49	109
OCCUPATIONAL CERTIFICATION	3	9	N/A	N/A	0	8	23	37
PETROLEUM STORAGE TANKS	87	1086	N/A	N/A	0	154	477	333
PUBLIC WATER SUPPLY	91	1211	451	3692	2	28	191	372
WATER QUALITY	242	1536	39	175	4	16	262	195
MULTI-MEDIA	7	69	N/A	N/A	0	8	68	128
TOTALS	590	5209	490	3867	11	279	1389	1572

³ Includes NOVs issued regarding investigations and enforcement cases. The investigations that these NOVs address could be either record reviews or onsite investigations.

⁴ Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet, unless the action is an AG referral for which the case will be considered to be under development until issuance of a Final Judgment. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

⁵ Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 4) is finalized.

ENFORCEMENT REPORT TO THE COMMISSION FOR JULY 2004

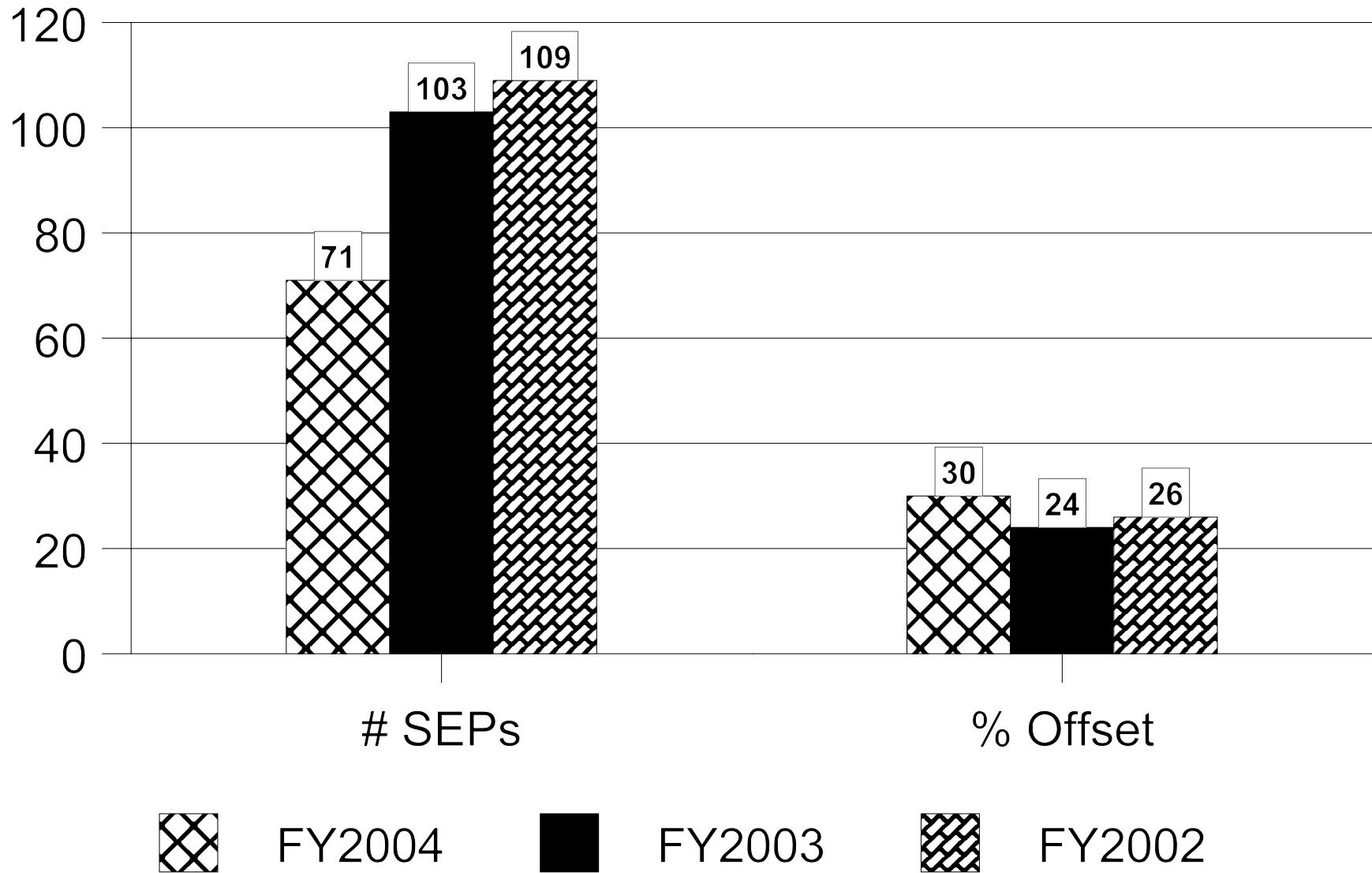
October 15, 2004 Commission Work Session

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TCEQ		CASES PENDING AT THE STATE OFFICE OF ADMIN. HEARINGS	CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL ⁶	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS ⁷		NOTICE OF AUDIT LETTERS RECEIVED REGARDING VOLUNTARY ENVIRONMENTAL SELF AUDITS		DISCLOSURE OF VIOLATIONS LETTERS RECEIVED REGARDING VOLUNTARY ENVIRONMENTAL SELF AUDITS		CASES SCREENED AND APPROVED FOR ENFORCEMENT ACTION	
	Total	Backlog	Total	Total	Month	FY	Month	FY	Month	FY	Month	FY
AGRICULTURE	16	8	3	0	0	0	0	15	0	0	0	9
AIR	267	33	5	15	0	2	9	674	1	35	40	349
INDUSTRIAL AND HAZARDOUS WASTE	56	18	7	36	0	6	0	4	0	6	9	43
MUNICIPAL SOLID WASTE	66	25	8	32	0	5	0	2	0	0	4	52
OCCUPATIONAL CERTIFICATION	42	9	1	2	0	0	0	4	0	0	1	32
PETROLEUM STORAGE TANKS	523	92	24	14	1	3	0	10	0	6	85	728
PUBLIC WATER SUPPLY	155	29	4	44	0	8	0	0	0	0	20	183
WATER QUALITY	307	50	7	34	0	4	5	31	0	0	63	306
MULTI-MEDIA	76	24	7	8	0	5	10	118	1	28	12	83
TOTALS	1508	288	66	185	1	33	24	858	2	75	234	1785

⁶ AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

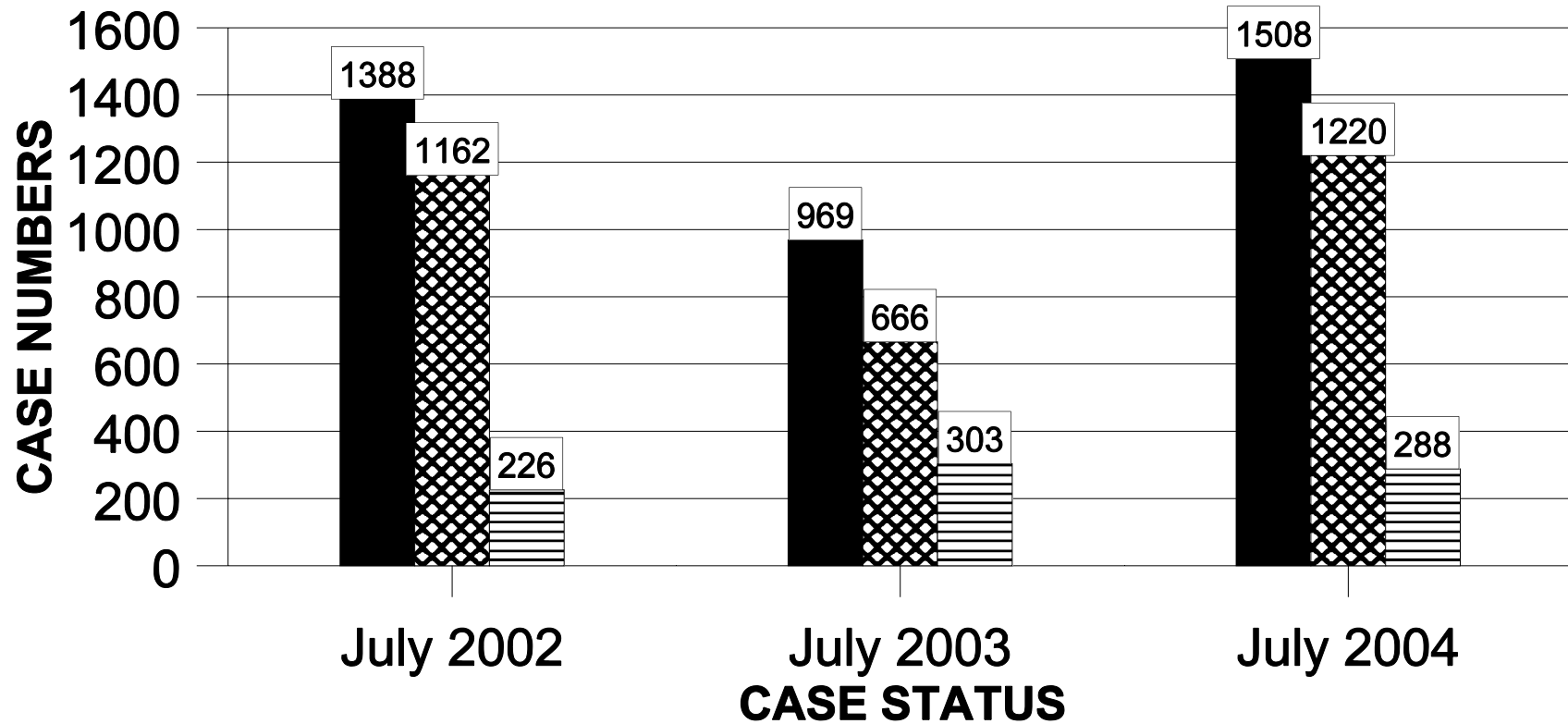
⁷ These numbers are obtained from the Attorney General's Office.

Comparison of Supplemental Environmental Project (SEP) Data (thru July)



AGENCY-WIDE BACKLOG DISTRIBUTION

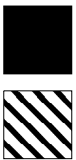
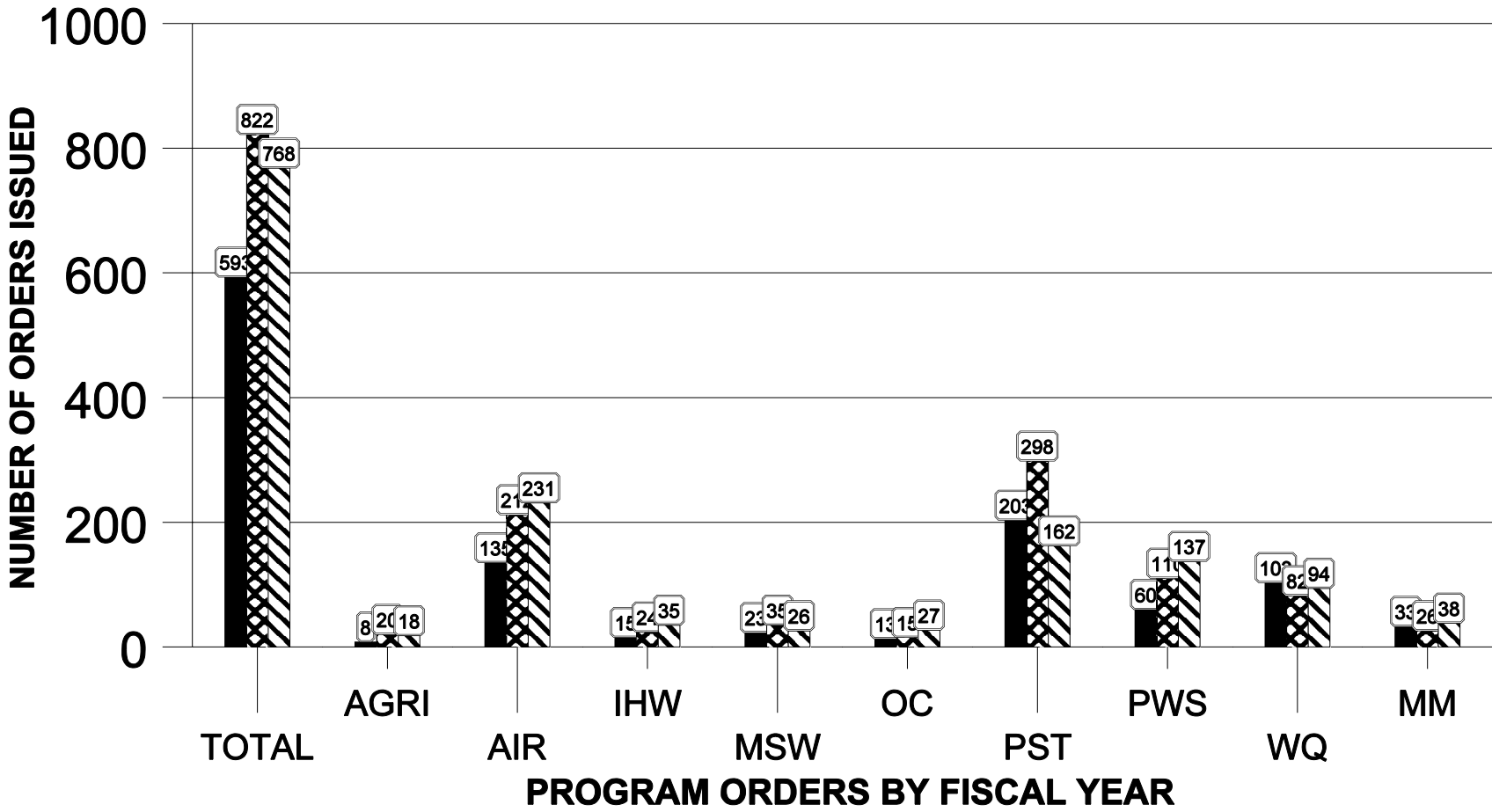
JULY 2002 - JULY 2004



■ Pending
▨ Backlogged

▩ On Time

COMPARISON OF ORDERS ISSUED FY 2002 thru FY 2004



Thru July 2004

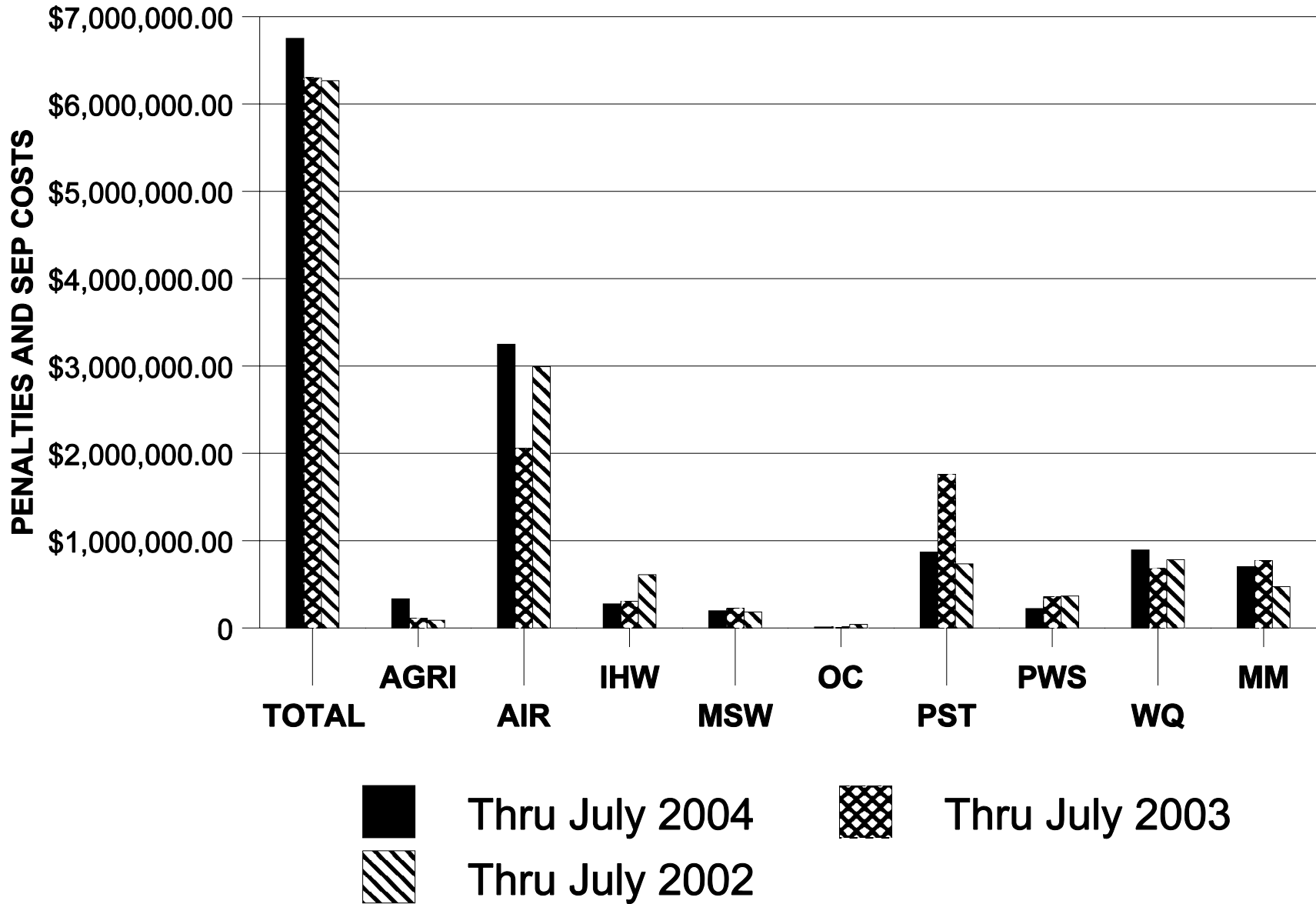


Thru July 2003



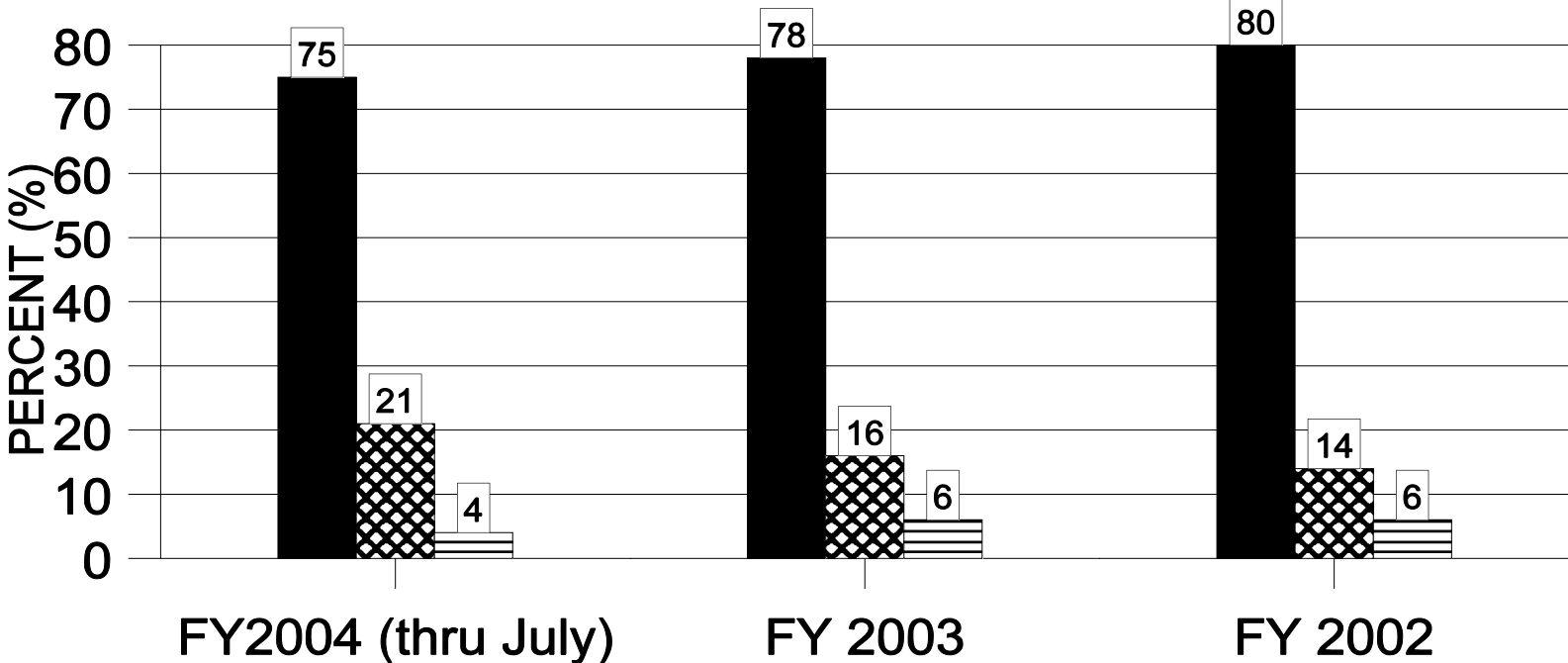
Thru July 2002

COMPARISON OF ORDERS ISSUED FY 2002 thru FY 2004



FINAL ORDER STATISTICS

FOR FISCAL YEARS 2002 THRU 2004



- Settled by Enforcement Division
- ▣ Resolved in Litigation Division w/o SOAH Referral
- ▨ Resolved after SOAH Referral

Administrative Orders Issued

Singles Programs

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	7364	Drilling Specialties Company, LLC	1803	MONTGOMERY	9/25/03	6,350.00	0.00	6,350.00	0.00	0.00
AQ	5928	U.S. Clay, L.P.	4049	CAMERON	9/25/03	2,100.00	0.00	1,050.00	1,050.00	1,050.00
AQ	6004	Firestone Polymers, LLC	292	ORANGE	9/25/03	10,220.00	2,044.00	8,176.00	0.00	0.00
AQ	7361	Atofina Petrochemicals, Inc.	1267	JEFFERSON	9/25/03	7,560.00	1,512.00	6,048.00	0.00	0.00
AQ	5330	IRONHORSE MFG INC	JE0913J	JEFFERSON	9/25/03	9,200.00	0.00	9,200.00	0.00	0.00
AQ	5363	COMPASS OPERATING LLC	53003	KARNES	9/25/03	7,500.00	1,500.00	6,000.00	0.00	0.00
AQ	5971	Mason County Feeders, LTD.	BG1309J	BEXAR	9/25/03	1,050.00	0.00	1,050.00	0.00	0.00
AQ	3168	The Premcor Refining Group Inc.	2303A	JEFFERSON	10/10/03	8,000.00	1,600.00	3,200.00	3,200.00	3,200.00
AQ	6025	Phillips Pipe Line Company	HG0565J	HARRIS	10/10/03	2,600.00	520.00	2,080.00	0.00	0.00
AQ	9841	Pioneer Hi-Bred International, Inc.	HN0160N	HIDALGO	10/10/03	3,150.00	0.00	3,150.00	0.00	0.00
AQ	8030	OPPER ENTERPRISE INC	MQ1716T	MONTGOMERY	10/10/03	1,050.00	0.00	1,050.00	0.00	0.00
AQ	6478	ICO WORLDWIDE LP	HG0539K	HARRIS	10/10/03	1,975.00	395.00	1,580.00	0.00	0.00
AQ	5264	E. I. Dupont De Nemours and Company	JE0033C	JEFFERSON	10/10/03	25,125.00	5,025.00	10,050.00	10,050.00	10,050.00
AQ	3251	Structural Metals, Inc.	NONE	GUADALUPE	10/10/03	94,887.00	0.00	32,262.00	62,625.00	62,625.00
AQ	7782	Solutia, Inc.	38336	BRAZORIA	10/10/03	37,500.00	7,500.00	15,000.00	15,000.00	15,000.00
AQ	3715	Boral Bricks, Inc.	21012	RUSK	10/10/03	22,500.00	4,500.00	18,000.00	0.00	0.00
AQ	5970	Randy Roan Construction, Inc.	948639L	MONTGOMERY	10/10/03	2,700.00	0.00	2,700.00	0.00	0.00
AQ	5941	Stewart Motor Company of Corsicana, Inc. dba Stewart Motor Company	55515	NAVARRO	10/19/03	6,300.00	0.00	6,300.00	0.00	0.00
AQ	8563	Chevron USA, Inc.	457	MIDLAND	10/19/03	1,925.00	385.00	1,540.00	0.00	0.00
AQ	4990	G-P Gypsum Corporation	HE0006D	HARDEMAN	11/2/03	3,350.00	0.00	3,350.00	0.00	0.00
AQ	4887	Air Liquide America Corporation	BL0626U	BRAZORIA	11/2/03	0.00	0.00	0.00	0.00	0.00
AQ	5938	Osburn Contractors, Inc.	932818Q	DALLAS	11/2/03	10,000.00	0.00	10,000.00	0.00	0.00
AQ	5959	High Island Petrochemicals, L.L.C.	CI0113C	CHAMBERS	11/2/03	1,110.00	0.00	1,110.00	0.00	0.00
AQ	5961	Ysleta Independent School District	EE1018R	EL PASO	11/2/03	750.00	150.00	600.00	0.00	0.00
AQ	6041	Acadia Elastomers Corporation	NA0035U	NACOGDOCHE	11/2/03	14,000.00	2,800.00	11,200.00	0.00	0.00
AQ	6042	Oasis Pipe Line Company Texas L.P.	CA0027J	CALDWELL	11/2/03	3,750.00	750.00	3,000.00	0.00	0.00
AQ	5712	Das Brot, Inc.	DB3131K	DALLAS	11/2/03	3,550.00	0.00	3,550.00	0.00	0.00
AQ	6018	Lifetime Doors Inc.	RI0010S	ROBERTSON	11/2/03	1,370.00	0.00	1,370.00	0.00	0.00
AQ	5800	Quicksilver Resources Inc.	FG0629T	FORT BEND	11/2/03	650.00	130.00	520.00	0.00	0.00
AQ	2895	Ocean Energy, Inc.	HX1519Q	HARRIS	11/2/03	5,625.00	1,125.00	4,500.00	0.00	0.00
AQ	3751	Chevron USA, Inc.	15311	HARRIS	11/16/03	2,075.00	415.00	1,660.00	0.00	0.00
AQ	5795	Millenium Polymers, Ltd.	HG3371D	HARRIS	11/16/03	7,500.00	6,900.00	600.00	0.00	0.00
AQ	5823	Ameron International Corporation	1017	WICHITA	11/16/03	950.00	0.00	950.00	0.00	0.00
AQ	5723	Valero Refining Company Texas L.P.	1231	NUECES	11/16/03	8,050.00	0.00	8,050.00	0.00	0.00
AQ	4758	Kelly-Moore Paint Company, Inc.	11957	TARRANT	11/16/03	2,375.00	475.00	1,900.00	0.00	0.00
AQ	5950	Hill-Lake Gas Storage, L.P.	2544	EASTLAND	11/16/03	2,375.00	0.00	2,375.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	6043	Kinder Morgan Co2 Company, L.P.	15470	SCURRY	11/16/03	5,000.00	1,000.00	4,000.00	0.00	0.00
AQ	8560	Watertown Soles, Inc.	0004	VAL VERDE	11/16/03	1,300.00	260.00	1,040.00	0.00	0.00
AQ	5982	Chevron USA, Inc.	13483	CROCKETT	12/5/03	20,000.00	4,000.00	16,000.00	0.00	0.00
AQ	5303	Penske Truck Leasing Co., L.P.	EE1312O	EL PASO	12/5/03	750.00	0.00	750.00	0.00	0.00
AQ	1	United Structures of America, Inc.	HG1387C	HARRIS	12/5/03	2,125.00	425.00	1,700.00	0.00	0.00
AQ	5094	Duke Energy Field Services, L.P.	21434	CROCKETT	12/5/03	7,740.00	1,548.00	3,096.00	3,096.00	3,096.00
AQ	5862	Exxon Mobil Corporation	23353	KLEBERG	12/5/03	1,875.00	375.00	1,500.00	0.00	0.00
AQ	5909	Precision Pipe & Excavating, L.L.C.	49390	FORT BEND	12/5/03	5,000.00	1,000.00	4,000.00	0.00	0.00
AQ	8896	Chevron Phillips Chemical Company, LP	JE0508W	JEFFERSON	12/21/03	134,850.00	0.00	67,425.00	67,425.00	67,425.00
AQ	2500	Duke Energy Field Services, L.P.	SQ0013E	SUTTON	12/21/03	2,000.00	400.00	800.00	800.00	800.00
AQ	6016	Chevron Phillips Chemical Company, LP	HG0310V	HARRIS	12/21/03	22,750.00	0.00	22,750.00	0.00	0.00
AQ	7454	Sherwin Alumina, L.P.	SD0037N	SAN PATRICIO	12/21/03	6,300.00	0.00	3,150.00	3,150.00	3,150.00
AQ	4300	Tyson Fresh Meats, Inc.	PG0024R	POTTER	12/21/03	95,350.00	0.00	95,350.00	0.00	0.00
AQ	6007	Apac-Texas, Inc.	922632U	DALLAS	12/21/03	5,100.00	1,020.00	4,080.00	0.00	0.00
AQ	5936	Owens Corning	RB0010D	RANDALL	1/8/04	10,000.00	2,000.00	8,000.00	0.00	0.00
AQ	6494	Motiva Enterprises, LLC	JE0095D	JEFFERSON	1/8/04	39,750.00	0.00	19,875.00	19,875.00	19,875.00
AQ	5939	PTP Auto Tech Inc. dba MAACO Auto Painting & Body Works	DF0462H	DENTON	1/8/04	3,800.00	3,200.00	600.00	0.00	0.00
AQ	5851	Protherm Services Group, LLC	NONE	HARRIS	1/8/04	1,100.00	0.00	1,100.00	0.00	0.00
AQ	7243	Equistar Chemicals, LP	HG0770G	HARRIS	1/8/04	9,610.00	0.00	9,610.00	0.00	0.00
AQ	5997	B. & E. Grain, Inc.	JH0051N	JOHNSON	1/8/04	4,160.00	832.00	3,328.00	0.00	0.00
AQ	9376	Orange Crush Recyclers Management, L.L.C.	55240L001	DALLAS	1/18/04	0.00	0.00	0.00	0.00	0.00
AQ	5884	Northern Natural Gas Company	SF0036Q	SCHLEICHER	1/30/04	2,500.00	500.00	2,000.00	0.00	0.00
AQ	8364	ExxonMobil Oil Corporation	JE0062S	JEFFERSON	1/30/04	25,000.00	0.00	25,000.00	0.00	0.00
AQ	5620	Saint-Gobain Vetrotex America, Inc.	WH0014S	WICHITA	1/30/04	13,125.00	0.00	6,563.00	6,562.00	6,562.00
AQ	9122	Weatherford Aerospace, Inc.	PC0008N	PARKER	1/30/04	2,550.00	510.00	2,040.00	0.00	0.00
AQ	5934	WOOLSLAYER COMPANIES INC	LH0213A	LIBERTY	1/30/04	4,050.00	810.00	3,240.00	0.00	0.00
AQ	7316	Duke Energy Field Services, L.P.	JE0200H	JEFFERSON	3/5/04	24,000.00	0.00	24,000.00	0.00	0.00
AQ	6040	EL Paso Field Services Management, Inc.	WH0097L	WICHITA	3/5/04	13,500.00	2,700.00	10,800.00	0.00	0.00
AQ	6027	Hampshire Chemical Corp.	HG4998P	HARRIS	3/5/04	87,856.00	0.00	43,928.00	43,928.00	43,928.00
AQ	5986	Sunoco, Inc. (R&M)	HG0825G	HARRIS	3/5/04	28,644.00	5,729.00	22,915.00	0.00	0.00
AQ	396	Citgo Refining and Chemicals Company L.P.	NE0027V	NUECES	3/5/04	1,740,000.00	0.00	870,000.00	870,000.00	870,000.00
AQ	41	Trinity Industries, Inc.	HG0498W	HARRIS	3/5/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9671	Webb-Duval Gatherers, A Texas General Partnership	WE0066J	WEBB	3/5/04	1,625.00	325.00	1,300.00	0.00	0.00
AQ	9460	Koch Pipeline Company, L.P.	TA1222P	TARRANT	3/14/04	22,184.00	0.00	22,184.00	0.00	0.00
AQ	14974	Equistar Chemicals, LP	NE0051B	NUECES	3/14/04	0.00	0.00	0.00	0.00	0.00
AQ	7464	Valero Refining-Texas, L.P.	HG0130C	HARRIS	3/14/04	8,750.00	0.00	8,750.00	0.00	0.00
AQ	5908	Teppco Crude Oil, L.P.	AH0087R	AUSTIN	3/14/04	7,500.00	1,500.00	6,000.00	0.00	0.00
AQ	9567	Fort Dearborn Company	TA0172M	TARRANT	3/22/04	2,375.00	0.00	2,375.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	9433	WTG GAS PROCESSING, L.P.	MF0001W	MARTIN	3/22/04	2,125.00	0.00	2,125.00	0.00	0.00
AQ	61	Houston Pipe Line Company	HG0918V	HARRIS	4/5/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	9956	Republic Waste Services of Texas, Ltd.	1495	ECTOR	4/19/04	770.00	154.00	616.00	0.00	0.00
AQ	7359	Atofina Petrochemicals, Inc.	JE0005H	JEFFERSON	5/14/04	146,875.00	29,375.00	58,750.00	58,750.00	58,750.00
AQ	10358	TRI-UNION DEVELOPMENT CORPORATION	NONE	BRAZORIA	5/14/04	750.00	150.00	600.00	0.00	0.00
AQ	9697	Western Gas Resources, Inc.	UB0009T	UPTON	5/14/04	4,750.00	0.00	4,750.00	0.00	0.00
AQ	5933	Varco, L.P.	ML0047G	MIDLAND	5/14/04	71,000.00	14,200.00	28,400.00	28,400.00	28,400.00
AQ	7360	Atofina Petrochemicals, Inc.	18936	JEFFERSON	5/14/04	106,407.00	0.00	53,204.00	53,203.00	53,203.00
AQ	5854	Pedro Castrellon dba Paca's Body Shop	EB0983B	ECTOR	5/14/04	2,100.00	0.00	2,100.00	0.00	0.00
AQ	5980	C & R Distributing, Inc. dba C & R Fuel Control #42	EE1271D	EL PASO	5/14/04	750.00	150.00	600.00	0.00	0.00
AQ	5885	Chevron USA, Inc.	EE0082P	EL PASO	5/24/04	27,405.00	5,481.00	21,924.00	0.00	0.00
AQ	8404	Texas Petrochemicals LP	HG0562P	HARRIS	5/24/04	25,000.00	5,000.00	10,000.00	10,000.00	10,000.00
AQ	10152	Ingersoll-Rand Company	DB0476R	DALLAS	5/24/04	1,975.00	395.00	1,580.00	0.00	0.00
AQ	10010	Clearstream Wastewater Systems, Inc.	HF0034K	HARDIN	5/24/04	2,000.00	0.00	2,000.00	0.00	0.00
AQ	9207	Crosstex Asset Management, LP	HH0181U	HARRISON	5/24/04	2,000.00	400.00	1,600.00	0.00	0.00
AQ	11303	PACIFIC NATURAL ENERGY LLC	2063	DALLAS	5/24/04	2,000.00	400.00	1,600.00	0.00	0.00
AQ	10291	Kinder Morgan Tejas Pipeline, L. P.	HG1391L	HARRIS	5/24/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	10251	E. D. Baker Company, Ltd.	54240	HUTCHINSON	6/13/04	10,000.00	0.00	10,000.00	0.00	0.00
AQ	418	Dynergy Midstream Services, Limited Partnership	PE0190V	PECOS	6/13/04	16,000.00	0.00	16,000.00	0.00	0.00
AQ	5649	Interstate Highway Construction, Inc.	907899L	DALLAS	6/13/04	40,000.00	0.00	40,000.00	0.00	0.00
AQ	9955	Casita Enterprises, Inc.	1802	NAVARRO	6/13/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9843	Crown Cork & Seal Company (USA), Inc.	FG0082W	FORT BEND	6/13/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	10564	E. R. Carpenter, L.P.	HG0141U	HARRIS	6/13/04	1,975.00	395.00	1,580.00	0.00	0.00
AQ	5889	BP America Production Company	UB0001M	UPTON	6/13/04	1,900.00	380.00	1,520.00	0.00	0.00
AQ	5661	Gulf Coast Waste Disposal Authority	GB0032G	GALVESTON	6/13/04	17,044.00	3,409.00	0.00	13,635.00	13,635.00
AQ	10173	Franklin Building Materials, Inc.	EE0862E	EL PASO	6/13/04	2,700.00	540.00	2,160.00	0.00	0.00
AQ	10174	BP Amoco Chemical Company	GB0001R	GALVESTON	6/13/04	1,625.00	325.00	1,300.00	0.00	0.00
AQ	9457	Huntsman Petrochemical Corporation	20485	JEFFERSON	6/13/04	14,250.00	0.00	14,250.00	0.00	0.00
AQ	5846	DMV Stainless USA, Inc.	HG3179U	HARRIS	7/1/04	2,650.00	0.00	2,650.00	0.00	0.00
AQ	11103	Tema Oil and Gas Company	GB0540F	*MULTIPLE	7/1/04	4,750.00	0.00	4,750.00	0.00	0.00
AQ	10242	LINDE GAS INC	HX2334A	HARRIS	7/1/04	2,025.00	405.00	1,620.00	0.00	0.00
AQ	9740	Calpine Natural Gas, L.P.	BL0441L	BRAZORIA	7/1/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	10458	Maverick Tube, L.P.	MQ0028B	MONTGOMERY	7/1/04	2,650.00	530.00	2,120.00	0.00	0.00
AQ	10498	Lyondell-Citgo Refining Company LP	HG0048L	HARRIS	7/1/04	8,200.00	0.00	8,200.00	0.00	0.00
AQ	5850	Regal Food Service, Inc.	HG6914K	HARRIS	7/1/04	1,050.00	0.00	1,050.00	0.00	0.00
AQ	9555	Johns Manville	JH0025O	JOHNSON	7/1/04	12,500.00	0.00	12,500.00	0.00	0.00
AQ	10925	Stericycle, Inc.	KB0006V	KAUFMAN	7/1/04	900.00	180.00	720.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
AQ	6020	AMY FOODS INC	HX3206D	HARRIS	7/1/04	2,300.00	0.00	2,300.00	0.00	0.00
AQ	9874	BOLLINGER TEXAS CITY LP	GB0593H	GALVESTON	7/1/04	2,725.00	0.00	2,725.00	0.00	0.00
AQ	5979	Ultra Fuel & Oil, L.L.C.	EE0813R	EL PASO	7/1/04	650.00	130.00	520.00	0.00	0.00
AQ	10699	The Goodyear Tire & Rubber Company	SK0021C	SMITH	7/1/04	3,750.00	750.00	3,000.00	0.00	0.00
AQ	10578	Crane Plumbing LLC	DB0907L	DALLAS	7/5/04	2,000.00	0.00	2,000.00	0.00	0.00
AQ	10519	Amerada Hess Corporation	TD0001H	TERRY	7/5/04	1,925.00	385.00	1,540.00	0.00	0.00
AQ	9741	El Paso Field Services Management, Inc.	DI0016B	DIMMIT	7/5/04	4,600.00	920.00	3,680.00	0.00	0.00
AQ	10459	Freeman Decorating Services, Inc.	DB1520J	DALLAS	7/5/04	8,400.00	1,680.00	6,720.00	0.00	0.00
AQ	10378	Owens Corning	RB0010D	RANDALL	7/5/04	2,250.00	450.00	1,800.00	0.00	0.00
AQ	10745	Sea Lion Technology, Inc.	GB0067K	GALVESTON	7/5/04	970.00	194.00	776.00	0.00	0.00
AQ	5855	Duke Energy Field Services, L.P.	MF0012R	MARTIN	7/5/04	12,500.00	0.00	6,250.00	6,250.00	6,250.00
AQ	9240	Hunt Oil Company	HM0010V	HENDERSON	7/5/04	28,125.00	5,625.00	11,250.00	11,250.00	11,250.00
AQ	9952	Akzo Nobel Catalysts, LLC	HG0037Q	HARRIS	7/30/04	2,825.00	565.00	2,260.00	0.00	0.00
AQ	13354	Pioneer Natural Resources USA, Inc.	MR0121W	MOORE	7/30/04	1,875.00	375.00	1,500.00	0.00	0.00
AQ	9961	Behr Climate Systems, Inc.	TA0614B	TARRANT	7/30/04	6,750.00	1,350.00	5,400.00	0.00	0.00
AQ	13165	PEAK SULFUR INC	JE0073N	JEFFERSON	7/30/04	20,000.00	4,000.00	16,000.00	0.00	0.00
AQ	11639	MOCKINGBIRD SKILLMAN MOBIL INC	NONE	DALLAS	7/30/04	638.00	0.00	638.00	0.00	0.00
AQ	12098	El Paso Water Utilities	EE1016V	EL PASO	7/30/04	750.00	150.00	600.00	0.00	0.00
AQ	5874	Akzo Nobel Industrial Specialties Inc.	FG0042L	HARRIS	7/30/04	39,578.00	0.00	39,578.00	0.00	0.00
AQ	9674	The University of Texas Southwestern Medical Center	DB2459D	DALLAS	7/30/04	2,550.00	510.00	0.00	2,040.00	2,040.00
AQ	10983	William Marsh Rice University	HG1149U	HARRIS	7/30/04	2,400.00	480.00	1,920.00	0.00	0.00
AQ	5956	Longhorn Glass Manufacturing, L.P.	HG0028R	HARRIS	7/30/04	7,875.00	0.00	3,938.00	3,937.00	3,937.00
AQ	11332	Nisseki Chemical Texas Inc.	HG3626Q	HARRIS	7/30/04	1,675.00	335.00	1,340.00	0.00	0.00
AQ	11183	Peebles Lumber Company, LLC	NONE	MARION	7/30/04	13,000.00	2,600.00	10,400.00	0.00	0.00
Subtotal for AQ : 135						3,399,078.00	150,518.00	1,954,334.00	1,294,226.00	1,294,226.00
IHW	165	PERMENTER, DENNIS G *	F1530	SHELBY	9/25/03	900.00	180.00	720.00	0.00	0.00
IHW	2728	US Liquids Inc.	33969	HARRIS	10/10/03	19,500.00	3,900.00	15,600.00	0.00	0.00
IHW	1677	United Casing Incorporated	NONE	NUECES	10/10/03	18,750.00	0.00	18,750.00	0.00	0.00
IHW	511	Engine Components, Inc.	31567	BEXAR	10/10/03	44,000.00	0.00	22,000.00	22,000.00	22,000.00
IHW	9870	PLATZER SHIP YARDS INC	NONE	HARRIS	10/19/03	0.00	0.00	0.00	0.00	0.00
IHW	7461	Univeral Forest Products Texas, L.P.	86058	WALKER	11/2/03	2,500.00	500.00	2,000.00	0.00	0.00
IHW	2960	Battery Reclamation, Inc.	50352	REEVES	3/5/04	35,150.00	0.00	35,150.00	0.00	0.00
IHW	4168	Battery Conservation Technologies	50352	REEVES	3/5/04	45,375.00	0.00	45,375.00	0.00	0.00
IHW	7608	Calidad Environmental Services, Inc.	86032	BEXAR	3/14/04	4,080.00	0.00	4,080.00	0.00	0.00
IHW	580	Atofina Petrochemicals, Inc. *	52083	HOWARD	3/22/04	8,000.00	0.00	8,000.00	0.00	0.00
IHW	532	Galveston Environmental Services, Inc.	34323	GALVESTON	3/22/04	48,125.00	0.00	48,125.00	0.00	0.00
IHW	2076	Navarro Pecan Company, Inc.	F0881	NAVARRO	5/14/04	4,050.00	0.00	4,050.00	0.00	0.00
IHW	608	ALTON COLEY *	83214	GREGG	5/14/04	34,375.00	0.00	34,375.00	0.00	0.00

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IHW	2854	Amon Enterprises, Inc. *	65565	DALLAS	7/1/04	18,000.00	3,600.00	14,400.00	0.00	0.00
IHW	2834	Leading Edge Aviation Services Amarillo, Inc.	83022	POTTER	7/5/04	900.00	180.00	720.00	0.00	0.00
Subtotal for IHW : 15						283,705.00	8,360.00	253,345.00	22,000.00	22,000.00
MSW	2718	Starr County	HAT0030	STARR	10/10/03	4,500.00	900.00	0.00	3,600.00	3,600.00
MSW	2893	City of La Grulla	1033	STARR	11/2/03	15,500.00	3,100.00	0.00	12,400.00	12,400.00
MSW	2097	BRANCH, JOE	455040126	TARRANT	12/21/03	10,000.00	0.00	10,000.00	0.00	0.00
MSW	652	YANCEY, BOBBY	NONE	MONTGOMERY	1/8/04	4,050.00	0.00	4,050.00	0.00	0.00
MSW	2457	Larry Fulton dba Chopperman	455010001	GRAY	2/13/04	7,000.00	0.00	7,000.00	0.00	0.00
MSW	2682	ESCALONA RICHARD	455150061	HIDALGO	2/13/04	650.00	130.00	520.00	0.00	0.00
MSW	3059	Enviroclean Management Services, Llc	2245A	DALLAS	3/5/04	25,000.00	0.00	25,000.00	0.00	0.00
MSW	8546	LEATHERMAN, ROYCE D	F1333	TARRANT	3/5/04	8,250.00	0.00	8,250.00	0.00	0.00
MSW	2534	Waste Environmental Controls of South Texas, Ltd.	455150049	CAMERON	3/22/04	600.00	0.00	600.00	0.00	0.00
MSW	2723	PAREIDA, JUAN	455150060	CAMERON	5/14/04	1,800.00	360.00	1,440.00	0.00	0.00
MSW	296	REESE, RALPH	NONE	JEFFERSON	5/24/04	19,500.00	0.00	19,500.00	0.00	0.00
MSW	635	City of Wichita Falls	1428	WICHITA	5/24/04	13,650.00	0.00	0.00	13,650.00	13,650.00
MSW	640	City of Brownwood	1562	BROWN	6/13/04	9,500.00	0.00	9,500.00	0.00	0.00
MSW	2818	WALDREP, BOBBY RAY	14413	CAMERON	6/13/04	20,000.00	0.00	20,000.00	0.00	0.00
MSW	9940	POLK COUNTY	1384A	POLK	6/13/04	2,500.00	0.00	0.00	2,500.00	2,500.00
MSW	2806	Quality Caliche Pit, Inc.	455150022	HIDALGO	7/1/04	18,375.00	0.00	18,375.00	0.00	0.00
MSW	2420	BRIMHALL, RUSSELL E JR	A85476	MARION	7/5/04	250.00	0.00	250.00	0.00	0.00
MSW	2417	Enviro Save Oil Recovery Company Of America	A85288	MCLENNAN	7/5/04	1,250.00	0.00	1,250.00	0.00	0.00
MSW	639	Waste Management of Texas, Inc.	1503	HUNT	7/30/04	5,200.00	0.00	5,200.00	0.00	0.00
MSW	2427	RICKY PALASOTA	455090081	BRAZOS	7/30/04	14,000.00	0.00	14,000.00	0.00	0.00
MSW	2681	Valley Baptist Medical Center	NONE	CAMERON	7/30/04	11,500.00	2,300.00	9,200.00	0.00	0.00
MSW	2722	BROOKS COUNTY	379	BROOKS	7/30/04	10,605.00	0.00	0.00	10,605.00	10,605.00
MSW	2683	ESCALONA, JUAN	HAW006	HIDALGO	7/30/04	650.00	130.00	520.00	0.00	0.00
Subtotal for MSW : 23						204,330.00	6,920.00	154,655.00	42,755.00	42,755.00
OL	5836	PROSE, GEOFFREY A	OS0005006	DENTON	9/25/03	250.00	50.00	200.00	0.00	0.00
OL	8887	FARR, DUDLEY E	HJDHLIHKK	WILLIAMSON	9/25/03	0.00	0.00	0.00	0.00	0.00
OL	7270	PHILLIPS, FRANCIS X	OS0004760	PARKER	9/25/03	750.00	0.00	750.00	0.00	0.00
OL	6055	MUSICK, MELVIN K	OS0007939	BROWN	9/25/03	1,750.00	0.00	1,750.00	0.00	0.00
OL	2890	Alberto De Leon dba De Leon Construction	NONE	CAMERON	10/19/03	3,125.00	0.00	3,125.00	0.00	0.00
OL	2667	BARKER, MIKE	NONE	COLEMAN	11/16/03	250.00	50.00	200.00	0.00	0.00
OL	5948	ANDERSON, BRYAN	NONE	DENTON	12/5/03	625.00	125.00	500.00	0.00	0.00
OL	5942	BARE, DARIN W	OS0008258		12/5/03	250.00	50.00	200.00	0.00	0.00
OL	5975	MEEK, JACK	NONE	EASTLAND	12/21/03	750.00	150.00	600.00	0.00	0.00
OL	5580	PETTIT, ERNEST M	OS0006237	HOPKINS	5/14/04	525.00	0.00	525.00	0.00	0.00

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OL	7407	JAMIE B. WALTON DBA LAGO LANDSCAPE AND IRRIGATION REPAIR	NONE	TRAVIS	5/24/04	2,500.00	0.00	2,500.00	0.00	0.00
OL	2511	NEWMAN, GORDON	079059	FORT BEND	6/13/04	263.00	0.00	263.00	0.00	0.00
OL	13189	KDT Construction, Inc.	OS0006580	FREESTONE	7/5/04	250.00	50.00	200.00	0.00	0.00
Subtotal for OL : 13						11,288.00	475.00	10,813.00	0.00	0.00
PST	8026	STUART, JEFFREY	2350	CROCKETT	9/25/03	8,500.00	0.00	8,500.00	0.00	0.00
PST	2256	BEAVERS, BARRY DON	10719	MITCHELL	9/25/03	15,500.00	0.00	15,500.00	0.00	0.00
PST	357	C & W Enterprises, Inc.	25830	TOM GREEN	9/25/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	5543	West Texas Gas, Inc.	NONE	MIDLAND	9/25/03	1,000.00	0.00	500.00	500.00	500.00
PST	2742	Mahnoor, Inc.	28570	AUSTIN	9/25/03	1,875.00	375.00	1,500.00	0.00	0.00
PST	2781	S. K. Associates, Inc.	35210	HARRIS	9/25/03	1,050.00	0.00	1,050.00	0.00	0.00
PST	2107	AMIN, JOGESH	12640	TARRANT	9/25/03	4,500.00	0.00	4,500.00	0.00	0.00
PST	2399	LUMMAS BILLY D	4666	LEON	9/25/03	15,300.00	0.00	15,300.00	0.00	0.00
PST	2745	FFP Operating Partners LP	0018564	TARRANT	9/25/03	2,425.00	0.00	2,425.00	0.00	0.00
PST	2787	Nolan Oil Company, Inc.	NONE	ORANGE	9/25/03	1,400.00	280.00	1,120.00	0.00	0.00
PST	2195	Maral International, Inc., dba One Stop Food Mart	39704	HARRIS	9/25/03	2,500.00	0.00	2,500.00	0.00	0.00
PST	5890	ULLAH BROTHERS INCORPORATED	24161	SAN PATRICIO	9/25/03	8,000.00	1,600.00	6,400.00	0.00	0.00
PST	3064	Petro-Chemical Transport, Inc.	NONE	HARRIS	9/25/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	1502	Addison Enterprises Inc.	0042963	DALLAS	9/25/03	29,700.00	0.00	29,700.00	0.00	0.00
PST	2547	PATRIOT PETROLEUM INC	26493	JEFFERSON	9/25/03	15,000.00	0.00	15,000.00	0.00	0.00
PST	2711	GARRHON ENTERPRISES INC DBA TEXACO FOOD MART	13509	TARRANT	10/10/03	1,050.00	0.00	1,050.00	0.00	0.00
PST	5749	C & R Distributing, Inc. dba C & R Fuel Control #42	3731	EL PASO	10/10/03	500.00	100.00	400.00	0.00	0.00
PST	1706	Jain Vijay	66101	GALVESTON	10/10/03	1,250.00	0.00	1,250.00	0.00	0.00
PST	2749	Namz Enterprises, Inc.	48419	HARRIS	10/10/03	2,275.00	455.00	1,820.00	0.00	0.00
PST	2692	Ahmad Adam	36620	TRAVIS	10/10/03	2,000.00	400.00	1,600.00	0.00	0.00
PST	2810	Hollon Oil Company	67687	HIDALGO	10/10/03	1,000.00	200.00	800.00	0.00	0.00
PST	2656	UMAR BHATI INC	27138	DALLAS	10/10/03	6,800.00	1,360.00	5,440.00	0.00	0.00
PST	2237	Convenience Corner, Inc.	27555	GRAYSON	10/19/03	1,500.00	0.00	1,500.00	0.00	0.00
PST	2429	Masters Mart Inc. dba Porter Chevron	70002	MONTGOMERY	10/19/03	21,875.00	0.00	21,875.00	0.00	0.00
PST	2196	Danny's Enterprises, Inc. dba Westview Texaco	6746	HARRIS	10/19/03	1,000.00	0.00	1,000.00	0.00	0.00
PST	2848	Andrews Transport, Inc.	55242	HARRIS	11/2/03	2,550.00	0.00	2,550.00	0.00	0.00
PST	2248	MIKANI, NIZAR	27149	DENTON	11/2/03	15,000.00	0.00	15,000.00	0.00	0.00
PST	2474	K.R. Andani Corporation	21876	DALLAS	11/2/03	10,500.00	0.00	10,500.00	0.00	0.00
PST	2833	Julius Petrus, Jr.	60013	SAN PATRICIO	11/16/03	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	2955	RAINBOW OILS OF SAN ANGELO INC	51582	TOM GREEN	11/16/03	43,750.00	0.00	43,750.00	0.00	0.00
PST	2819	COPC INTERNATIONAL USA INC	44493	COLLIN	11/16/03	4,225.00	845.00	3,380.00	0.00	0.00
PST	2532	US Department of Justice	3807	HOWARD	11/16/03	2,000.00	400.00	1,600.00	0.00	0.00

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PST	5995	WISEBUY INC	73380	HUNT	11/16/03	6,000.00	1,200.00	4,800.00	0.00	0.00
PST	2435	THOROUGHbred PROPERTIES INC	2202	NACOGDOCHE	11/16/03	11,500.00	10,900.00	600.00	0.00	0.00
PST	2546	Shekhani Enterprises, Inc. dba Westview Texaco	6746	HARRIS	11/16/03	10,000.00	0.00	10,000.00	0.00	0.00
PST	2192	DEAN, GLORIA	21930	ARANSAS	11/16/03	10,500.00	0.00	10,500.00	0.00	0.00
PST	264	Woody's Superettes, Incorporated	20747	HUNT	12/5/03	59,325.00	0.00	59,325.00	0.00	0.00
PST	2826	City Transit Management Co., Inc. dba Citibus of Lubbock	12649	LUBBOCK	12/5/03	1,625.00	325.00	1,300.00	0.00	0.00
PST	2669	V&S Petroleum, Ltd.	37648	WILLIAMSON	12/5/03	1,875.00	375.00	1,500.00	0.00	0.00
PST	2710	BARRERA, FRANCISCO	47006	STARR	12/5/03	11,250.00	5,250.00	6,000.00	0.00	0.00
PST	2829	8524 Gulf, LLC dba First Stop Food Store No. 16	46831	HARRIS	12/5/03	1,925.00	385.00	1,540.00	0.00	0.00
PST	2814	FFP TRANSPORTATION LLC	18793	TRAVIS	12/21/03	450.00	90.00	360.00	0.00	0.00
PST	8941	Ameriasia International, Inc.	70761	TARRANT	12/21/03	3,210.00	0.00	3,210.00	0.00	0.00
PST	557	Sun Coast Resources, Inc.	69744	HARRIS	12/21/03	2,100.00	0.00	2,100.00	0.00	0.00
PST	2689	Azaan Enterprises, Inc.	69485	HARRIS	12/21/03	4,590.00	918.00	3,672.00	0.00	0.00
PST	2563	Kayani-1, Inc.	73462	JEFFERSON	12/21/03	2,000.00	0.00	2,000.00	0.00	0.00
PST	9014	MILK PRODUCTS LLC	3171	TRAVIS	12/21/03	2,460.00	0.00	2,460.00	0.00	0.00
PST	2668	M K FAMILY LIMITED PARTNERSHIP	22736	WILLIAMSON	12/21/03	4,500.00	900.00	3,600.00	0.00	0.00
PST	2559	Midland Farmers Cooperative	2312	MIDLAND	12/21/03	2,925.00	585.00	2,340.00	0.00	0.00
PST	9041	Cosby Management, Inc.	18861	DALLAS	1/8/04	4,000.00	0.00	4,000.00	0.00	0.00
PST	9216	TEXAS PANHANDLE MHMR	25242	POTTER	1/8/04	800.00	0.00	800.00	0.00	0.00
PST	2835	HAKEMY, SHAR BAZ	5654	COLLIN	1/8/04	2,700.00	540.00	2,160.00	0.00	0.00
PST	2272	San Antonio Independent School District	3073	BEXAR	1/8/04	8,000.00	1,600.00	6,400.00	0.00	0.00
PST	2748	SUNDANCE CAR WASH LLP	4003	LUBBOCK	1/8/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9074	R & S LEASING	9487	WASHINGTON	1/8/04	3,200.00	0.00	3,200.00	0.00	0.00
PST	9134	Alpha Beta Enterprises, Inc.	9064	DALLAS	1/8/04	4,100.00	0.00	4,100.00	0.00	0.00
PST	9245	KEN'S TEXACO, INC.	11737	BEXAR	1/8/04	970.00	0.00	970.00	0.00	0.00
PST	9076	QUAINTANCE, STAN	35541	BELL	1/8/04	1,900.00	0.00	1,900.00	0.00	0.00
PST	2812	BETTS OIL & BUTANE INC	47907	HIDALGO	1/8/04	1,000.00	200.00	800.00	0.00	0.00
PST	392	TIDEPORT PETROLEUM INC	13392	NUECES	1/9/04	10,500.00	0.00	10,500.00	0.00	0.00
PST	2164	Petrotex Fuels, Inc.	17618	ORANGE	1/30/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	9169	COLUMBUS ISD	49494	COLORADO	1/30/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9174	EASTERN DHAKA INC	35237	GALVESTON	1/30/04	1,640.00	0.00	1,640.00	0.00	0.00
PST	9176	MEADOWS, MICHAEL	36794	WASHINGTON	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9232	Ajay & Anil Interests Inc.	33597	MATAGORDA	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9024	The Adobe Group, Inc.	14882	CAMERON	1/30/04	800.00	0.00	800.00	0.00	0.00
PST	2623	VIRANI, FIROZ G	47878	BEXAR	1/30/04	13,650.00	0.00	13,650.00	0.00	0.00
PST	9146	HASHMI, KHALID M	33647	BELL	1/30/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	2765	M & M Innovations, Inc.	18921	ELLIS	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00

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PST	9023	Snyder One Stop, Inc.	37741	SCURRY	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	8978	SHARARA, MEDHAT AHMED	26342	HARRIS	1/30/04	3,280.00	0.00	3,280.00	0.00	0.00
PST	9021	SAIDI, RIAD A	49027	HARRIS	1/30/04	800.00	0.00	800.00	0.00	0.00
PST	2377	Addison Enterprises Inc.	10887	DALLAS	1/30/04	900.00	0.00	900.00	0.00	0.00
PST	9204	CYN-GAIL PARTNERS	20407	PALO PINTO	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9055	PATEL, MINESH	29301	HARRIS	1/30/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	2809	Donna ISD	45503	HIDALGO	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9273	Raymond Martin dba Martin Oil Company dba In-N-Out Grocery #1	11932	PALO PINTO	1/30/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9015	THORNTON, HENRY	11531	LIBERTY	1/30/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9019	MANSOORI, MOHAMMAD HASSAN	13582	DALLAS	1/30/04	4,000.00	0.00	4,000.00	0.00	0.00
PST	9069	Dans Texasco Service Inc.	23202	TRAVIS	1/30/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	2850	MAREZIA AMIN	18396	MONTGOMERY	2/13/04	6,750.00	1,350.00	5,400.00	0.00	0.00
PST	9111	K & K Inc.	12411	CARSON	2/13/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9615	Metro Suppliers, Inc. dba Great Hills Texaco	51472	TRAVIS	2/13/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	2544	AHMAD, NAJI OTHMAN	30096	HARRIS	2/13/04	12,500.00	0.00	12,500.00	0.00	0.00
PST	9877	Woody's Smokehouse, Inc.	4577	LEON	2/13/04	3,200.00	0.00	3,200.00	0.00	0.00
PST	9677	J & J Powermart, L.L.C.	35786	HAYS	2/13/04	3,900.00	780.00	3,120.00	0.00	0.00
PST	9027	NGUYEN LOAN	8062	JEFFERSON	3/5/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9052	PETERS, ROSEMARY	50201	COLORADO	3/5/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	15015	Coastal Transport Co., Inc.	29455	BEXAR	3/5/04	500.00	0.00	500.00	0.00	0.00
PST	9053	Park N Fly of Texas, Inc.	2497	HARRIS	3/5/04	800.00	0.00	800.00	0.00	0.00
PST	8982	La Marque ISD	21614	GALVESTON	3/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9037	TT & KH Inc	14132	HARRIS	3/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	301	J. A. M. Distributing Company	T002445	HARRIS	3/5/04	3,000.00	600.00	2,400.00	0.00	0.00
PST	9094	ECBD DEVELOPMENT LP	16791	TARRANT	3/5/04	950.00	0.00	950.00	0.00	0.00
PST	2483	DIMITRIOS BITZIOS AND MIKE KOUSOUNIS	17668	GALVESTON	3/5/04	6,000.00	0.00	6,000.00	0.00	0.00
PST	9464	City of Galveston	1251	GALVESTON	3/14/04	950.00	0.00	950.00	0.00	0.00
PST	9107	Melissa Rogers dba Bob's Town & Country Market	49214	VAN ZANDT	3/14/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9374	JAIN, RAKESH	46589	GALVESTON	3/14/04	950.00	0.00	950.00	0.00	0.00
PST	2540	Car Shine, Inc.	60388	HARRIS	3/14/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	9943	Kason Automatic Transmission, Inc.	43615	BOWIE	3/14/04	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	8919	KASSAM, MEMENJI	NONE	CHAMBERS	3/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9138	ZAID, RICHARD	1991	HARRIS	3/14/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	9020	DORSEY, KI CHONG	20484	HARRIS	3/14/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9065	Adams Craig E	33791	HARRIS	3/14/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9496	Food Fast Holdings, Ltd.	883	SMITH	3/14/04	3,150.00	630.00	2,520.00	0.00	0.00
PST	2958	Coastal Transport Co., Inc.	29455	BEXAR	3/14/04	14,000.00	0.00	14,000.00	0.00	0.00

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PST	9339	SAAB PETROLEUM CORP	68761	BRAZORIA	3/14/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	9016	C W & A Inc.	9942	VICTORIA	3/14/04	820.00	0.00	820.00	0.00	0.00
PST	9045	Budget Rent-A-Car Of El Paso, Inc.	22651	EL PASO	3/14/04	800.00	0.00	800.00	0.00	0.00
PST	339	Palm Valley Distributing Company	73589	HIDALGO	3/14/04	5,000.00	0.00	5,000.00	0.00	0.00
PST	2259	Northwest Petroleum, L.P.	69454	WILLIAMSON	3/14/04	10,000.00	0.00	10,000.00	0.00	0.00
PST	9228	BARRILLEAUX, MICHAEL C	33827	MONTGOMERY	3/14/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	9541	Metro Suppliers, Inc. dba Great Hills Texaco	59555	TRAVIS	3/14/04	12,000.00	2,400.00	9,600.00	0.00	0.00
PST	9067	SMONKO, DAVID S	43177	BELL	3/14/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	2775	SALMAN, MOHAMMAD	14581	MONTGOMERY	3/14/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9022	PIRZADA INC	30587	HARRIS	3/14/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9121	DAY, DAREN	29604	KAUFMAN	3/22/04	4,200.00	0.00	4,200.00	0.00	0.00
PST	9096	HUYNH, PHUONG CONG	69591	HARRIS	3/22/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9051	VO, NO THI KY	24374	BEXAR	3/22/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9669	7-Eleven, Inc.	7387	DALLAS	3/22/04	1,150.00	0.00	1,150.00	0.00	0.00
PST	8944	Kohettur, Inc.	39734	HARRIS	3/22/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	2599	Uppal Brothers, Inc. dba Save Way Food Mart	44704	TARRANT	4/5/04	6,250.00	0.00	6,250.00	0.00	0.00
PST	9095	Rose Grocery Corp. dba Rose Grocery	10702	HARRIS	4/5/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9412	Oasis Car Wash, Inc. dba Oasis Car Wash & Lube Center	70690	ORANGE	4/5/04	3,220.00	644.00	2,576.00	0.00	0.00
PST	8920	Adman Company	29157	MCLENNAN	4/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	10362	Little "Nutt" Oil Co.	NONE	PANOLA	4/5/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9463	V&S Petroleum, Ltd.	62970	TRAVIS	4/5/04	1,000.00	200.00	800.00	0.00	0.00
PST	8921	T & F AGRI SERVICE & CONST INC	4701	WASHINGTON	4/19/04	475.00	0.00	475.00	0.00	0.00
PST	9332	SHEPHERD, HAROLD	71198	HOUSTON	4/19/04	4,875.00	975.00	3,900.00	0.00	0.00
PST	9352	J F A Oil Company	18734	HARRIS	4/19/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	2764	C. J. Yun, Inc.	0019982	NUECES	4/19/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	2494	Pyrali Hooda dba Howdy Doody #15	16526	DENTON	4/19/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9338	DUTTON, DANNY *	43124	GRAYSON	4/19/04	2,400.00	0.00	2,400.00	0.00	0.00
PST	9480	USR COMPANY	8180	DENTON	4/19/04	800.00	0.00	800.00	0.00	0.00
PST	9075	ACSS DALLAS INDUSTRIAL INC	10082	TARRANT	5/14/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9962	Luke's Little Super, Inc. dba Luke's Little Supermarket & Deli I	27214	GALVESTON	5/14/04	2,540.00	0.00	2,540.00	0.00	0.00
PST	5179	MEDINA, ABRIL *	15473	NUECES	5/14/04	12,500.00	0.00	12,500.00	0.00	0.00
PST	7569	Madanco Corporation	35088	GALVESTON	5/14/04	6,875.00	0.00	6,875.00	0.00	0.00
PST	9847	Frontier Tank Lines, Inc.	NONE	DALLAS	5/14/04	900.00	180.00	720.00	0.00	0.00
PST	9043	THOMSON, KENNETH *	66631	SHELBY	5/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9079	COOK, FORREST GLENN	26727	HARRIS	5/14/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	5001	Cirleville Store & Grain, Inc.	40767	WILLIAMSON	5/24/04	14,400.00	0.00	14,400.00	0.00	0.00
PST	9142	Knightco Oil, Inc. dba Superior Lubricants	33904	TARRANT	5/24/04	4,200.00	0.00	4,200.00	0.00	0.00

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PST	9205	Saif D Corporation dba Sunny Food Mart	251	BASTROP	5/24/04	3,800.00	0.00	3,800.00	0.00	0.00
PST	8943	Ovais Incorporated dba Sunny Food Mart	47574	BURLESON	5/24/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9114	Allied Trading Corporation dba A & Q Chevron Food Mart	46851	HARRIS	5/24/04	2,910.00	0.00	2,910.00	0.00	0.00
PST	9289	Abuiny Enterprises, Inc. dba Mainland Conoco	5707	DALLAS	5/24/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9173	MOMIN, BARKAT	35291	HARRIS	5/24/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9233	BOENING BROS DAIRY INC	11987	WILSON	6/13/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9062	IBRAHIM, SAMIR	23141	HARRIS	6/13/04	2,460.00	0.00	2,460.00	0.00	0.00
PST	10904	Jack Ray & Sons Oil Co., Inc.	17966	DALLAS	6/13/04	7,200.00	1,440.00	5,760.00	0.00	0.00
PST	9665	Saz, Inc. dba One Market	18002	NUECES	6/13/04	1,625.00	325.00	1,300.00	0.00	0.00
PST	9570	Alyan Inc,	43542	ORANGE	6/13/04	7,820.00	1,564.00	6,256.00	0.00	0.00
PST	2782	Siber Enterprise, Inc.	39774	HARRIS	6/13/04	8,500.00	1,700.00	6,800.00	0.00	0.00
PST	9281	CORDER, JOHN MICHAEL	29311	HARRIS	6/13/04	1,050.00	0.00	1,050.00	0.00	0.00
PST	9137	Air Liquide America L.P.	46364	HARRIS	6/13/04	1,110.00	0.00	1,110.00	0.00	0.00
PST	9805	KRENEK, MARY J	25415	NACOGDOCHE	6/13/04	7,000.00	1,400.00	5,600.00	0.00	0.00
PST	9561	GARCIA, GUSTAVO *	10378	JIM WELLS	6/13/04	4,750.00	0.00	4,750.00	0.00	0.00
PST	8918	NIETO, JOSE G *	35981	HIDALGO	6/13/04	4,200.00	0.00	4,200.00	0.00	0.00
PST	9073	PATEL, BRIJESH	25511	HOUSTON	6/13/04	4,880.00	0.00	4,880.00	0.00	0.00
PST	9502	Northwest Petroleum, L.P.	71238	WILLIAMSON	6/13/04	5,625.00	1,125.00	4,500.00	0.00	0.00
PST	9108	CALVERT, DON	8171	DENTON	7/1/04	3,800.00	0.00	1,900.00	1,900.00	1,900.00
PST	10943	Bay Oil Company	35080	GALVESTON	7/1/04	1,000.00	200.00	800.00	0.00	0.00
PST	9867	REID MICHAEL AND REID ANGELA	40447	GREGG	7/1/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	2430	PANJWANI ENTERPRISES INC	939	MONTGOMERY	7/1/04	10,000.00	0.00	10,000.00	0.00	0.00
PST	8977	Performance Food Group of Texas, L. P.	36751	VICTORIA	7/1/04	1,900.00	0.00	1,900.00	0.00	0.00
PST	9211	GLASSCOCK, BRADLEY	25321	RUSK	7/1/04	2,850.00	0.00	2,850.00	0.00	0.00
PST	9177	NEW BLESSINGS INC	9161	TARRANT	7/1/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	9297	Shaheen Grocery, Inc.	50255	HARRIS	7/1/04	5,500.00	1,100.00	4,400.00	0.00	0.00
PST	2823	Alamo Star, Inc.	39474	BEXAR	7/1/04	3,900.00	780.00	3,120.00	0.00	0.00
PST	9085	METECH INC	17652	JEFFERSON	7/1/04	1,600.00	0.00	1,600.00	0.00	0.00
PST	2847	CITY INTERNATIONAL LTD	34055	CHAMBERS	7/5/04	2,500.00	0.00	2,500.00	0.00	0.00
PST	11417	KAMALIE, NASROLAH	45459	GALVESTON	7/5/04	525.00	0.00	525.00	0.00	0.00
PST	12327	University of Texas Medical Branch at Galveston	30977	GALVESTON	7/5/04	2,750.00	550.00	2,200.00	0.00	0.00
PST	9970	Petromax Oil, Inc.	29210	HARRIS	7/5/04	1,650.00	0.00	1,650.00	0.00	0.00
PST	2343	Pan American General Hospital, L.L.C.	31789	EL PASO	7/5/04	7,500.00	0.00	7,500.00	0.00	0.00
PST	2716	BAYTOWN BUSINESS INC	4954	HARRIS	7/5/04	8,750.00	0.00	8,750.00	0.00	0.00
PST	9180	ENHANCED BUSINESS CORPORATION	35344	HARRIS	7/5/04	3,150.00	0.00	3,150.00	0.00	0.00
PST	13125	Aztec Rental Center No. 2 Inc	19646	HARRIS	7/5/04	1,540.00	308.00	1,232.00	0.00	0.00
PST	2577	KHADER, MIKE	10910	BEXAR	7/5/04	11,700.00	0.00	11,700.00	0.00	0.00

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PST	9846	Mack Massey Motors, LP	18758	EL PASO	7/5/04	2,040.00	408.00	1,632.00	0.00	0.00
PST	10355	AA & MM International, Inc.	39050	GALVESTON	7/5/04	13,500.00	2,700.00	10,800.00	0.00	0.00
PST	2770	Majic Market, Inc.	5641	TARRANT	7/5/04	2,100.00	0.00	2,100.00	0.00	0.00
PST	9803	MCCALL-T LTD	56297	HARRIS	7/5/04	3,000.00	600.00	2,400.00	0.00	0.00
PST	12745	TUCKER FUEL & OIL CO INC	24004	DALLAS	7/5/04	450.00	90.00	360.00	0.00	0.00
PST	8980	Mahraj Corporation	13431	DALLAS	7/5/04	2,625.00	0.00	2,625.00	0.00	0.00
PST	13347	HARLINGEN MEDICAL CENTER LP	75045	CAMERON	7/5/04	1,625.00	325.00	1,300.00	0.00	0.00
PST	2753	JAY BRUMMETT AND GEORGE FADDOUL	45785	BASTROP	7/5/04	4,500.00	900.00	3,600.00	0.00	0.00
PST	12764	Three L, Inc.	51653	FORT BEND	7/5/04	1,000.00	200.00	800.00	0.00	0.00
PST	2830	PRASAD, AJIT	41188	TRINITY	7/30/04	12,600.00	0.00	12,600.00	0.00	0.00
PST	12690	Mail Contractors of America, Inc.	45401	DALLAS	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
PST	11334	MOLUBHOY, PERWEZ	72959	COLLIN	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
PST	9655	ADAMCIK, FRED *	14243	FAYETTE	7/30/04	5,400.00	1,080.00	4,320.00	0.00	0.00
PST	8981	ZACHARIAH CHERIAN	14941	FORT BEND	7/30/04	10,460.00	0.00	10,460.00	0.00	0.00
PST	11044	COOK CHILDRENS HOSPITAL	73740	TARRANT	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	13346	MANORA ENTERPRISES INC	61916	TARRANT	7/30/04	800.00	0.00	800.00	0.00	0.00
PST	11519	INARA CONVENIENCE INC.	5590	TARRANT	7/30/04	10,400.00	2,080.00	8,320.00	0.00	0.00
PST	11821	McCraw Oil Company, Inc.	51224	FANNIN	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	12804	Groendyke Transport, Inc.	71080	TARRANT	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
PST	12404	N.K.ENTERPRISES INC.	39852	HARRIS	7/30/04	4,080.00	816.00	3,264.00	0.00	0.00
PST	10443	Hays City Corporation	NONE	FAYETTE	7/30/04	600.00	0.00	600.00	0.00	0.00
PST	1370	EL CHITO INC	35345	HARRIS	7/30/04	3,500.00	0.00	3,500.00	0.00	0.00
PST	9963	KHOJA, ASHIQ ALI	31669	GALVESTON	7/30/04	1,100.00	0.00	1,100.00	0.00	0.00
Subtotal for PST : 203						931,650.00	61,213.00	868,037.00	2,400.00	2,400.00
PWS	5766	SOUTHWESTERN HOLDINGS INC	1890015	PRESIDIO	9/25/03	1,500.00	0.00	1,500.00	0.00	0.00
PWS	5963	City of Crowell	0780001	FOARD	9/25/03	1,400.00	0.00	1,400.00	0.00	0.00
PWS	3729	BELLEWOOD WSC	1011945	HARRIS	9/25/03	1,250.00	0.00	1,250.00	0.00	0.00
PWS	5967	LILBERT LOONEYVILLE WSC	1740013	NACOGDOCHE	9/25/03	2,430.00	0.00	2,430.00	0.00	0.00
PWS	5548	Terra Southwest, Inc.	0610161	DENTON	9/25/03	975.00	0.00	975.00	0.00	0.00
PWS	5486	JACKSON, H S *	0610086	DENTON	9/25/03	7,813.00	0.00	7,813.00	0.00	0.00
PWS	1279	LEWIS, CODY B	1500019	LLANO	10/10/03	5,000.00	0.00	5,000.00	0.00	0.00
PWS	2590	City of Princeton	NONE	COLLIN	10/10/03	625.00	0.00	625.00	0.00	0.00
PWS	4605	R & R MOBILE HOME MANAGEMENT INC	2460031	WILLIAMSON	10/10/03	3,563.00	0.00	3,563.00	0.00	0.00
PWS	5577	BEENE, ANN	0250043	BROWN	10/19/03	6,875.00	0.00	6,875.00	0.00	0.00
PWS	5325	Gerard Hungerford dba River Ranch Estates	2350043	VICTORIA	10/19/03	7,813.00	0.00	7,813.00	0.00	0.00
PWS	5190	BUTLER WSC	0810013	FREESTONE	11/2/03	1,028.00	0.00	1,028.00	0.00	0.00
PWS	5965	CRESTVIEW RV CENTER	1050026	HAYS	11/2/03	1,738.00	0.00	1,738.00	0.00	0.00
PWS	8882	BARNETT, NORMAN	1011183	HARRIS	11/2/03	4,466.00	0.00	4,466.00	0.00	0.00

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PWS	5968	City of Weslaco	1080011	HIDALGO	11/2/03	3,960.00	0.00	0.00	3,960.00	3,960.00
PWS	2827	City of Springtown	NONE	PARKER	11/2/03	910.00	0.00	910.00	0.00	0.00
PWS	8559	San Antonio Water System	NONE	BEXAR	11/16/03	780.00	156.00	624.00	0.00	0.00
PWS	6021	POST OAK SUD	1090030	HILL	11/16/03	450.00	90.00	360.00	0.00	0.00
PWS	5819	City of Balmorea	1950002	REEVES	12/5/03	485.00	0.00	485.00	0.00	0.00
PWS	5899	City of Edinburg	1080004	HIDALGO	12/5/03	19,900.00	3,980.00	0.00	15,920.00	15,920.00
PWS	11820	City of Center	2100001	SHELBY	12/5/03	2,875.00	0.00	2,875.00	0.00	0.00
PWS	7462	KELLY, FRANCIS	0250032	BROWN	1/1/04	0.00	0.00	0.00	0.00	0.00
PWS	8269	W OAKS PHOENIX CORP	1160097	HUNT	1/1/04	0.00	0.00	0.00	0.00	0.00
PWS	7301	ARETE REAL ESTATE AND DEVELOPMENT COMPANY	1013170	HARRIS	1/29/04	0.00	0.00	0.00	0.00	0.00
PWS	6796	LINCECUM, JOHN K	0200159	BRAZORIA	1/30/04	2,398.00	0.00	2,398.00	0.00	0.00
PWS	5739	City of Port Arthur	1230009	JEFFERSON	1/30/04	1,125.00	225.00	0.00	900.00	900.00
PWS	9784	CONSOLIDATED WSC	1130027	HOUSTON	1/30/04	765.00	153.00	612.00	0.00	0.00
PWS	7338	MILLIKEN, P A	0610070	DENTON	2/14/04	0.00	0.00	0.00	0.00	0.00
PWS	7939	VV Water Supply System, Inc.	0610052	DENTON	2/15/04	0.00	0.00	0.00	0.00	0.00
PWS	5731	Cedron Creek Ranch Association dba Cedron Creek Ranch Water Supply	0180051	BOSQUE	3/5/04	1,600.00	0.00	1,600.00	0.00	0.00
PWS	9804	City of Beeville	0130001	BEE	3/14/04	650.00	0.00	650.00	0.00	0.00
PWS	3489	Afton Park Civic Improvement Association	1700147	MONTGOMERY	3/14/04	1,563.00	0.00	0.00	0.00	0.00
PWS	6014	MUSTANG VALLEY WSC	0180038	BOSQUE	3/14/04	788.00	0.00	788.00	0.00	0.00
PWS	5646	Sonora Investments, LLC	2180004	SUTTON	3/14/04	2,438.00	0.00	1,238.00	1,200.00	1,200.00
PWS	5744	H-M-W Special Utility District of Harris and Montgomery Counties	1700228	MONTGOMERY	3/14/04	23,554.00	0.00	23,554.00	0.00	0.00
PWS	6685	Southern Utilities Company	2120063	SMITH	3/22/04	36,425.00	0.00	36,425.00	0.00	0.00
PWS	9860	D & M Water Supply Corporation	1740010	NACOGDOCHE	4/5/04	500.00	100.00	400.00	0.00	0.00
PWS	5529	City of La Villa	1080023	HIDALGO	5/14/04	18,025.00	0.00	18,025.00	0.00	0.00
PWS	5085	FIELDER, MARY	0200425	BRAZORIA	5/24/04	6,250.00	0.00	6,250.00	0.00	0.00
PWS	9569	Amir Saif dba Sun Power Travel Plaza	0610239	DENTON	5/24/04	2,275.00	0.00	2,275.00	0.00	0.00
PWS	11901	SAMPOGNA, HUMBERTO	1010658	HARRIS	5/24/04	2,450.00	0.00	2,450.00	0.00	0.00
PWS	5911	Lake Brownwood Christian Retreat	0250030	BROWN	6/13/04	1,613.00	0.00	0.00	1,613.00	1,613.00
PWS	7408	FULLER, SHAWN	1520249	LUBBOCK	6/13/04	3,300.00	0.00	3,300.00	0.00	0.00
PWS	5864	BRYANT, KATHIE	0270008	BURNET	6/13/04	3,014.00	0.00	3,014.00	0.00	0.00
PWS	7939	VV Water Supply System, Inc.	0610052	DENTON	6/14/04	0.00	0.00	0.00	0.00	0.00
PWS	9596	CUSTOM FOOD GROUP	0200504	BRAZORIA	7/1/04	1,563.00	0.00	1,563.00	0.00	0.00
PWS	10172	City of Round Rock	2460003	WILLIAMSON	7/5/04	555.00	0.00	555.00	0.00	0.00
PWS	7443	City of Graham	2520001	YOUNG	7/5/04	16,302.00	0.00	0.00	16,302.00	16,302.00
PWS	3777	PKCC LP *	0270113	BURNET	7/20/04	0.00	0.00	0.00	0.00	0.00
PWS	9786	BARNHART WSC	1180001	IRION	7/30/04	805.00	0.00	805.00	0.00	0.00
PWS	12284	MUSKRELLA, MIKE	0790234	FORT BEND	7/30/04	330.00	0.00	330.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
PWS	9840	AQUA PURE WSC	0180031	BOSQUE	7/30/04	945.00	0.00	945.00	0.00	0.00
Subtotal for PWS : 52						205,069.00	4,704.00	158,907.00	39,895.00	39,895.00
WATE RIGHT	5863	City of Cooper	NONE	DELTA	11/2/03	53.00	0.00	53.00	0.00	0.00
WATE RIGHT	2593	City of Galveston	NONE	GALVESTON	11/16/03	1,338.00	0.00	1,338.00	0.00	0.00
WATE RIGHT	2594	City of Port Lavaca	NONE	CALHOUN	12/21/03	1,363.00	0.00	1,363.00	0.00	0.00
WATE RIGHT	2595	City of Terrell	NONE	KAUFMAN	4/5/04	1,943.00	0.00	0.00	1,943.00	1,943.00
WATE RIGHT	2845	EBCO Land Development, LTD.	5694	MONTGOMERY	5/14/04	13,750.00	0.00	13,750.00	0.00	0.00
WATE RIGHT	2591	BARTON CREEK WSC	NONE	TRAVIS	5/24/04	525.00	0.00	525.00	0.00	0.00
WATE RIGHT	5805	City of Pecan Gap	NONE	DELTA	6/13/04	565.00	0.00	565.00	0.00	0.00
WATE RIGHT	7444	City of Graham	2520001	YOUNG	7/1/04	4,275.00	0.00	0.00	4,275.00	4,275.00
Subtotal for WATERIGHT : 8						23,812.00	0.00	17,594.00	6,218.00	6,218.00
WQ	2551	Pilgrim's Pride Corporation	TXR05O410	NACOGDOCHE	9/25/03	5,425.00	0.00	5,425.00	0.00	0.00
WQ	797	City of Mission	TPDES0070017	HIDALGO	9/25/03	29,500.00	0.00	0.00	29,500.00	29,500.00
WQ	1002	Dickson Weatherproof Nail Company	TPDES0093513	HARRIS	9/25/03	65,450.00	0.00	65,450.00	0.00	0.00
WQ	2836	THE SPANOS CORPORATION	11-02022201	TRAVIS	9/25/03	1,600.00	320.00	1,280.00	0.00	0.00
WQ	8344	BARRERA, CLAUDIO	NONE	JIM WELLS	9/25/03	875.00	0.00	875.00	0.00	0.00
WQ	1192	Luce Bayou Pud	TPDES0074870	HARRIS	9/25/03	19,475.00	0.00	0.00	19,475.00	19,475.00
WQ	2815	Superior Derrick Services, Inc.	WQ0012443001	HARRIS	10/10/03	10,118.00	2,024.00	8,094.00	0.00	0.00
WQ	8236	City of Trenton	TX0026794000	FANNIN	10/10/03	6,120.00	0.00	0.00	6,120.00	6,120.00
WQ	2633	City of Groesbeck	WQ0010182001	LIMESTONE	10/10/03	870.00	174.00	696.00	0.00	0.00
WQ	1052	City of Gregory	WQ0010092001	SAN PATRICIO	10/10/03	44,375.00	0.00	0.00	44,375.00	44,375.00
WQ	2674	Garrett Creek Ranch, Inc.	WQ0013427001	WISE	10/10/03	9,075.00	0.00	9,075.00	0.00	0.00
WQ	2552	Wal-Mart Stores, Inc.	WQ0003597000	ANDERSON	10/10/03	8,100.00	1,620.00	6,480.00	0.00	0.00
WQ	1854	CYPRESS HILLS MUD 1	WQ0012327001	HARRIS	10/10/03	2,900.00	0.00	2,900.00	0.00	0.00
WQ	2510	YATES, GERALD	101335	HOUSTON	10/10/03	238.00	0.00	238.00	0.00	0.00
WQ	2729	MCLENNAN COUNTY WCID 2	WQ0010344001	MCLENNAN	10/10/03	5,200.00	1,040.00	4,160.00	0.00	0.00
WQ	2786	TEJAS MACHINES INC	NONE	MONTGOMERY	10/10/03	3,800.00	0.00	3,800.00	0.00	0.00
WQ	5697	RONALD J MILLER DBA IMS PROPERTY MANAGEMENT	NONE	WILSON	10/19/03	3,125.00	0.00	3,125.00	0.00	0.00
WQ	6461	South Hampton Refining Co	TPDES0003204	HARDIN	10/19/03	5,400.00	0.00	2,700.00	2,700.00	2,700.00
WQ	9568	ESPINOZA STONE INC	00000011	WILLIAMSON	10/19/03	2,500.00	0.00	2,500.00	0.00	0.00
WQ	3576	Participation Development Corporation (Texas), Inc.	WQ0011506001	HENDERSON	11/2/03	15,400.00	0.00	15,400.00	0.00	0.00
WQ	7459	Hays Consolidated ISD	11-02070204	HAYS	11/2/03	650.00	130.00	520.00	0.00	0.00
WQ	2671	REED PARQUE LIMITED PARTNERSHIP	WQ0013968001	HARRIS	11/2/03	8,400.00	0.00	8,400.00	0.00	0.00
WQ	2644	City of Rhome	WQ0010701002	WISE	11/2/03	16,380.00	0.00	16,380.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
WQ	2757	Southwest Nut Company	NONE	EL PASO	11/2/03	2,140.00	0.00	2,140.00	0.00	0.00
WQ	986	City of Florence	WQ0010944001	WILLIAMSON	11/2/03	6,450.00	0.00	6,450.00	0.00	0.00
WQ	2498	City Of Shamrock	WQ0010279003	WHEELER	11/2/03	19,795.00	0.00	0.00	19,795.00	19,795.00
WQ	2556	H.I.S. Instead, Inc.	WQ0014395001	GREGG	11/2/03	13,050.00	0.00	13,050.00	0.00	0.00
WQ	2790	Conroe Sand & Clay, LTD	NONE	MONTGOMERY	11/2/03	6,600.00	0.00	6,600.00	0.00	0.00
WQ	2604	City of Yantis	WQ0012187001	WOOD	11/2/03	5,996.00	0.00	5,996.00	0.00	0.00
WQ	2794	Plains Cotton Cooperative Association	WQ0000335000	COMAL	11/2/03	15,625.00	0.00	15,625.00	0.00	0.00
WQ	2701	Aqua Texas, Inc.	TPDES0075663	HARRIS	11/16/03	9,200.00	0.00	9,200.00	0.00	0.00
WQ	2758	Tapia Dairy #3, L.L.C.	NONE	RUNNELS	11/16/03	2,240.00	0.00	2,240.00	0.00	0.00
WQ	2673	Aqua Texas, Inc.	TPDES0119571	HARRIS	11/16/03	10,000.00	2,000.00	8,000.00	0.00	0.00
WQ	944	Bell County Water Control and Improvement District No. 3	TPDES0069191	BELL	11/16/03	8,000.00	1,600.00	6,400.00	0.00	0.00
WQ	2752	City of Abilene	TPDES0023973	JONES	11/16/03	6,750.00	1,350.00	0.00	5,400.00	5,400.00
WQ	2842	COMAL COUNTY	NONE	COMAL	11/16/03	3,000.00	600.00	2,400.00	0.00	0.00
WQ	2629	HARRIS COUNTY MUD 284	TPDES0095702	HARRIS	11/16/03	6,440.00	1,288.00	5,152.00	0.00	0.00
WQ	1006	Harris County Water Control and Improvement District 1	TPDES0023311	HARRIS	11/16/03	66,000.00	0.00	66,000.00	0.00	0.00
WQ	1917	Orange County Water Control and Improvement District No. 1	TPDES0108081	ORANGE	11/16/03	5,000.00	1,000.00	0.00	4,000.00	4,000.00
WQ	2703	City of Skellytown	10283001	CARSON	12/5/03	4,200.00	0.00	0.00	4,200.00	4,200.00
WQ	5951	LAGUNA MADRE WATER DISTRICT	TPDES0023621	CAMERON	12/5/03	13,420.00	0.00	13,420.00	0.00	0.00
WQ	2626	Aqua Texas, Inc.	TPDES0046744	HARRIS	12/5/03	5,560.00	0.00	5,560.00	0.00	0.00
WQ	2580	CITY OF COLMESNEIL	TPDES0100692	TYLER	12/5/03	3,000.00	600.00	0.00	2,400.00	2,400.00
WQ	5794	Quail Creek MUD	TPDES0023477	VICTORIA	12/21/03	6,220.00	0.00	6,220.00	0.00	0.00
WQ	5695	LAVERN, ROBERT GEORGE	TPDES0124931	HENDERSON	12/21/03	14,000.00	2,800.00	11,200.00	0.00	0.00
WQ	2730	Double Diamond Utilities Co.	TPDES0099015	PALO PINTO	12/21/03	2,100.00	420.00	1,680.00	0.00	0.00
WQ	7401	O'Quinn Land and Cattle Company, Ltd.	11-01061301	HAYS	12/21/03	1,500.00	0.00	1,500.00	0.00	0.00
WQ	928	City of Whitehouse	TPDES0072770	SMITH	12/21/03	24,890.00	0.00	24,890.00	0.00	0.00
WQ	2646	Ergon Asphalt & Emulsions, Inc.	WQ0003877000	TITUS	1/8/04	2,800.00	0.00	2,800.00	0.00	0.00
WQ	2645	Air Liquide America L.P.	WQ0001954000	BRAZORIA	1/30/04	7,800.00	1,560.00	6,240.00	0.00	0.00
WQ	965	Central Independent School District Public Facility Corporation	WQ0012214001	ANGELINA	1/30/04	0.00	0.00	0.00	0.00	0.00
WQ	2630	Fort Bend County MUD 112	WQ0013628001	FORT BEND	1/30/04	3,625.00	0.00	3,625.00	0.00	0.00
WQ	2797	LIPAR GROUP INC	WQ0014029001	MONTGOMERY	1/30/04	10,640.00	2,128.00	8,512.00	0.00	0.00
WQ	2665	Greenville Electric Utility System	WQ0002984000	HUNT	2/13/04	6,600.00	1,320.00	5,280.00	0.00	0.00
WQ	2813	A & A Salvage, Inc.	TXR05L093	GALVESTON	2/13/04	3,150.00	0.00	3,150.00	0.00	0.00
WQ	2642	City of Rockdale	WQ0010658001	MILAM	3/5/04	8,200.00	1,640.00	0.00	6,560.00	6,560.00
WQ	9556	Booker Packing Company	WQ0002757000	LIPSCOMB	3/5/04	9,200.00	0.00	9,200.00	0.00	0.00
WQ	7447	CLARK, VICKIE L *	11-00000018	TRAVIS	3/5/04	3,150.00	630.00	2,520.00	0.00	0.00
WQ	1970	U S Department of the Army	WQ0012074001	COMAL	3/5/04	1,300.00	0.00	1,300.00	0.00	0.00
WQ	5842	BAYOU CLUB OF HOUSTON	WQ0012233001	HARRIS	3/5/04	10,530.00	0.00	10,530.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
WQ	7317	ISCHY WALTER AND ISCHY NOLAN	00000011	WILLIAMSON	3/5/04	2,500.00	0.00	2,500.00	0.00	0.00
WQ	977	City of San Augustine	TPDES0022349	SAN AUGUSTIN	3/14/04	23,100.00	0.00	0.00	23,100.00	23,100.00
WQ	2803	Federal Bureau of Prisons	NONE	JEFFERSON	3/14/04	5,000.00	0.00	0.00	5,000.00	5,000.00
WQ	2317	City of Ore City	TPDES0024236	UPSHUR	3/14/04	10,751.00	2,151.00	0.00	8,600.00	8,600.00
WQ	2090	FORT HANCOCK WCID	WQ0011173001	HUDSPETH	3/14/04	11,250.00	0.00	11,250.00	0.00	0.00
WQ	2735	Thousand Trails, Inc.	TPDES0097675	RAINS	3/22/04	10,800.00	0.00	5,400.00	5,400.00	5,400.00
WQ	2686	HAWLEY, BAILEY RAY	22632	WOOD	3/31/04	0.00	0.00	0.00	0.00	0.00
WQ	5853	Equistar Chemicals, LP	TPDES0119792	HARRIS	4/5/04	54,725.00	0.00	54,725.00	0.00	0.00
WQ	9855	City of Stockdale	NONE	WILSON	4/19/04	5,400.00	0.00	0.00	5,400.00	5,400.00
WQ	10759	LEGGETT, RONNIE LEE	NONE	POLK	5/14/04	1,000.00	200.00	800.00	0.00	0.00
WQ	1040	MATAGORDA COUNTY	TPDES0098205	MATAGORDA	5/14/04	15,750.00	0.00	0.00	15,750.00	15,750.00
WQ	2654	City of Mart	TPDES0026051	MCLENNAN	5/14/04	7,280.00	1,456.00	5,824.00	0.00	0.00
WQ	9948	City of Alvarado	TPDES0033278	JOHNSON	5/14/04	6,500.00	0.00	6,500.00	0.00	0.00
WQ	10232	CMH Parks, Inc.	TPDES0083429	HARRIS	5/24/04	1,010.00	202.00	808.00	0.00	0.00
WQ	9536	Sac-N-Pac Stores, Inc.	11-95112702A	HAYS	6/13/04	6,000.00	1,200.00	4,800.00	0.00	0.00
WQ	9920	Aqua Texas, Inc.	TPDES0026247	HARRIS	6/13/04	6,720.00	0.00	6,720.00	0.00	0.00
WQ	10638	CITY OF DAINGERFIELD	TPDES0027031	MORRIS	6/13/04	2,340.00	468.00	1,872.00	0.00	0.00
WQ	2603	Town of Buckholts	TPDES0073008	MILAM	6/13/04	10,350.00	2,070.00	8,280.00	0.00	0.00
WQ	10580	Memorial Hills Municipal Utility District	TPDES0046671	HARRIS	6/13/04	1,900.00	380.00	1,520.00	0.00	0.00
WQ	10238	City of Coolidge	TPDES0057045	LIMESTONE	6/13/04	6,875.00	1,375.00	5,500.00	0.00	0.00
WQ	10598	Protherm Services Group, LLC	WQ0003974000	HARRIS	7/1/04	3,680.00	736.00	2,944.00	0.00	0.00
WQ	10212	MASSEY, JIMMIE WAYNE	TPDES0070297	MATAGORDA	7/1/04	3,000.00	600.00	2,400.00	0.00	0.00
WQ	11921	VERRY, RICHARD ALLEN	TPDES0085871	HARRIS	7/1/04	3,000.00	600.00	2,400.00	0.00	0.00
WQ	2686	HAWLEY, BAILEY RAY	22632	WOOD	7/2/04	0.00	0.00	0.00	0.00	0.00
WQ	2816	Brazoria County MUD 21	WQ0014222001	BRAZORIA	7/5/04	3,565.00	713.00	2,852.00	0.00	0.00
WQ	10361	FMC Technologies, Inc.	WQ0002611000	HARRIS	7/5/04	19,950.00	0.00	9,975.00	9,975.00	9,975.00
WQ	9964	City of Palmer	TPDES0026603	ELLIS	7/5/04	18,160.00	0.00	18,160.00	0.00	0.00
WQ	9954	ALEDO ISD	WQ0013438001	PARKER	7/5/04	2,580.00	516.00	2,064.00	0.00	0.00
WQ	9902	BENNEFIELD, BRUCE	NONE	NEWTON	7/5/04	1,000.00	200.00	800.00	0.00	0.00
WQ	2841	Dutch Boy Cleaners, Inc.	NONE	BEXAR	7/5/04	4,000.00	800.00	3,200.00	0.00	0.00
WQ	10191	Applied Industrial Materials Corporation	TPDES0094129	GALVESTON	7/5/04	940.00	188.00	752.00	0.00	0.00
WQ	9294	Chemical Specialties, Inc.	WQ0001878000	BRAZORIA	7/5/04	10,600.00	2,120.00	8,480.00	0.00	0.00
WQ	2515	REYNOLDS, DAVID	TX0124877	ANDERSON	7/5/04	14,280.00	0.00	14,280.00	0.00	0.00
WQ	10131	City Of New London	TPDES0087360	RUSK	7/30/04	2,000.00	400.00	1,600.00	0.00	0.00
WQ	10359	Big Oaks Municipal Utility District	TPDES0096911	FORT BEND	7/30/04	5,600.00	1,120.00	4,480.00	0.00	0.00
WQ	9780	Pure Utilities, L.C.	TPDES0063509	POLK	7/30/04	3,220.00	644.00	2,576.00	0.00	0.00
WQ	9454	Marathon Ashland Petroleum LLC	TX0003697	GALVESTON	7/30/04	15,750.00	0.00	15,750.00	0.00	0.00
WQ	10398	EL PASO COUNTY WCID 4	TPDES0065013	EL PASO	7/30/04	5,000.00	0.00	5,000.00	0.00	0.00

Singles Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
WQ	9660	Texas Department of Public Safety	11-03030501	WILLIAMSON	7/30/04	7,500.00	1,500.00	6,000.00	0.00	0.00
WQ	10560	Linde Gas, L.L.C. *	TX0118389	HARRIS	7/30/04	9,480.00	0.00	9,480.00	0.00	0.00
WQ	2009	Texas Parks And Wildlife Department	WQ0014199001	BURNET	7/30/04	9,775.00	0.00	0.00	9,775.00	9,775.00
WQ	10151	MARSHALL, SANDRA	NONE	NEWTON	7/30/04	625.00	125.00	500.00	0.00	0.00
WQ	9564	KARBALAI, LAURA REDOW	TPDES0123579	HARRIS	7/30/04	14,375.00	2,875.00	11,500.00	0.00	0.00
Subtotal for WQ : 103						940,478.00	46,883.00	666,070.00	227,525.00	227,525.00
WWA	2825	Lueck Dairies Texas, L.L.C.	TX0121835	ERATH	11/16/03	1,925.00	385.00	1,540.00	0.00	0.00
WWA	1132	SCHOUTEN DENNIS & SCHOUTEN CORNELIUS T & SCHOUTEN NICHOLAS	WQ0004133000	ERATH	1/30/04	11,550.00	0.00	11,550.00	0.00	0.00
WWA	2243	BYL, PAUL *	WQ0003316000	ERATH	1/30/04	4,375.00	0.00	4,375.00	0.00	0.00
WWA	1515	Tapia Dairy #3, L.L.C.	WQ0004012000	TOM GREEN	2/13/04	7,700.00	0.00	7,700.00	0.00	0.00
WWA	4021	Pilgrim Poultry GP	WQ0004032000	CAMP	4/19/04	200,000.00	0.00	100,000.00	200,000.00	100,000.00
WWA	3772	Calvin Pareo dba Pareo Dairy	TPDES0131342	COMANCHE	4/19/04	4,000.00	0.00	2,000.00	2,000.00	2,000.00
WWA	1125	R J SMELLEY COMPANY INC	WQ0002422000	TARRANT	5/24/04	2,250.00	0.00	1,125.00	1,125.00	1,125.00
WWA	9957	JENNETT, NILES *	WQ0003286000	ERATH	7/5/04	2,040.00	408.00	1,632.00	0.00	0.00
Subtotal for WWA : 8						233,840.00	793.00	129,922.00	203,125.00	103,125.00
Total for Singles Programs : 560						6,233,250.00	279,866.00	4,213,677.00	1,838,144.00	1,838,144.00

Multi-Media Programs

Administrative Orders Issued

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
MM	8033	KEY, CLIFFORD GLEN	NONE	NEWTON	9/25/03	6,000.00	0.00	6,000.00	0.00	0.00
MM	6023	PRICE, WILLARD	SC0013P	SAN JACINTO	9/25/03	1,800.00	360.00	1,440.00	0.00	0.00
MM	8543	Century Trucking, Inc.	NONE	HARDIN	9/25/03	3,750.00	0.00	3,750.00	0.00	0.00
MM	5914	CANTU, RUDY	BG1264G	BEXAR	10/10/03	2,100.00	0.00	2,100.00	0.00	0.00
MM	5867	BILL TURNER DBA TURNER ROOFING	NONE	NEWTON	10/10/03	3,675.00	0.00	3,675.00	0.00	0.00
MM	351	Tecon Water Company, L.P.	1700386	MONTGOMERY	10/10/03	63,044.00	0.00	63,044.00	0.00	0.00
MM	8240	Rohm And Haas Texas Incorporated	29010	HARRIS	10/10/03	50,580.00	10,116.00	40,464.00	0.00	0.00
MM	2720	MARVIN AND BETTY WHITEHEAD DBA	NONE	JASPER	10/10/03	5,250.00	0.00	5,250.00	0.00	0.00
MM	3588	City of Kountze	1000001	HARDIN	10/10/03	14,938.00	0.00	0.00	14,938.00	14,938.00
MM	5957	BASIC EQUIPMENT COMPANY	NE0495H	NUECES	10/10/03	5,250.00	0.00	5,250.00	0.00	0.00
MM	5944	Greif, Inc.	1763	HARRIS	12/5/03	19,270.00	0.00	19,270.00	0.00	0.00
MM	7972	WALKER BROTHERS CONSTRUCTION	NONE	NEWTON	12/21/03	7,500.00	6,900.00	600.00	0.00	0.00
MM	2792	CITY OF THE COLONY	WQ0011570001	*MULTIPLE	1/8/04	20,535.00	4,000.00	16,535.00	16,535.00	16,535.00
MM	5501	COASTLINE RESOURCES INC	85547	SAN PATRICIO	1/30/04	24,725.00	0.00	24,725.00	0.00	0.00
MM	8023	M TRANSPORTS INC	HAU0031	CAMERON	1/30/04	9,450.00	0.00	9,450.00	0.00	0.00
MM	7138	B & B Construction Co., Inc.	NONE	TERRY	4/19/04	3,500.00	0.00	3,500.00	0.00	0.00
MM	6699	Ransom Industries, LP	SK0041T	SMITH	5/14/04	112,250.00	0.00	56,125.00	56,125.00	56,125.00
MM	9664	Conner Steel Products Inc.	80773	TOM GREEN	5/14/04	6,820.00	0.00	6,820.00	0.00	0.00
MM	5803	City of Alice	1250001	JIM WELLS	5/24/04	1,363.00	273.00	0.00	1,090.00	1,090.00
MM	5709	FLORES, FELIX	GL0133J	GUADALUPE	5/24/04	5,000.00	0.00	5,000.00	0.00	0.00
MM	7173	Sneed Shipbuilding, Inc.	OC0065S	ORANGE	6/13/04	7,000.00	0.00	7,000.00	0.00	0.00
MM	10052	Crown Cork & Seal Company (USA), Inc.	TB0016Q	TAYLOR	7/1/04	2,625.00	0.00	2,625.00	0.00	0.00
MM	9196	Texas Pacifico Transportation, LTD.	F1534	TOM GREEN	7/1/04	12,780.00	0.00	12,780.00	0.00	0.00
MM	10053	TPI Petroleum, Inc.	65750	CLAY	7/5/04	11,500.00	2,300.00	9,200.00	0.00	0.00
MM	5813	Waste Management of Texas, Inc.	249C	TRAVIS	7/5/04	244,420.00	0.00	122,210.00	122,210.00	122,210.00
MM	5811	BFI WASTE SYSTEMS OF NORTH AMERICA, INC.	1447	TRAVIS	7/5/04	28,000.00	0.00	14,000.00	14,000.00	14,000.00
MM	6031	NUECES COUNTY WCID 5	1780010	NUECES	7/5/04	6,600.00	0.00	0.00	6,600.00	6,600.00
MM	10244	City Of Earth	455020031	LAMB	7/5/04	7,000.00	1,400.00	5,600.00	0.00	0.00
MM	13245	AEP Texas North Company	31872	*MULTIPLE	7/5/04	7,970.00	1,270.00	3,350.00	3,350.00	3,350.00
MM	11760	FORTNER, JAMES RICKEY JR	NONE	COLLIN	7/30/04	500.00	100.00	400.00	0.00	0.00
MM	10357	COOKS POINT WSC	0260028	BURLESON	7/30/04	1,220.00	127.00	1,093.00	0.00	0.00
MM	9670	Nacogdoches County	BE00062	NACOGDOCHE	7/30/04	16,875.00	3,375.00	0.00	13,500.00	13,500.00
MM	13529	City Of San Angelo	NONE	TOM GREEN	7/30/04	1,800.00	360.00	1,440.00	0.00	0.00
Total for Multi-Media Programs : 33						715,090.00	30,581.00	452,696.00	248,348.00	248,348.00
Total for all Programs : 593						6,948,340.00	310,447.00	4,666,373.00	2,086,492.00	1,986,492.00

Date Range Selected : 09/01/2003 - 07/31/2004

PGM	Case No.	Respondent Name	TCEQ ID	County	Order Date	Penalty Assessed	Penalty Deferred	Payable Amount	SEP Cost	SEP Offset
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Summary of SEPs:

Total Orders : 593
Orders with SEPs : 71
Orders with SEPs % : 12.0
Orders with SEP Offset % : 29.9

* There are Multiple Respondent Names associated to this Case No.

**Consideration of the Agency's 2006/2007 Legislative Appropriations
Request (LAR).**

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners Work Session **Date:** October 15, 2004
Thru: Grace Montgomery Faulkner
Deputy, Office of Administrative Services
From: Linda Flores
Chief Financial Officer
Becky O'Brien
Director, Budget and Planning Division
Subject: 2006/2007 Legislative Appropriations Request (LAR)

Issue:

Consideration of the Agency's 2006/2007 Legislative Appropriations Request (LAR).

Background and Current Practice

The LAR represents the financial needs of the Agency as portrayed in the Strategic Plan. For the 2006/2007 biennium, guidance and instructions were provided by the Governor's Office of Budget and Planning and Policy (GOBPP) and the Legislative Budget Board (LBB). The revised LAR incorporates guidance provided by the LBB to limit the Agency's General Revenue and General Revenue Dedicated baseline request for the 2006/2007 biennium.

**Changes from
August 20, 2004 Approved - 2006/2007 Legislative Appropriations Request to
September 30, 2004 - 2006/2007 Legislative Appropriations Request**

The following changes were incorporated:

- 1) Identified Riders (8) either moved to Exceptional Item Request or deleted.
 - **Rider 22** - Exceptional - Unexpended Balances for Waste Tire Disposal Grants.
 - **Rider 24** - Exceptional - Contingency Appropriations: Fee Appropriation for Watermaster Offices - Removed the request for 2 FTEs. This is already in the exceptional item request for the Concho Watershed.
 - **Rider 25** - Exceptional - Prioritized last - Recovered Costs and Responsible Party Payments - Superfund.
 - **Rider 26** - Deleted - Costs Recovered for Petroleum Storage Tank Remediation.
 - **Rider 29** - Exceptional - Environmental Laboratory Accreditation Fees.
 - **Rider 704** - Deleted - Dry Cleaner Program.
 - **Rider 705** - Exceptional - Texas Emission Reduction Program - Also, increased request by \$12.5M to offset the \$12.5M Reliant reduction.
 - **Rider 708** - Exceptional - Unexpended Balances for Tire Derived Fuel Grants.

- 2) Petroleum Storage Tank
 - Fund 0655 and Objects of Expense moved from FY2007 to FY2006 in Strategy 040101.
 - Revised the beginning estimated revenue balances.

- 3) Federal Funds Strategy change
 - Moved CFDA 66.454 from Strategy 010101 to Strategy 010102 for FY2003 and FY2004.

- 4) Dry Cleaning Fund
 - Reduced FY2005 revenue projection based on program experience date.
 - Added a deduction for projected lapsed appropriations in FY2005.

- 5) Exceptional Item - Replacement Vehicles
 - External/Internal Factors verbiage updated to correct the number of vehicles. (12 should be 16 and 1 should be 7)

- 6) Zero out FY2008/2009 all amounts in the Capital Schedule
 - Amounts for FY2008 and FY2009 were deleted.

- 7) Low Level FTEs
 - FY2005, FY2006 and FY2007 Low Level FTEs changed to 13 in Strategy 010301 and reduced by 1.4 FTEs in strategy 010203.

- 8) Reliant
 - Added back the \$12.5M appropriated receipts to fund 0666.

- 9) Administrator's Statement
 - Updated to reflect the applicable aforementioned changes.

- 10) Cover
 - Added REVISED in bold under document name and added "Revised September 30, 2004" under "August 20, 2004".

Docket Number 204-1609-MIS. Consideration of the interagency contract between the State Office of Administrative Hearings and the Texas Commission on Environmental Quality regarding conducting Texas Commission on Environmental Quality contested case hearings.

State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

RECEIVED
OCT 01 2004
Texas Commission on Environmental Quality
Commissioners' Offices

September 29, 2004

Mr. Duncan C. Norton
General Counsel
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Dear Mr. Norton:

Enclosed please find a Interagency Cooperation Contract between the Texas Commission on Environmental Quality ("Receiving Agency") and the State Office of Administrative Hearings ("Performing Agency" [SOAH]) that have been executed by Shelia Bailey Taylor, Chief Administrative Law Judge. Please have the designated official at your agency sign the contact and return to SOAH.

We look forward to working with you in the coming year.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis L. Johnson".

Phyllis L. Johnson
Executive Assistant to
Shelia Bailey Taylor
Chief Administrative Law Judge

/plj

Enclosure

INTERAGENCY COOPERATION CONTRACT

THIS INTERAGENCY COOPERATION CONTRACT ("CONTRACT") is entered into between the State agencies shown below as Contracting Parties, pursuant to the "Interagency Cooperation Act", TEXAS GOVERNMENT CODE, Chapter 771.

I. CONTRACTING PARTIES:

The Receiving Agency: Texas Commission on Environmental Quality (TCEQ)

The Performing Agency: State Office of Administrative Hearings (SOAH)

II. STATEMENT OF SERVICES TO BE PERFORMED:

A. Duties of SOAH.

1. SOAH, through an administrative law judge (ALJ) in the Natural Resources Division (NRD), shall conduct all contested case hearings referred by the Chief Clerk of TCEQ (Chief Clerk) during the term of this contract. The NRD shall consist of a sufficient number of ALJs to properly manage the caseload referred to SOAH by TCEQ. All NRD ALJs shall have the expertise necessary to conduct hearings regarding technical or other specialized subjects that may come before the TCEQ. SOAH shall provide a list of NRD ALJs to the TCEQ's General Counsel upon execution of this contract.

a. The hearings shall be conducted in a timely manner.

i. If TCEQ desires that any contested case be handled on an expedited basis, that request will be communicated in writing by the Chief Clerk and SOAH will use every reasonable means to expedite the matter. This is not intended to impair the independence of SOAH in the conduct of the hearing function.

ii. The General Counsel of TCEQ and appropriate staff will review with appropriate staff of SOAH the status of pending contested cases and alternative dispute resolution cases quarterly. SOAH will provide monthly status reports of the pending cases and provide information on those cases that have exceeded TCEQ's time lines for issuance of Proposals for Decision and agreed orders. The General Counsel will provide input to assist SOAH regarding TCEQ's priorities and public policy needs. This is intended to assist SOAH in providing efficient service under this contract and is not intended to impair the independence of SOAH in the conduct of the hearing function.

b. The hearings shall be conducted in accordance with applicable law.

2. SOAH, through trained third-party neutrals within its staff, shall conduct alternative dispute resolution procedures in matters referred to SOAH by the Commission or the TCEQ's Senior Mediator for that purpose. When the Commission has referred a contested case to SOAH and the ALJ, pursuant to statute, later refers the case to mediation, the mediated settlement conference will be conducted by a TCEQ mediator unless a party requests assignment of a SOAH mediator or the TCEQ's Senior Mediator determines that a scheduling conflict requires the use of a SOAH mediator.

a. TCEQ will be represented by its Senior Mediator for all purposes involving the use of ADR procedures in any matters of TCEQ pending at SOAH.

b. SOAH will be represented by its ADR Team Leader for all purposes involving the use of ADR procedures in any matters of TCEQ pending in SOAH.

c. TCEQ enforcement cases shall not be referred to mediation except on request of the Executive Director's representative at the hearing.

3. SOAH, through the NRD, shall perform all functions associated with the conducting of contested cases (except TCEQ functions stated in this contract), including, but not limited to:

a. Scheduling rooms.

b. Records compilations.

c. Holding of preliminary hearings.

d. Rulings on party status consistent with applicable law.

e. Encouraging the application of alternative dispute resolution procedures in cases referred for hearing. Application of ADR procedures will be as provided elsewhere herein.

f. Ruling on scheduling and discovery matters.

g. Requiring pre-filed exhibits or testimony (as appropriate).

h. Conducting evidentiary hearings.

i. Requiring closing arguments, and replies (as necessary).

j. Issuing Proposals for Decision (PFDs).

- k. Responding to exceptions (if warranted).
- l. Presenting PFDs to the Commissioners.
- m. Accepting remands for reconsideration of Findings and Conclusions, or to take additional evidence.
- n. Issuing all subsequent hearing-related notices (after notices of application and hearing), including the PFD.
- o. Generating PFDs according to time lines contained in the TCEQ's procedural rules or set by the Commission pursuant to Water Code § 5.556 or Gov't Code § 2003.047 (e).
- p. Providing a quarterly report to TCEQ on services performed.

B. Duties of TCEQ.

1. TCEQ will track all cases referred to SOAH for time lines to determine the progress of disposition of cases referred to SOAH.

2. TCEQ shall perform the following:

- a. Issue the notice of application and hearing;
- b. Maintain a central records and filing system;
- c. Prepare the administrative record upon the appeal of a final order;
- d. Provide for court reporting services.

i. TCEQ will continue to provide court reporting services when required in contested case hearings. The Chief Clerk will coordinate the requests for and scheduling of the court reporter. The administrative law judge, as soon as scheduling changes are anticipated, will notify the Chief Clerk of those changes and may, if necessary, contact the court reporter directly to schedule or cancel services.

ii. The administrative law judge will enforce the requirements of TCEQ procedural rules concerning requests for court reporter services and may require the applicant, or the Executive Director in enforcement hearings, to pay for the transcript in advance subject to reimbursement from other parties upon assessment of costs. At the conclusion of the hearing, the administrative law judge will include within the Proposal for Decision a recommendation on the proper assessment of costs consistent with the provisions of 30 TAC §80.23.

e. Prepare and issue the final order.

C. Section 2003.048, Government Code, TCEQ's court reporting services agreement, the Administrative Procedure Act, and TCEQ's procedural rules (to the extent described in Section II. D. below) are hereby incorporated by reference and made a part of this contract for all purposes.

D. SOAH will work with TCEQ to identify TCEQ's rules which should be adopted by reference.

III. BASES FOR CALCULATING REIMBURSABLE COSTS:

A. As required by Section 2003.048, Government Code, SOAH shall charge TCEQ a fixed annual fee for the services performed in connection with this contract. The contracting parties agree to a fixed annual fee of Nine Hundred Thirty-eight Thousand Eight Hundred Sixty Dollars and no cents (\$938,860.00) for the services performed in connection with this contract for Fiscal Year 2005. The advancement of funds by TCEQ for services performed by SOAH in connection with this contract is a reimbursement for the purpose of the Interagency Cooperation Act. SOAH shall comply with applicable state law regarding reimbursable cost.

B. Whenever SOAH's hours of service provided to TCEQ exceed twenty percent (20%) above or below the average number of hours for the preceding four years, SOAH is to report the exceedence to TCEQ. The report shall be provided to TCEQ within fifteen days following the end of the fiscal year quarter.

1. If the number of hours of service provided exceeds by twenty percent (20%) or more over the average number of hours for the preceding four years, SOAH may enter into negotiations with TCEQ to renegotiate the contract to recover the cost of the overage.

2. If the number of hours of service provided is twenty percent (20%) or more below the average number of hours for the preceding four years, SOAH shall refund the difference.

3. If the number of hours of service provided is within twenty percent (20%) above or below the average number of hours for the preceding four years, the funding provided by this contract shall be deemed appropriate and sufficient for the services provided by SOAH and neither renegotiation for additional funds nor refund of funds as contracted for herein will be required.

IV. CONTRACT AMOUNT:

The total cost of services to be performed in connection with this contract for Fiscal Year 2005 is: Nine Hundred Thirty-eight Thousand Eight Hundred Sixty Dollars and no cents (\$938,860.00).

V. CONSIDERATION / PAYMENT FOR SERVICES:

A. SOAH will be paid a fixed annual fee of Nine Hundred Thirty-eight Thousand Eight Hundred Sixty Dollars and no cents (\$938,860.00) for the total cost of services to be performed in connection with this contract for Fiscal Year 2005. This fixed annual fee is the nearest practicable estimate of SOAH's actual cost of providing these services. This fixed annual fee shall be paid in four quarterly payments of Two Hundred Thirty-four Thousand Seven Hundred Fifteen Dollars and no cents (\$234,715.00). SOAH shall submit a payment request for Two Hundred Thirty-four Thousand Seven Hundred Fifteen Dollars and no cents (\$234,715.00) to TCEQ on or about the first business day of each quarter within the term of this contract beginning on September 1, 2004. Upon approval of the payment request by TCEQ, payment shall be made to SOAH as soon as practicable to enable SOAH to provide the requested services or resources.

B. TCEQ shall pay for services received from appropriation items or accounts of TCEQ from which like expenditures would normally be paid, based upon vouchers drawn by TCEQ payable to SOAH.

C. Payments received by SOAH shall be credited to its current appropriation item(s) or account(s) from which the expenditures of that character were originally made.

See Exhibits A and B for additional payment details and designation of authorized representatives.

VI. TERM OF CONTRACT:

This Contract is to begin September 1, 2004 and shall terminate August 31, 2005.

VII. FUNDING:

It is expressly understood and agreed by the contracting parties hereto that the performance on the part of TCEQ of its obligations hereunder is contingent upon and subject to actual receipt by TCEQ of sufficient and adequate funds from the sources contemplated by this Contract. To the extent the performance of this contract transcends the biennium in which this Contract is entered into, this Contract is specifically contingent upon the continued authority of TCEQ and appropriations thereof.

VIII. ATTACHMENTS:

Exhibits A and B are attached to this Contract and are made a part of this Contract for all purposes.

THE UNDERSIGNED hereby certify that, (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the affected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of State Government, and (3) the services, supplies or

materials contracted for are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.

TCEQ further certifies that it has the authority to contract for the above services by authority granted in the current General Appropriations Act, TEXAS WATER CODE, CHAPTER 5, TEXAS WATER CODE § 5.229, TEXAS HEALTH & SAFETY CODE, CHAPTER 361, and TEXAS GOVERNMENT CODE, CHAPTER 2003.

SOAH further certifies that it has authority to perform the services contracted for by authority granted in the TEXAS GOVERNMENT CODE, CHAPTER 2003.

The undersigned parties bind themselves to the faithful performance of this Contract.

RECEIVING AGENCY
Texas Commission on
Environmental Quality

PERFORMING AGENCY
State Office of
Administrative Hearings

By: _____
Authorized Signature

By: *Chelio Bailey Taylor*
Authorized Signature

Title

Chief Administrative Law Judge
Title

Date: _____

Date: *9/29/2004*

Approved as to Form by:
Cathleen Parsley
Cathleen Parsley, General Counsel

Date: *Sept 29, 2004*

EXHIBIT A
PAYMENT DETAILS

PAYMENT DETAILS

- A. Completed payment request shall be submitted to the individual indicated at the following address:

Duncan C. Norton
General Counsel
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

EXHIBIT B

DESIGNATION OF AUTHORIZED REPRESENTATIVES

DESIGNATION OF AUTHORIZED REPRESENTATIVES

- (a) The Texas Commission on Environmental Quality hereby designates the individual named below as the person authorized to communicate with SOAH as an Authorized Representative of TCEQ:

Mr. Duncan C. Norton
General Counsel
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

- (b) The State Office of Administrative Hearings hereby designates the individuals named below as the persons authorized to receive communications from TCEQ, to manage the work performed, and to act on behalf of SOAH as Authorized Representatives:

Mr. Bill Newchurch
Administrative Law Judge
State Office of Administrative Hearings
P. O. Box 13025
Austin, Texas 78711-3025

and

Ms. Cathleen Parsley
General Counsel
State Office of Administrative Hearings
P.O. Box 13025
Austin, Texas 78711-3025

Consideration of issues relating to agency compliance and enforcement policies and practices.

ATTACHMENT 1

Goals and Overarching Objectives of the Enforcement Process Review

Goal of Enforcement Review

To evaluate existing TCEQ compliance and enforcement policies and statutes to achieve enhanced consistency, environmental protection, and deterrence by developing simplified processes that result in timely, efficient, and effective enforcement where needed, and to further compliance with environmental laws which protect public health.

Overarching Objectives

- Improvement
- Consistency
- Small Business/Local Government Impacts
- Environmental Protection
- Deterrence/Incentives
- Timeliness/Efficiency
- Simplicity/Clarity

ATTACHMENT 2

Public Comments Received on Final Draft Recommendations **(August 20 - September 30, 2004 Comment Period)**

Comments were received from the following entities:

- (1) 7-Eleven, Inc. (submitted by Strasburger & Price)
- (2) Alliance for a Clean Texas (2 letters received)
- (3) Association of Electric Companies of Texas (submitted by Jenkins & Gilchrist)
- (4) ATOFINA Petrochemicals, Inc.
- (5) Birch & Becker (Erich Birch)
- (6) BP Products North America, Inc.
- (7) Brown McCarroll, LLP (Danny Worrell)
- (8) Calpine Corporation
- (9) City of Houston Mayor Bill White
- (10) City of Lovelady (submitted by City Secretary Peggy Price)
- (11) Dallas County Small Business Advisory Committee
- (12) Dow Chemical Company
- (13) EPA Region 6
- (14) ExxonMobil
- (15) Golden Triangle Small Business Advisory Committee
- (16) Gulf Coast Waste Disposal Authority
- (17) Harris County Judge Robert Eckels
- (18) Harris County Public Health & Environmental Services
- (19) Houston-Galveston Area Council
- (20) Houston Small Business Advisory Committee
- (21) Lloyd, Gosselink, Blevins, Rochelle & Townsend, P.C. (Mike Nasi)
- (22) Lower Colorado River Authority
- (23) Occidental Permian, Ltd.
- (24) Phelps Dodge Mining Company, El Paso Operations
- (25) Port of Houston Authority
- (26) Russell, Moorman & Rodriguez, LLP (Angela Moorman)
- (27) San Antonio Manufacturers Association
- (28) Texas Association of Business
- (29) Texas Association of Counties
- (30) Texas Chemical Council
- (31) Texas Disposal Systems Landfill, Inc.
- (32) Texas Genco, LP
- (33) Texas Industry Project (submitted by Baker Botts, LLP)
- (34) Texas Oil & Gas Association
- (35) Texas Pipeline Association (submitted by Celina Romero)
- (36) TXU Power
- (37) Vinson & Elkins (David Tuckfield)
- (38) Westward Environmental, Inc.
- (39) 513 individuals (494 were identical e-mails)

ATTACHMENT 3
Table Listing the Order
for Presenting Recommendations
at the Commissioner's Work Sessions

In the table beginning on the following page:

- Column 1 refers to the subcommittee that analyzed the issue, with abbreviations for each subcommittee, as follows:
 - EP - Enforcement Process/Agency Coordination Subcommittee
 - Pen - Penalty Policy Subcommittee
 - Coll - Collections/Financial Inability to Pay Subcommittee
 - Ord - Ordering Provisions Subcommittee
 - SEP - Supplemental Environmental Projects Subcommittee
 - Comm - Enforcement Process - Communications Subcommittee
 - Comp - Complaint Procedures Subcommittee
 - EIC - Enforcement Initiation Criteria/Investigation Prioritization/NOVs/NOEs Subcommittee

- Column 2 identifies the Key Issue number as identified in the *Enforcement Process Review Draft Final Report*, August 20, 2004.

- Column 3 identifies the page number where detailed information relating to the Key Issue is found as identified in the *Enforcement Process Review Draft Final Report*, August 20, 2004.

- Column 4 is a brief description of the Key Issue question(s) that was analyzed during the review.

- Column 5 is a brief summary of the principal recommendation(s) that resulted from the agency review.

- Column 6 identifies the most significant requirement that may be required in order to revise and implement the recommendation. *Note:* other implementation may be necessary as well, as described in the draft final report.

Order for Presenting Recommendations at the Commissioner's Work Sessions

Com- mit- tee	Issue No.	Page	Issue	Recommendation	Implementation
EP	2 B	220	Should the TCEQ develop a field citation program?	Yes, TCEQ should develop a limited citation program to allow investigators to issue citations during inspections. This should include a schedule of penalties for specific violations or types of violations. Example violations are included as backup material (Attachment 4).	Statutory change
Pen	2	89	Should all or part of the economic benefit resulting from noncompliance be included in the penalty before adjustment for other factors as justice may require? If so, what is an equitable method to calculate economic benefit?	Staff agrees all or part of the economic benefit should be included in a penalty. Comprehensive implementation would be accomplished if the statutory penalty caps were to be equalized across all programs. Several alternative ways to treat economic benefit when preparing a penalty are described in detail in the report. Existing statutorily authorized penalties are included as backup material (Attachment 5)	Statutory change
Pen	7 B - 7 C	100	Should statutory administrative penalties be equalized across programs to provide for consistency, including lowering penalties for small entities?	Yes, having one range of penalties and the same cap for all TCEQ programs would allow a consistent approach for assessing penalties that cause actual harm, lower penalties for potential or no harm, and differentiating between major and minor respondents.	Statutory change (same change as preceding row)
Coll	5	206	Would the assessment of interest charges on payment plans or delinquent penalties encourage payment or result in fewer requests for payment plans?	A finance charge should be assessed with a payment plan, with a rate that increases with the length of the payment plan to discourage using the agency as a lender. The revenue accounting system would have to be upgraded substantially to treat these accounts more like loans. Interest should also be assessed on delinquent penalties.	Statutory change

Ord	5 C	138	Should repeat violators be required to demonstrate a financial ability to operate in compliance and to fulfill all technical requirements of the order via audit, bond, or performance assessment?	Yes. Recommendation 2 suggests that repeat violators provide financial assurance, such as a performance bond. The bond would fall due and collected by TCEQ if compliance is not achieved	Statutory change
Ord	5 A	136	Should ordering provisions differ for repeat violators to include more specific requirements, additional monitoring, or other restrictions?	Yes. A multi-media agency team should develop guidelines for issues including evaluation and review of previously issued Orders for effective monitoring, testing, and other compliance assurance requirements. These guidelines should be mandatory for any Repeat Violator.	Policy, guidance, or process change
Ord	5 B	137	Should ordering provisions be used to require self-examination or assessment of root causes of violations?	Yes. Orders should require Repeat Violators to do root cause evaluations to address the principal/major reason for the violation and prevention of future violations. Guidance should address the use of independent or third parties for the root cause analysis.	Policy, guidance, or process change
EP	3	225	How can the financial inability to pay process be streamlined or simplified?	Enforce a 30-day deadline, running from the respondent's receipt of the draft order, to submit documentation supporting a financial inability to pay. Remove the reference to financial inability to pay in the initial communication to the respondent.	Chapter 70 rule amendment
Coll	3 A	192	How can the agency address inability to pay issues of small businesses?	The agency should use an initial screen of 1% of annual gross revenue for operating businesses. If this amount does not completely pay the assessed penalty, a more thorough analysis to include the respondent's assets is needed. Non-operating businesses should undergo a similar analysis of assets. The minimum payment for an operating business should be \$100, with a maximum payment time of 36 months. Non-operating businesses should be screened based on assets, and the maximum payment time should be 12 months.	Policy, guidance, or process change
Coll	3 B	198	How can the agency address inability to pay issues of small local governments?	Use EPA's MUNIPAY system to determine whether governments are financially able to pay a penalty.	Policy, guidance, or process change

Pen	5	98	Should the Penalty Policy be adopted as a rule and supplemented with a single guidance document encompassing all internal guidance and internal memos?	Yes. The Penalty Policy should be adopted by rule and supplemented with guidance to maintain commission discretion.	Promulgate selected policies into a new rule
Pen	1 B - 1 E	88	Should TCEQ continue to use specific components of a compliance history in calculating a penalty?	No. The Penalty Policy can be simplified by eliminating the Compliance History Worksheet from page 2 of the Penalty Calculation Worksheet and replacing it with a penalty adjustment based on the overall compliance history classification of the respondent would remain. This recommendation address many concerns of "double-dipping" in the use of compliance history.	Revise calculation methods and promulgate into new rule
Pen	3	92	Should small entities be allowed a downward adjustment of a base penalty?	Yes. Allow a 15% reduction so long as violation did not cause actual major environmental harm and entity does not have a poor compliance history; define entities considered as "small" in rule.	Promulgate selected policies into a new rule
Pen	4	95	Are the penalties assessed effective in deterring violations?	Yes, but the deterrent effect of the Penalty Policy could be improved by establishing a purpose statement to the Penalty Policy articulating the goal of deterrence and by measuring the level of deterrence achieved by enforcement program improvements.	Establish policy and promulgate into new rule
Pen	7 A	100	Should a mandatory minimum penalty be required for each occurrence of significant noncompliance?	Yes. The "Potential Release" category should be deleted from the penalty matrix and replaced with common categories across all major program areas, standardizing the penalties for the most common violations that do not cause actual environmental harm.	Establish assessment of mandatory minimum penalties by rule; develop list of actual penalties by violation in guidance
Pen	8	102	Should a partial good faith adjustment in a penalty calculation be allowed based on completion of some but not all required corrective actions?	Yes, allow a 20% reduction if compliance is achieved after the NOV/NOE and a 30% reduction if achieved before the NOV/NOE. Repeat or culpable violators would not be provided a good faith adjustment.	Promulgate selected policies into a new rule

Pen	9	104	Should deferrals continue to be offered for expedited settlements or when an upward adjustment for culpability is included?	No, eliminate deferrals. They do not speed up the existing process. Maintain the existing policy of no deferrals for a culpable violator.	Policy change
Pen	10	104	In a penalty calculation included in a default order against a respondent, should penalties be increased?	Yes, additional penalties should be included in a default order when a respondent does not reply to a petition and when the respondent replies to a petition requesting a hearing but does not show up to the hearing.	Promulgate selected policies into a new rule
EP	1	209	How can the current enforcement time lines be revised to streamline the existing enforcement process? (recommendation addresses part of issue)	Increase the proposed penalty by 25% if a respondent fails to settle within 30 days of receiving the draft order	Promulgate selected policies into a new rule
Pen	12	107	Should the Penalty Policy make special provisions for PST certification and fuel distribution violations, including guidance on whether and to what extent both the owner and operator are responsible?	No. No special provisions for PST violations should be included, but formalize current commission practice and policy on the imposition of joint and several liability for different respondents responsible for the same violation.	Formalize current policy into a new rule
Coll	1 A	173	Should an entity be allowed to acquire, amend, or renew a permit while in default of a penalty?	No, suspend processing and do not issue new, amended, or renewal permits/registrations/certifications/licenses to an entity or person owing a delinquent fee or penalty. If fees and penalties are not all paid within a prescribed time period, the application for permit would be returned.	Policy, guidance, or process change
Coll	1 B	173	Should a current permit be revoked if the entity owes fees or penalties to the agency?	Yes, the agency should initiate revocation of a permit as a last resort. The sequence to follow would be 1) letters and phone calls informing customer of the process of collection leading to potential revocation; 2) referral to collection agency for specified period of time; all cases greater than \$2,500 will be sent to OAG for collection; and 3) initiation of revocation.	Policy, guidance, or process change

Coll	2	188	Are current resources sufficient to more aggressively collect delinquent fees and penalties? If not, what resources are needed for the TCEQ to more quickly collect unpaid fees and penalties?	No. The TCEQ needs the assistance of outside resources to collect the delinquent accounts or determine that they are uncollectible. TCEQ should refer delinquent accounts over \$2,500 to the Attorney General after two demand letters and should contract with a collection agency to collect amounts under \$2,500.	Policy, guidance, or process change
Coll	4	204	Should a policy be established providing criteria for payment plans?	Yes. The criteria should include a maximum payment term of 36 months, along with eligibility criteria and a minimum payment of \$100.	Policy, guidance, or process change
EP	1	209	How can the current enforcement time lines be revised to streamline the existing enforcement process?	Enforcement time lines could be reduced by a total of 125 days by a combination of the following: -Assign cases to an Enforcement Coordinator within 7 days after the Enforcement Action Referral -Require that all draft orders and penalty calculations worksheets be mailed no longer than 60 calendar days after the date that the case is assigned; -If the case is referred directly to the Litigation Division, then it should be forwarded within 60 days of screening; -If the respondent declares an intent not to settle an expedited enforcement action, the case should be referred to the Litigation immediately; -Limit extensions of the settlement deadline to 90 calendar days; -Set agreed orders on agenda within 70 days; -Change notice of service requirements.	Policy, guidance, or process change

EP	4	228	How could the SEP process be streamlined and or simplified?	<ul style="list-style-type: none"> -Limit extensions for inclusion of Supplemental Environmental Projects to cases where an agreement concerning the amount of the administrative penalty to be paid by the respondent is reached within 30 calendar days after receipt of the draft order by the respondent. -Expand the pre-approved list of SEPs. -Provide SEP information to the respondent during the investigation exit briefing. -If final agreement concerning an SEP is not reached within 90 days after the date of the extension letter then the enforcement case should be referred to LD for processing and the proposed penalty would increase by 25%. 	Policy, guidance, or process change
SEP	2 - 3	141 - 144			
EP	5	229	How can TCEQ increase or reallocate resources to target investigative/enforcement activities?	The number of investigative or enforcement staff should not be increased until the full effect of implementing changes from this review is evaluated. If recommendations on compressed settlement time lines are implemented, additional cases may be referred to Litigation and additional staff may be needed in that division. In the interim, consider other steps such as media-specific coordinators, training and mentoring programs to increase the efficiency of existing staff.	Policy, guidance, or process change
EP	6	231	How can the TCEQ achieve better trained investigative and enforcement staff?	<ul style="list-style-type: none"> -Use distance learning methods; -Align the Environmental Investigator (EI) Career Ladder with the Enforcement Coordinator and Natural Resource Specialist tracks to encourage equitable and cross-division staff development opportunities; -Recognize senior agency staff serving as mentors and technical specialists; -Add CCEDS training capacity and enhance CCEDS to allow secure remote access to the system to allow staff to utilize the system 24 hours a day from any location; -Continue core program and cross-media training; -Offer advanced environmental technical training at the training academy 	Policy, guidance, or process change

Comm	1	234	How can the TCEQ better share enforcement-related information with the public and the regulated community?	Enhance TCEQ enforcement information on the public web site; update and expand outreach materials on enforcement; expand outreach at the local level.	Policy, guidance, or process change
Comm	4	240	What is the best way to educate the public and regulated community on the enforcement process?	Request proposals on a statewide agency public awareness campaign to better educate the public on what the TCEQ does and ways it improves and maintains the environment.	Policy, guidance, or process change
SEP	5 A	147	Do the public and regulated entities understand how SEPs are used in TCEQ enforcement?	Yes, there is some understanding of the concept of SEPs. However, the level of understanding varies between large companies, small businesses, local governments, community groups, and individuals. We need to better publicize and distribute information regarding SEPs, especially with the benefits and cost.	Policy, guidance, or process change
SEP	5 B	147	Are there ways to better inform the public and regulated entities of SEP outcomes?	Yes. TCEQ should require publicizing the results and distributing a report once a SEP has been completed.	Policy, guidance, or process change
Comm	2	236	How can the TCEQ incorporate enhanced internal communication tools to improve effectiveness and consistency of the enforcement process?	<ul style="list-style-type: none"> -Develop and post a step by step description of the enforcement process. -Expand the data available on the public site and provide additional data on the T-Net for staff viewing. -Instruct staff attorneys to contact the investigator and the enforcement coordinator prior to filing the EDPRP. -Evaluate matrix management of enforcement and litigation staff to include no more than two locations per case. -Set up training and regular reinforcement of what information is available and where. -Expand use of video teleconferencing. 	Policy, guidance, or process change
Ord	3 A	131	What improvements can be made in the internal coordination between the Enforcement Division and other areas of the agency during order development?	Establish liaisons from all divisions and programs to regularly discuss orders under development. These liaisons should evaluate standard conditions and processing procedures, as well as conferring on specific cases as needed to ensure comprehensive requirements which do not conflict with permit requirements or time frames.	Policy, guidance, or process change

Comm	3 A - 3 B	237	How can the TCEQ better educate the public on filing a complaint or reporting environmental problems? How can the TCEQ educate the public on citizen collected evidence?	Revise the TCEQ public Web site to provide easier access to information on agency complaint procedures. More extensively publicize the agency Web site as an avenue for complaints, and in other venues publicize TCEQ complaint handling procedures.	Policy, guidance, or process change
Comp	3	297	How can the TCEQ process for receiving complaints be improved, including accessibility 24-hours via telephone and agency website?	<ul style="list-style-type: none"> -The agency homepage and the Field Operations homepage should have a direct link to the Environmental Complaint page; -The Environmental Complaint page should provide links to the Environmental Violations Hot Line and 24-Hour Spill Reporting numbers, including an explanation of each with information on how calls are handled after hours; -Active links should be maintained to the online form to file a complaint, contact information for each region office, Citizen Collected Evidence information, the Water Utilities consumer assistance, and to the Nuisance Odor Protocol. 	Policy, guidance, or process change
Comm	5	242	What is the best way to educate the public and regulated community on the use of compliance history?	<ul style="list-style-type: none"> -Design an easily explained rating system. -Rework Web and enforcement materials to relate compliance history to the rest of the enforcement process. -Publish lists of poor and high performers. -Visibly use ratings in enforcement and permit actions. 	Policy, guidance, or process change
Comp	1	244	What recommendations for change, if any, are needed to the draft <i>Guidance Document for Field Operations Investigation of Complaints</i> to ensure timely response and adequate follow through?	The recently revised guidance document should be implemented. The agency should continue to accept anonymous complaints. TCEQ should implement several enhancements for investigator complaint training. The ability to provide complaint handling and response training to the public upon request is effective in expanding the public's knowledge of changes in complaint procedures. FOD should periodically review other states' protocols to ensure that TCEQ's protocol is current.	Policy, guidance, or process change

Comp	2	262	What recommendations for change, if any, are needed to the draft Nuisance Odor Protocol Review Team report?	Implement the protocol; the agency should provide odor protocol training to the public. The Nuisance Odor Protocol and FIDO Chart should be posted on the external Web along with a brochure explaining the process for nuisance odor determinations. FOD should periodically review evolving technologies and other state protocols to determine their potential for use by TCEQ.	Policy, guidance, or process change
Comp	5	303	What capital resources would be needed to develop an online complaint database that will allow public access to complaint information?	Providing online access to the incident/complaint data in CCEDS may involve requesting about \$50,000 in capital resources for the FY06-07 biennium from the 2005 Legislature.	Policy, guidance, or process change
EIC	1 A	157	How should Field Operations prioritize investigations?	Investigation priorities should primarily be based on risk to human health and the environment. The agency should focus its investigative efforts on those sources that pose the greatest threat to the public and the environment. The risk-based approach should also consider performance and commitments.	Policy, guidance, or process change
EIC	1 B	158	Should prioritization be based upon risks to human health and the environment, past performance of the facility, EPA and LBB output requirements, or a combination of strategies?	Prioritization should be based on a combination of strategies. A screening approach using three criteria - risk, performance, and commitment (LBB and EPA commitments) - should be used to determine investigation priorities. The initial screen of the potential universe to be inspected should be conducted based on risk.	Policy, guidance, or process change
EIC	1 C	160	Does the Field Operations Division need to seek management input from other parts of the TCEQ on investigation priorities and initiatives? If so, how?	Yes. The agency should use a process to solicit input annually from across the agency on how to best utilize FOD resources to accomplish the agency mission. The workplan should be directed by agency leadership in consultation with LBB and EPA commitments.	Policy, guidance, or process change

EIC	2	161	Should the agency devote resources to the identification and investigation of unauthorized facilities?	Yes. The Field Operations Division, in conjunction with the Compliance Plan Team, should identify sectors to target on an annual basis. The sector(s) identified should be based on factors including size of the sector, potential risk to the environment, and the possible rate of non-compliance. The level of effort Field Operations Division devotes to the identification and investigation of unauthorized facilities should be determined with input from the Commissioners and Executive Management.	Policy, guidance, or process change
EIC	3	162	What priority should complaints and on-demand activities have within Field Operation's Annual Work Plan?	The Compliance Plan Team should determine the priority and level of effort for complaints and on-demand activities when developing the annual workplan. The workplan should allow the flexibility to respond to high-priority on-demand activities. The workplan should ensure that there are no disincentives to effectively answering on-demand requests including complaints.	Policy, guidance, or process change
EIC	4 A	163	Do the criteria for enforcement initiation need to be changed? If so, should the scope of revisions consider consistency, review of the categories, and whether the guidance should be formalized?	Yes. The enforcement initiation criteria should be reviewed and changed, if appropriate, at least on an annual basis. The scope of the periodic review should include consistency and appropriateness of categories. The EIC should continue as a guidance document, but with approval by the commission.	Policy, guidance, or process change
EIC	4 B	164	Should compliance reviews outside of Field Operations be addressed in the Enforcement Initiation Criteria (EIC)?	Yes. The EIC should be an agency-wide document that encompasses all enforcement efforts of the agency. A cross agency team should be established to oversee development and maintenance of the document. The team should be composed of TCEQ staff who represent all major functional areas.	Policy, guidance, or process change
EIC	6 A - 6 B	167	Should there be an opportunity for post-investigation/pre-enforcement fact-finding meetings in the TCEQ Regional Offices? Should there be a formal appeal process for Field Operations determinations on the question of case referral to the Enforcement Division?	Yes, there should be an opportunity for post-investigation/pre-enforcement fact-finding meetings in the TCEQ Regional Offices. This process should be formalized as agency guidance. A definitive time frame for appeal should be established. The alleged violator should be informed of the opportunity to appeal and how to appeal during the exit interview.	Policy, guidance, or process change

EIC	6 C	168	Should there be a formal appeals process for notice of enforcement (NOE) letters?	There should not be a formal appeal process since the NOE currently can be appealed anytime during the enforcement process. However, NOE letter should clarify this opportunity and include an Enforcement Division point of contact.	Policy, guidance, or process change
EIC	7	168	Should the use of verbal NOV's by Field Operations investigators be continued?	No. Use of verbal NOV's should be discontinued.	Policy, guidance, or process change
EIC	8	170	Should the NOV policy be formally adopted by the TCEQ?	Yes. Commissioners should consider adoption of policy statement(s) on NOV procedures. Then, as needed, staff can develop guidance implementing the commission policy.	Policy, guidance, or process change
EIC	9 B	171	Are there better ways to communicate the referral of a case to the Enforcement Division?	Yes. Although the NOE is an effective means of notifying regulated entities that the matter is referred for enforcement, modifications could strengthen the communication. The NOE should clarify that the matter may be appealed during the enforcement process and should include an Enforcement Division point of contact.	Policy, guidance, or process change
Ord	1 A	124	Should additional and clearer information be required of a respondent to demonstrate that compliance with an order has been achieved prior to closing out the order?	Yes. TCEQ should continue to require the respondent to certify compliance, but the standard technical requirements should include the type of documentation needed for each type of certification.	Policy, guidance, or process change
Ord	1 B	125	Should small business or small local government be given different consideration from larger entities in the documentation required to close out an order?	Yes, on a limited basis. Ordering provisions should allow small entities a longer time frame to implement corrective action, depending on the type of violation. However, the corrective action should be the same for all violators and a. If the small entity is a repeat violator or if there is an imminent threat to the environment, there should be no special consideration.	Policy, guidance, or process change

Ord	1 C	126	Are there cases where additional monitoring, either by the respondent or the agency, should be required to demonstrate compliance prior to order close-out?	Yes. A decision matrix should be used to determine the additional monitoring needed based on compliance history, type of violation, potential harm to the environment, significant citizen complaints or previous submission of a false certification. Additional monitoring requirements should be specified in the order.	Policy, guidance, or process change
Ord	1 D	127	What are the consequences of false compliance certifications and does the agency know the frequency of occurrence? Could agency data systems be used to track and provide reports showing when violations previously assumed resolved are not actually resolved?	TCEQ should audit certifications to determine whether they are achieving compliance. The Enforcement Division should work with criminal investigators to prosecute those who knowingly submit false certifications.	Policy, guidance, or process change
Ord	2 A	128	Should orders contain additional standard provisions that communicate to the respondent the consequences of failure to comply with the provisions of the order?	Yes. A provision directly preceding the signature block should be placed in all enforcement orders that outlines the consequences of not complying with the Corrective Action provisions of the order.	Policy, guidance, or process change
Ord	4 A	134	Do ordering provisions adequately communicate to the respondent and other interested parties what is necessary to achieve compliance? If not, what improvements can be made?	Yes. But this communication could be improved by including specific compliance criteria beyond the certification of compliance in the ordering provisions and simplify ordering provision language.	Policy, guidance, or process change
Ord	4 C	135	Should small business or small local government be given different consideration from larger entities in development of ordering provisions?	Yes, on a limited basis, especially where large capital expenditures are involved.	Policy, guidance, or process change
SEP	4 A	145	Does a SEP need to benefit the environmental media (air quality, water quality, etc.) affected by the violations? If not, what should be allowed ?	Yes, preferably. Direct benefit SEP projects within the affected community for the same environmental media associated with the violation should be allowed a 1:1 penalty offset. Projects relating to a different media or that with an indirect benefit should still be allowed, but only with a greater offset ratio.	Policy, guidance, or process change

SEP	4 B	145	Should the SEP be performed exclusively in the community where the violation occurred? If not, are there other location restrictions that should apply?	Same recommendation as preceding row. Also, guidance should be revised to reconsider "county" as the definition of a "community".	Policy, guidance, or process change
SEP	5 C	147	Should selection of SEPs consider citizen, community, agency, or regulated entity priorities? If so, how?	Yes. Regional and management input on SEPs and priorities should be institutionalized. Commission consideration and designation of proposed SEP projects can provide an opportunity for local input.	Policy, guidance, or process change
SEP	6 A	149	How can we quantify the environmental benefit from a SEP?	At proposal of each SEP, the respondent should be required to estimate the environmental benefits expected from the project. The SEP staff should consider this information in determining whether the benefit is sufficient to merit the inclusion of the SEP in an enforcement order.	Policy, guidance, or process change
SEP	6 B	149	Should quantifying benefit be included as part of a reporting requirement? If so, how can TCEQ verify the benefit?	Yes. As part of each SEP completion report, the respondent should be required to quantify the environmental benefit actually achieved, and provide the documentation to support these facts. To verify the benefit claimed, the SEP program should include a verification checklist in its risk assessment procedures.	Policy, guidance, or process change
SEP	6 C	149	Is TCEQ's current oversight of SEPs achieving the desired results?	Yes, but the current system could be improved by providing a mechanism for quantifying and verifying the environmental benefit obtained from SEPs.	Policy, guidance, or process change
SEP	7 A - 7 B	151	Should TCEQ have a classification system for non-direct or mixed benefit projects? If so, what should be appropriate ratios for such SEPs? Should restrictions limit SEPs to only direct benefit?	<ul style="list-style-type: none"> -The ratios of three direct benefit project types should remain unchanged and projects consistent with the Proposition 2 pre-approved list that reduce/prevent pollution should be added. -Some indirect projects should be allowed with less favorable ratios, while others should be prohibited or curtailed. -Standard ratios should be established for certain types of indirect benefit. -Some indirect project types need to be modified so that the results can be quantified (or else not approved). 	Policy, guidance, or process change

SEP	8 A - 8 C	155	What percentage of the penalty should be eligible for offset by a SEP? Should SEP requirements or restrictions be different based on the environmental impact of a violation? What restrictions should there be for SEPs?	<ul style="list-style-type: none"> -Existing policy of 100% offset of penalty for local governments should be continued if the SEP has a direct environmental benefit, otherwise up to a 50% offset should be allowed. -A business should be allowed up to a 100% offset if it is a small business and the SEP has a direct environmental benefit, otherwise up to a 50% offset should be allowed. -Allow local governments whether or not currently in enforcement to benefit from a SEP to address compliance issues. -No on-site SEPs should be allowed. -For indirect benefit SEPs, tie the percentage of offset to the ratio so that a project with a 2:1 ratio allows a 50% offset or a project with a 3:1 ratio allows a 33% offset. -Anyone who does not comply with the technical requirements of their SEP agreement is not eligible for future participation in the program. 	Policy, guidance, or process change
Coll	6	208	Would tools such as the ability to levy bank accounts or garnish wages be helpful in collecting delinquent accounts?	No. Other alternatives such as interest charges, payment plans, use of a collection agency, and withholding permits for unpaid penalties and fees would be more efficient for collecting delinquent accounts. If these alternatives do not decrease delinquencies we should revisit these options.	No change recommended
Comp	4	302	What, if any, recommendations for change are needed to the citizen collected evidence (CCE) rules and guidance?	No change is recommended to the rule or current CCE protocols or procedures. The TCEQ should continue to provide training for individuals and citizen/industry groups, and self-instructional training using materials available at regional offices.	No change recommended
Pen	6	99	Should investment in pollution prevention technology be used as a factor in calculating penalties for violations or economic benefit while operating in noncompliant status?	Currently, no consideration is given to investment in pollution control equipment not mandatory under an agency requirement. No change from this policy is recommended.	No change recommended

Pen	11	107	Should TCEQ decline to pursue a penalty in enforcement cases where agency resources could be better applied elsewhere, for example in cases with a <i>de minimis</i> fine?	The agency should continue to pursue issuance of orders with no penalties and only corrective actions. A mandatory minimum penalty, although small, may be required in certain cases.	No change recommended
Ord	3 B	132	Is there a unique coordination role for SBLGA with a respondent and the Enforcement Division during the development of an order?	Continue existing practices by SBLGA staff to assist violator after an NOV is issued; no additional special roles are recommended.	No change recommended
Ord	3 C	133	Where permit applications and enforcement actions for the same entity are occurring at the same time, should special provisions be included in the permit to address frequent noncompliance and vice-versa.	This issue is addressed under recommendations for the use of compliance history.	No change recommended
Ord	4 B	135	Are there situations where additional monitoring and/or other restrictions, other than to correct a specific violation, should be required?	No. However, specific violations may require additional monitoring as recommended to address Ordering Provision Key Issue 1 C.	No change recommended
SEP	1	141	Should TCEQ continue the SEP program?	Yes, SEPs should continue to be offered to offset enforcement penalties.	No change recommended
EIC	5	166	Should there be separate Enforcement Initiation Criteria (EIC) for small businesses and small local governments?	No. Any relief for small entities should occur in the penalty policy phase of enforcement.	No change recommended
EIC	9 A	170	Is there a need for the category of NOE?	Yes. All entities being referred for enforcement should continue to be sent an NOE. The agency should establish a time frame for notice once the decision to refer is made.	No change recommended

ATTACHMENT 4

Potential Field Citation Violations and Penalties

In the table beginning on the following page:

- Major Entities (per the penalty policy) would be assessed the checked column dollar amount.
- Minor entities would be assessed 50% of the checked column dollar amount
- Percentage (%) shown in each checked column is the percentage of the statutory maximum.
- The selected penalty amounts are OCE's recommended penalty amounts appropriate to the nature of the violation
- Factors such as compliance history, good-faith effort and deferral opportunities are not contemplated in this table

Potential Field Citation Violations and Penalties

Program Area	30 TAC Rule	\$100	\$250	\$500	\$750	\$1000	\$1500	\$2000
<i>Air</i> (\$10,000/day Statutory Maximum)								
Failure to have Stage I vapor recovery equipment installed as required by law.	115.221					✓ 10%		
Failure to have Stage II vapor recovery equipment as required by law.	115.241					✓ 10%		
Failure to comply with the prohibition of selling, offering for sale, leasing, or offering to lease any vehicle not equipped with all emission control systems or devices that were not originally a part of the motor vehicle or motor vehicle engine	114.20(c)(1)					✓ 10%		
Failure to comply with the prohibition of selling, offering for sale, leasing, or offering to lease any vehicle with control systems or devices that are not in good operable condition	114.20(c)(2)					✓ 10%		
<i>Edwards Aquifer</i> (\$10,000/day Statutory Maximum)								
Failure to obtain authorization prior to construction of any regulated activity in the Edwards Aquifer Program	213.4(a)(1)					✓ 10%		
Failure to obtain a contributing zone plan prior to construction	213.21(d)				✓ 7.5%			
Failure to comply with the approved Edwards Aquifer protection plan	213.4(k)			✓ 5%				
Failure to comply with the approved contributing zone plan	213.23(j)			✓ 5%				
Failure to notify TCEQ within 48 hrs of commencing a construction replacement or rehabilitation activity	213.5(f)(1)		✓ 2.5%					

Program Area	30 TAC Rule	\$100	\$250	\$500	\$750	\$1000	\$1500	\$2000
OSSF (Non-Delegated) (\$2,500/day Statutory Maximum)								
Failure to obtain authorization to construct from the permitting authority prior to commencing installation of an OSSF system	285.3(b)			✓ 20%				
Failure to notify the permitting authority five business days prior to OSSF system being ready for inspection	285.3(d)	✓ 10%						
Failure to install the OSSF system authorized by the permitting authority	285.61		✓ 15%					
Water Rights (\$5,000/day Statutory Maximum)								
Using state water in excess of authorized amounts during times of water shortage	297.50(c)						✓ 30%	
Diversion without submitting a declaration of intent or no diversion certification on record (water rights holder)	304.32				✓ 15%			
Failure to modify a declaration of intent in advance of a desired change	304.32(a)(3)		✓ 5%					
Failure to provide an outlet	304.14, 304.32(a)(5)			✓ 10%				
Stormwater (\$10,000/day Statutory Maximum)								
Failure to obtain authorization to discharge at a construction site	281.25(a)(4)				✓ 7.5%			
Failure to obtain authorization to discharge at an industrial site	281.25(a)(4)					✓ 10%		

Program Area	30 TAC Rule	\$100	\$250	\$500	\$750	\$1000	\$1500	\$2000
Failure to implement a SWP3 at any permitted site (no documented impact as a result)	281.25(a)(4)			✓ 5%				
<i>Public Water Supply</i> (\$1,000/day Statutory Maximum)								
Failure to issue a boil water notice	290.122(a)(2)		✓ 25%					
Failure to obtain approval for plans and specifications for a surface water treatment plant	290.39(h)(1)			✓ 50%				
Failure to provide, written notification to the Commission of system reactivation	290.39(m)		✓ 25%					
Failure to submit a drought contingency plan for municipal uses	288.20		✓ 25%					
Failure to maintain the required minimum disinfection residual	290.110(a)			✓ 50%				
<i>Occupational Licensing</i> (\$2,500/day Statutory Maximum)								
License holder authorizes or allows use of their license, seal or rubber stamp to an unauthorized operator	344.62					✓ 40%		
Failure to obtain a license before engaging in an irrigation activity	344.4, 30.5			✓ 20%				
<i>Petroleum Storage Tanks</i> (\$10,000/day Statutory Maximum)								
Failure to register a regulated tank that was in existence on Sept 1, 1987	334.7			✓ 5%				
Failure to provide the Agency written notice of changes to a UST system within 30 days	334.7(d)		✓ 2.5%					
Failure to ensure timely renewal of a previously issued UST delivery certificate	334.8(c)(5)			✓ 5%				

Program Area	30 TAC Rule	\$100	\$250	\$500	\$750	\$1000	\$1500	\$2000
Failure to properly mark regulated tanks	334.8(c)(5)	✓ 1%						
Failure to implement approved inventory control methods	334.48						✓ 15%	
Failure to maintain proper operation and maintenance records	334.48(g)		✓ 2.5%					
Failure to install and maintain proper corrosion protection	334.49						✓ 15%	
Failure to provide a release detection method	334.50						✓ 15%	
Failure to provide Spill and Overfill equipment for regulated tanks	334.51						✓ 15%	

ATTACHMENT 5

Statutorily Authorized Penalties

(Excerpt from Penalty Policy, 2nd Version, Effective September 1, 2002)

Program	Statute & Chapter	Administrative penalties, per violation per day	Civil penalties, per violation per day
Air Quality	TWC/7	\$0-10,000	\$50-25,000
Edwards Aquifer	TWC/7	\$0-10,000	\$50-25,000
Industrial and Hazardous Waste	TWC/7	\$0-10,000	\$50-25,000
Land over MSW Landfills	TWC/7	\$0-10,000	\$50-25,000
Medical Waste	TWC/7	\$0-10,000	\$50-25,000
Municipal Solid Waste	TWC/7	\$0-10,000	\$50-25,000
Petroleum Storage Tank	TWC/7	\$0-10,000	\$50-25,000
Radioactive Substances	TWC/7	\$0-10,000	\$50-25,000
Subsurface Excavation	TWC/7	\$0-10,000	\$50-25,000
Toxic Chemical Release Reporting	TWC/7	\$0-10,000	\$50-25,000
Underground Injection Control	TWC/7	\$0-10,000	\$50-25,000
Underground Water	TWC/7	\$0-10,000	\$50-25,000
Waste Tires	TWC/7	\$0-10,000	\$50-25,000
Water Quality	TWC/7	\$0-10,000	\$50-25,000
Public Water Supply	TH&SC/341	\$50-1,000	\$50-1,000
Public Water Utilities	TWC/13	0-\$500	\$100-5,000
All Occupational Licenses	TWC/7	\$0-2,500	\$50-5,000
On-Site Sewage Disposal	TWC/7	\$0-2,500	\$50-5,000
Used Oil	TWC/7	\$0-2,500	\$50-5,000
Used Oil Filter	TH&SC/371, TWC/7	\$0-2,500	\$100-500
Water Rights	TWC/11	\$0-5,000	\$0-5,000
Water Saving Performance Stds.	TWC/7	\$0-2,500	\$50-5,000
Weather Modification	TWC/7	\$0-2,500	\$50-5,000
Dam Safety	TWC/12	N/A	\$0-5,000
Levees	TWC/16	\$0-1,000	\$0-1,000

Discussion of activities associated with the State Implementation Plan and issues related to recommendations regarding PM 2.5, ozone, and carbon monoxide.

Please note there are no backup materials for this issue.

Discussion of state and federal legislative issues potentially affecting the TCEQ. The commission may consider legislative proposals and federal rulemakings, as well as other state actions and state's participation in federal legislative and regulatory activities. The commission may also meet in closed meeting to receive legal advice regarding these matters, or any of the above matters, as authorized by Section 551.071 of the Open Meetings Act, Chapter 551 of the Government Code. Any commission action, decision, or vote on these matters will be made in open meeting in accordance with Section 551.102 of the Open Meetings Act, Chapter 551 of the Government Code.

LEGISLATIVE UPDATE

Water Conservation Implementation Task Force

The 78th Legislature, through passage of Senate Bill 1094, established the Water Conservation Implementation Task Force, charged to review, evaluate, and recommend optimum levels of water use efficiency and conservation for the state. Six specific tasks were included in the bill that the Task Force were to address and provide recommendations on. The Task Force met on September 25th and approved the **Report to the Legislature** which includes 25 recommendations the Task Force felt would facilitate and encourage, to the greatest extent practicable, the implementation of appropriate water conservation measures by municipalities, industry and agricultural. In addition a **Best Management Practices Guide** (BMP), a 354 page document was developed that consists of 21 municipal, 14 industrial and 20 agricultural BMPs. Of significance, the use of the BMPs are voluntary and at the discretion of each water user group, may be implemented individually, in whole or part, or combined with other BMPs or water conservation techniques to form a comprehensive water conservation program. Ensuring use of the BMPs remained voluntary rather than mandatory was a major issue by several of the interests of the Task Force.

The final report will include a new **Section VIII - Minority Reports and Task Force Response** that was not part of the latest draft. Two minority reports were received one by Jobaid Kabir, with the Lower Colorado River Authority stating it was inappropriate to include reuse (wastewater) in the calculation of gallons per capita per day (GPCD) and the other by Ken Kramer with the Lone Star Chapter of the Sierra Club regarding the setting of a statewide goal of 140 GPCD, the elimination of a 1.6 summer-to-winter average water use goal, the inclusion of “indirect reuse” as a conservation measure, incorporating reuse in the GPCD calculation and a potential “loophole” allowing a BMP to be adopted “in whole or in part”. This section will also include a Task Force response.

In addition to adding the new section 8 there were other minor revisions to the approved report. The final report submitted to the Legislature November 1st. An executive summary of the report is provided.

Interim Committees Report

A majority of the interim committees have completed their hearing schedule and are in the process of drafting their reports. A status report on the interim committees of interest to the Texas Commission on Environmental Quality will be provided at the workshop.

Senate Subcommittee on the Lease of State Water Rights

At the Senate Select Committee on Water Policy hearing in Brownsville on September 8th, Senator Madla released his subcommittee’s draft recommendations. A copy of the recommendations are provided.

79th Session Legislative Initiatives

By memo dated July 22th you were provided a summary of staff legislative recommendation for each program office. A final request was sent to all deputies requesting a “last call” for issues to be submitted to Intergovernmental Relations by Oct 8th. An update will be provided at the workshop.

**78th Legislative Session
Implementation Completion Activity
October 1, 2004**

Totals	Total Number Completed	Total Number to Complete	Total Number
Number of Rule Projects	14	24	38
Number of Nonrule Projects	44	4	48
Number of Water Utility/Ground Water Districts Projects	37	0	37
Total Projects	95	28	123

Water Conservation Implementation Task Force

SUMMARY OF FINAL REPORT

Background

In 2003, the 78th Texas Legislature established the Water Conservation Implementation Task Force via passage of Senate Bill (SB) 1094. The Task Force was directed in SB 1094 to review, evaluate, and recommend optimum levels of water use efficiency and conservation for the state by:

- (1) identifying, evaluating, and selecting best management practices for municipal, industrial, and agricultural water uses and evaluating the costs and benefits for the selected best management practices;
- (2) evaluating the implementation of water conservation strategies recommended in regional and state water plans;
- (3) considering the need to establish and maintain a statewide public awareness program for water conservation;
- (4) evaluating the proper role, if any, for state funding of incentive programs that may facilitate the implementation of best management practices and water conservation strategies;
- (5) advising the Texas Water Development Board and the Texas Commission on Environmental Quality on:
 - (A) a standardized methodology for reporting and using per capita water use data;
 - (B) establishing per capita water use targets and goals, accounting for such local effects as climate and demographics; and
 - (C) other possible uses as appropriate; and
- (6) evaluating the appropriate state oversight and support of any conservation initiatives adopted by the legislature.

The Task Force was comprised of the following members and agency or interest group:

Kevin Ward	Texas Water Development Board
Glenn Shankle	Texas Commission on Environmental Quality
Robert L. Cook	Texas Parks and Wildlife Department
Trey Powers	Texas Department of Agriculture
Richard Egg	Texas State Soil and Water Conservation Board
Norman Blade	Federal Agencies
Dr. Allen Jones	Higher Education
Ken Kramer	Environmental
Tulley Shahan (J)	Environmental

Richard LeTourneau (O)	Environmental
Carole Baker	Professional Organization
Kenneth Dierschke (F)	Professional Organization
Marilyn Good	Professional Organization
Richard Sawey	Professional Organization
C. E. Williams (A)	Groundwater Conservation Districts
Luanna Buckner	Groundwater Conservation Districts
Jobaid Kabir (K)	River Authorities
Jack Tatum	River Authorities
David Wheelock	River Authorities
James Oliver (C)	River Authorities
Gordon Hill (M)	Irrigation Districts
Rusty Osborne	Institution
Gene Montgomery (O)	Industry
Greg Carter (N)	Industry
John Burke (K)	Regional Water Planning Group
James Parks (C)	Regional Water Planning Group
Wilson Scaling (B)	Regional Water Planning Group
H.P. Brown (O)	Regional Water Planning Group
Dr. Calvin Finch	Municipality
Will Wilde (F)	Municipality
Jeff Taylor (H)	Municipality
Anai Padilla	Municipality

Recommendations

The challenge before the Task Force was to develop recommendations that would facilitate and encourage, to the greatest extent practicable, the implementation of appropriate water conservation measures by municipalities, industry, and agricultural interests. The Task Force made a number of recommendations that should greatly enhance the ability and desire of Texans to implement water conservation strategies to meet their water-supply needs.

Task 1 Best-Management Practices Guide

The Task Force developed a BMP Guide consisting of 21 municipal, 14 industrial, and 20 agricultural BMPs. The practices contained in the BMP Guide are **voluntary** efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specified timeframe. The BMPs are not exclusive of other meaningful conservation techniques that an entity might use in formulating a state-required water conservation plan. At the discretion of each user, BMPs may be implemented individually, in

whole or in part, or combined with other BMPs or other water conservation techniques to form a comprehensive water conservation program.

The Task Force firmly believes that applying a mandatory set of BMPs throughout Texas would **not** be appropriate. One size would not fit all in a state characterized by wide variations in climate, geography, municipal demographics, water utility and service profiles, and agricultural and industrial needs. State policies adopted to guide the implementation of water conservation, including water reuse, in Texas must acknowledge the fundamental decision-making primacy and prerogative of Planning Groups, municipalities, industrial and agricultural water users, and water providers.

Task 2 Evaluation of Regional Implementation of Water Conservation Strategies

On behalf of the Task Force, the Texas Water Development Board conducted a survey and evaluation of the implementation of water conservation (which included water-reuse strategies) recommended in the adopted 2001 Regional Water Plans. The survey indicated that

- Water User Groups (WUG's) consider water conservation including water reuse strategies a practical and cost-effective way of extending existing water supplies to meet growing needs,
- There is a need for implementation of these strategies, and
- Lack of adequate funding poses a significant barrier to full implementation of these strategies by 2010.

Task 3 Statewide Public-Awareness Program

The Task Force recommended that the state create and fund a Statewide Public-Awareness Program for water conservation, including water reuse. The program, consisting of a design, scope, and budget comparable to those of the highly successful *Don't Mess with Texas* highway anti-litter campaign, would cost an estimated \$10 million in the first year, \$6.7 million in the second year, and approximately \$5.7 million per year in subsequent years. The Task Force believes that a statewide program will greatly complement and reinforce other local and regional programs and activities. The Task Force viewed a Statewide Public-Awareness Program as the foundation of the integrated actions and recommendations presented in this report and essential to realizing the greatest potential of many of the other recommendations.

The Task Force expressed unanimous support for the Statewide Public-Awareness Program concept and was able to secure financial assistance from public and private sources in the amount of \$150,000 to complete important initial market research in time for the 79th Texas Legislative Session. Donations supporting this research were channeled through TWDB's Water Assistance Fund. The Task Force believes that this research, consisting of quantitative statewide surveys and analysis of information gleaned from select focus groups, will be of great value to the 79th Texas Legislature as it deliberates funding of the complete program.

Task 4 State Funding of Incentive Programs

The Task Force unanimously supported the proposition that there is a role for state funding of incentive programs to support the implementation of best-management practices and water conservation strategies including water reuse. The Task Force recommended that the Texas Legislature consider:

- (1) Authorizing up to 16 Regional Conservation Coordinator staff positions at the TWDB to work directly with the Planning Groups and water-supply entities in the regions,
- (2) Recognizing exceptional water conservation efforts through a state and regional awards program,
- (3) Funding a limited grants program through TWDB to foster implementation and increased knowledge of innovative water conservation initiatives,
- (4) Funding a cost-share program through the Texas State Soil and Water Conservation Board to promote development and implementation of water conservation plans for irrigated agriculture, and
- (5) Continuing funding of the State Brush-Control Program at current or expanded levels.

Task 5 Targets and Goals for Per-Capita Water Use

The Task Force developed and recommended a standardized methodology for determining total gallons per capita per day (gpcd) water use and residential gpcd water use. Total gpcd was defined as the total amount of water diverted and/or pumped for potable use divided by total population. Indirect-reuse-diversion volumes shall be credited against total diversion volumes for the purpose of calculating gpcd for targets and goals. Residential gpcd was defined as single-family plus multifamily consumption divided by the total population. Application of this methodology is intended to establish gpcd water-use benchmarks for tracking purposes and to evaluate effectiveness of conservation measures subsequent to their implementation.

Modifications are being developed for the TWDB annual Water-Use Survey that will result in collection of data needed to consistently calculate total and residential gpcd.

The Task Force recognized that a simple comparison of per-capita water use among Texas municipal water providers that may have significant differences in climate, geography and source water characteristics, as well as in their service and population profiles may, without additional data and analysis, lead to inaccurate conclusions about comparative water use efficiencies among those municipal water providers.

In addition, the Task Force adopted recommended gpcd targets and goals that should be considered by retail public water suppliers when they develop water conservation plans required by the state, as follows

- (1) All retail public water suppliers that are required to prepare and submit water conservation plans should establish targets for water conservation including specific goals for per-capita water use and for water loss programs using appropriate water conservation best-management practices or other water conservation techniques to achieve their targets and goals in an effort to increase efficiency in water use and achieve conservation as defined in Chapter 11 of the Texas Water Code.
- (2) Municipal Water Conservation Plans required by the state shall include per-capita water-use goals.
 - (a) An entity required to file such a plan should develop its per-capita water use goals using the following methodology:
 - (i) Obtain the last five years annual gpcd total per capita water use, if available;
 - (ii) Project water supply requirements for the next ten years using information such as population trends, historical water use, and economic growth;
 - (iii) Consider the efficiencies and savings that the entity anticipates it can achieve by utilizing the appropriate best management practices or water conservation techniques that it chooses to implement to meet its targets and goals; and
 - (iv) Using the information above, establish per capita water use goals for the next five and ten year periods taking into consideration, among other things, state and regional targets and goals, local climate, demographics and service profile.
 - (b) A Municipal Water Conservation Plan also must:
 - (i) Include methods to track annual water use and to develop information sufficient to evaluate the conservation strategies that have been implemented;
 - (ii) Include a plan to measure progress annually and, at a minimum, evaluate the progress towards meeting the target and goals every five years; and
 - (iii) At a minimum, reestablish updated targets and goals every five years.

- (iv) Following notice and hearing, be adopted at an open meeting.
 - (c) Targets and goals established by an entity should also consider:
 - (i) **A minimum annual reduction of 1 percent in total gpcd, based upon a five-year rolling average, until such time as the entity achieves a total gpcd of 140 or less;**
 - (ii) A statewide goal to reduce total statewide water demand to an average of 140 gpcd ; and
 - (iii) Any guidelines that may be adopted by the SB-1Regional Water Planning Group in which the entity developing the Municipal Water Conservation Plan is located.
- (3) The State, through the Texas Water Development Board, will
 - (i) Seek to achieve its goal of a reduction of a total statewide water demand to an average of 140 gpcd through average annual reductions of 1% per year; and
 - (ii) Work with manufacturers of water using equipment, water utilities, water users, and others to reduce overall statewide indoor water use to 50 gpcd through education, research and funding programs.

In considering water conservation targets and goals, the Task Force also adopted a recommendation that the goal of a Municipal Water User Group with unmet water needs in the applicable Regional Water Plan should be to first meet or reduce that need using advanced water conservation techniques, including any appropriate BMPs or other water conservation strategies selected by the Water User Group. As used here, the term “advanced water conservation techniques” means conservation techniques that go beyond implementation of the State plumbing fixture requirements and beyond adoption and implementation of water conservation education programs.

Task 6 Evaluation of State Oversight and Support of Conservation

The Task Force recommended that the Texas Legislature consider making necessary statutory changes to further water conservation practices. The proposed changes should:

- (1) Require all retail water suppliers serving a population of 3,300 or more to develop a water conservation plan based on specific targets and goals and utilizing appropriate BMPs or other conservation techniques. The affected retail water

suppliers should be required to (a) submit the water conservation plans to TWDB for review and approval and (b) annually report the progress of their program to TWDB,

- (2) Ensure that water users that are subject to **TCEQ** requirements for water conservation plans and/or TWDB financial assistance requirements for water conservation plans report annually to TWDB on the progress of their program,
- (3) **Authorize TWDB to refer systems in noncompliance with the reporting requirements described in 1 and 2 to the TCEQ and authorize TCEQ to institute administrative remedies for failure to meet these plan submittal and reporting requirements, and**
- (4) Direct TWDB, when considering applications for loans/grants from the Water Development Fund for implementation of water-supply projects in the State Water Plan, to give priority to applications by entities that have (a) already demonstrated significant water conservation savings or (b) through implementation of proposed project, will achieve significant conservation savings.

In addition, the Task Force recommends that the Texas Legislature consider

- (5) Creating a standing Water Conservation Advisory Council (Council) to advise the Texas Legislature, TWDB, **TCEQ**, other state agencies, water suppliers and other political subdivisions, and the public on matters regarding water conservation. Activities that the Council should routinely pursue include the monitoring of (a) trends in water conservation implementation, (b) new technologies for possible inclusion as BMPs in future updates to the BMP Guide, (c) effectiveness of the statewide public-awareness program and associated local involvement in implementation of the program, (d) development of a State Water Management Resource Library, (e) effectiveness of public recognition programs, (f) methods to encourage and facilitate implementation of water conservation strategies by all water users, and (g) target and goal guidelines to be considered by **TCEQ** and TWDB, and
- (6) Supporting the development of an interactive, Internet-based database system to facilitate storage and review of information related to water conservation plans and their implementation.

Additional Recommendations

The Task Force developed additional recommendations that are not explicitly related to its duties as stated in SB 1094 but which it deemed relevant to the overall issue of water conservation implementation in Texas, as follows:

- (1) Toilet Performance Standards—The Task Force recommends passage of legislation establishing performance standards for toilets sold in the state that cannot be retrofitted so that they waste water.
- (2) State Water Management Resource Library—The Task Force recommends establishment of a Water Management Resource Library for Texas.
- (3) Continued Funding of State Conservation Programs—The Task Force supports the continued funding of state and federal grants for water conservation.
- (4) Continued Funding of Conservation Research and Education Programs—The Task Force recognizes the role of the Texas Agricultural Experiment Station, Texas Cooperative Extension, and state universities in developing and evaluating water conservation technologies, management practices, and policies, as well as providing educational programs designed to encourage conservation.
- (5) Land Stewardship - The Task Force endorses land stewardship as a conservation strategy and recognizes watershed management as an important and significant long-term water management strategy.
- (6) Take or Pay Contracts - The Task Force recommends establishing an interim study to examine the impacts, if any, of “take or pay” contracts on efforts to achieve water conservation and to make appropriate recommendations based on the findings of that examination.
- (7) PET Network - The Task Force recommends expanding funding of Texas A&M University System’s potential evapotranspiration (PET) network in order that more weather stations are online and a larger number of water users can use evapotranspiration (ET) to determine adequate levels of water to meet outdoor water demands.
- (8) Coordinate Rules Regarding Conservation and Distribution System Requirements - The Task Force recognizes the potential need to coordinate water conservation goals with the variance process for establishing alternative minimum pumping capacity of distribution systems pursuant to 30 TAC Chapter 290.45.
- (9) Provide Protection from Cancellation of Water Rights Due to Conservation - The Task Force recommends protecting that portion of a water right associated with

water saved because of the implementation of a water conservation project or a best-management practice from cancellation due to nonuse.

- (10) Residential End Use Studies - The Task Force recommends conducting “end-use” studies to provide more accurate data about the current residential water demand in various regions of the state.
- (11) Provide Assistance in Bridging Conservation Funding Gaps - The Task Force recommends assisting communities to bridge potential funding gaps associated with water conservation efforts.
- (12) Provide Additional Funding for Water Use Data - The Task Force recommends providing additional funding for additional collection, review, analysis, and dissemination of data on water use in Texas.

Senate Subcommittee on the Lease of State Water Rights
Senator Frank Madla, Chair
Proposed Recommendations
Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
1	Repeal Section 11.3271, Water Code.	<p>During the 78th Regular Legislative Session, Subchapter G, Chapter 11, Water Code, was amended by adding Section 11.3271. The amendment clarified that the Rio Grande watermaster has the authority, pursuant to rules prescribed by Texas Commission on Environmental Quality (TCEQ), to use the Rio Grande as a means to transport groundwater sold to a downstream user. The transaction would require a bed and banks permit issued by the TCEQ.</p> <p>It is estimated the evaporative and seepage losses could be well over 75 percent. As the state works to encourage conservation as a strategy to meet future water needs, permitting such a use of water would be contradictory to future conservation and best use practices.</p>
2	Clarify that the School Land Board (SLB) is responsible for the leasing of groundwater from Public School Fund (PSF) lands and any contract to enter into a lease for groundwater must be formally approved by the SLB.	<p>There appears to be some confusion as to who has the authority to lease groundwater rights from PSF lands. In order to eliminate any confusion, it is necessary to clarify the SLB should be responsible for the leasing of groundwater from PSF lands.</p>

Senate Subcommittee on the Lease of State Water Rights
Senator Frank Madla, Chair
Proposed Recommendations
Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
3	<p>Require the School Land Board adopt a clear set of rules for how they will lease groundwater from Public School Fund land.</p>	<p>The SLB should adopt a clear set of rules for how they will lease groundwater from PSF land.</p> <p>The rules should be reviewed by the Attorney General's Office, the Texas Parks and Wildlife Department, the Texas Commission on Environmental Quality, the Texas Water Development Board and the Texas Department of Agriculture. The rules should not provide for a lease that is based on an oil and gas lease, but should be modeled after the policy used by the University of Texas Board of Regents to lease groundwater from Permanent University Fund lands.</p> <p>The rules should provide for adequate advance notice of proposals to lease groundwater from PSF land to regional planning groups and local groundwater conservation districts in order to allow for timely assessment and comment on such proposals.</p> <p>The rules must also clarify that the lease should be between the SLB and the lessee, without a private entity's involvement. The rules should also clarify</p>

**Senate Subcommittee on the Lease of State Water Rights
 Senator Frank Madla, Chair
 Proposed Recommendations
 Staff Contact: Jason Anderson, 512-463-0119**

No.	Recommendation	Rationale
		<p>any lessee must comply with local groundwater district rules and mandate the lessee to obtain all necessary permits from local groundwater districts and adhere to all state and local regulations. The rules should also prohibit the transportation of any groundwater outside the boundaries of the state of Texas. Furthermore, a lease should not include the leasing rights for oil and gas.</p> <p>The rules must also require a letter of interest from the municipality seeking to lease the land for groundwater. The letter should be approved by the governing body of the municipality and include: a) the total annual amount and daily volume needed; b) water quality requirements; c) delivery timeframe, d) estimated delivered price; and e) a statement of commitment to abide by all local and state laws and regulations.</p>
4	Amend the Water Code to require all negotiations regarding the sale or lease, for exploratory or production, of groundwater from	When the state sells or leases water ultimately used for private financial gain, it should be done utilizing a completely open bidding process. This has been the

Senate Subcommittee on the Lease of State Water Rights
Senator Frank Madla, Chair
Proposed Recommendations
Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
5	<p>all PSF and PUF lands be conducted in public and subject to competitive bidding, unless:</p> <ul style="list-style-type: none"> i) the contract is between the state and another agency or political subdivision of the state; ii) the contract is between the state and an end user of the water; or iii) the contract is for the supply of water of less than 125,000 gallons per day. <p>Amend the Water Code to create an oversight entity to review any proposed transaction that involves the significant sale or lease of groundwater from PSF and PUF lands.</p>	<p>case with state oil and gas leases and should be required by law for state water leases. Not only would this alleviate questionable or perceived conflicts of interest, it would ensure that the state maximizes its return.</p> <p>With a resource as important and vital as water, oversight by a diverse entity that has technical and scientific expertise is critical prior to that public resource being sold for profit.</p> <p>An oversight entity should be created to review any proposed transaction that involves a significant sale or lease of groundwater from PSF and PUF lands. Such transaction would not be lawful until approved by this entity. The entity must meet at least twice a year, unless there are no pending proposals. The oversight entity shall be composed of one senator appointed by</p>

Senate Subcommittee on the Lease of State Water Rights
Senator Frank Madla, Chair
Proposed Recommendations
Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
6	Amend the Water Code to require the Executive Director of University Fund Lands be a non-voting member of the regional water planning groups in which University Lands lie.	the Lieutenant Governor; one house member appointed by the Speaker of the House; the Chair of the Texas Commission on Environmental Quality; the Chair of the Texas Water Development Board; the Chair of the Texas Parks and Wildlife Department; the Commissioner of Agriculture; the Land Commissioner; and the Chair of the University of Texas Board of Regents.
7	Amend the Water Code to require all proposals to produce or transport groundwater from PSF and PUF lands be included in regional and state water plans.	In areas of the state where there are Permanent University Fund Lands, the Director of University Lands should be a non-voting member of the regional water planning group. Because the action of the PUF could affect the regional water plan, it is important the Executive Director has the opportunity to discuss with the regional planning group, in a formal setting, any significant proposals that may impact the region.
	Any proposal to produce or transport groundwater from PSF and PUF lands should be included in the regional and state water plans.	

**Senate Subcommittee on the Lease of State Water Rights
 Senator Frank Madla, Chair
 Proposed Recommendations
 Staff Contact: Jason Anderson, 512-463-0119**

No.	Recommendation	Rationale
8	Amend the Water Code to require that all PSF and PUF lands, located within a groundwater district, be subject to all rules and regulations of the groundwater district.	<p>Regional water planning groups have been given the responsibility and authority to set out how the region will meet its needs over a 50 year time frame. Major lease proposals for PSF and PUF lands could have a significant effect on the planning process and the regional water planning groups should have the authority and mandate to assess them. Failure to do so would leave a potentially critical gap in the planning process for many regions of the state.</p> <p>Groundwater districts are created to protect the aquifer and therefore must be able to treat all users within the district equally. Exempting PSF and PUF lands from district regulations could easily undermine a district's ability to manage the aquifer or portion of an aquifer for which it is responsible.</p> <p>Current law is not clear as to whether a state entity is bound by the rules of a groundwater conservation district. To ensure proper management of the resource, the Water Code should be amended to require the PSF and PUF to adhere to relevant district</p>

Step 36

Senate Subcommittee on the Lease of State Water Rights
 Senator Frank Madla, Chair
 Proposed Recommendations
 Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
9	Amend the Water Code to prohibit the exportation of any groundwater from a local groundwater conservation district, until the district has obtained the most current science and adopted a management plan and rules accordingly.	<p style="text-align: right;">← Chap 36</p> <p>regulations. Large scale pumping efforts could negatively impact a local groundwater district or area if the science on the available groundwater is inaccurate or nonexistent. No sale of groundwater or lease of groundwater rights should occur unless or until sufficient data and science exist to ensure that local groundwater conservation districts are able to determine that the sale or lease is consistent with the district's rules.</p>
10	Amend the Water Code to prohibit the exportation of groundwater from PSF lands in an area where a groundwater district does not exist.	<p style="text-align: right;">← Chap 36 ?</p> <p>No groundwater from PSF lands should be leased, produced, or exported if it is not in a groundwater district and therefore subject to groundwater district rules.</p>
11	Amend the Government Code to require the General Land Office be subject to sunset review.	The General Land Office is presently not required to undergo the Sunset Review process. As a state agency, they should be subject to the process.

Senate Subcommittee on the Lease of State Water Rights
 Senator Frank Madla, Chair
 Proposed Recommendations
 Staff Contact: Jason Anderson, 512-463-0119

No.	Recommendation	Rationale
12	Amend the Water Code to require a municipality receiving groundwater from other areas of the state to first demonstrate the highest practical levels of conservation.	Some Texas cities have adopted aggressive conservation policies for municipal use – particularly during recent droughts. Cities looking to purchase groundwater from other areas should have demonstrated sound water management, re-use and conservation programs.
13	Amend the Water Code to encourage all proposals to lease groundwater to have the least environmental impact.	A lease to pump groundwater should not negatively affect the environment, and furthermore affect spring flows and surface water flows.

- Chap 36.7

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners' Work Session

Date: October 15, 2004

Thru: Jim Muse, Director, Policy and Regulations Division

From: Susi Ferguson, Manager, Policy Section

Subject: Federal Regulatory Notices

:

Issue Discussion of state and federal legislative issues potentially affecting the TCEQ. The commission may consider legislative proposals and federal rulemakings, as well as other state actions and state's participation in federal legislative and regulatory activities. The commission may also meet in closed meeting to receive legal advice regarding these matters, or any of the above matters, as authorized by Section 551.071 of the Open Meetings Act, Chapter 551 of the Government Code. Any commission action, decision, or vote on these matters will be made in open meeting in accordance with Section 551.102 of the Open Meetings Act, Chapter 551 of the Government Code.

Background and Current Practice Federal legislative issues noticed in the Federal Register and of interest to the TCEQ are attached for information. Commission Action on this issue is not required.

Federal Notices and Regulatory Initiatives
October 6, 2004

Air Programs

Subject	Activity Dates	Federal Register Date, Action	Agency Activity & Status
Test Procedures for Testing Highway and Nonroad Engines and Omnibus Technical Amendments	October 29, 2004	September 10, 2004 Proposed Rules	ED/Commission agreed with staff recommendation to comment. Staff prepared briefing documents for ED/Commission review.
National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production	October 4, 2004	September 3, 2004 Proposed Rules	ED/Commission agreed with staff recommendation for no comment. Staff preparing briefing documents for ED/Commission review
Draft Nitrogen Oxides Exemption Guidance for Proposed Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard	October 1, 2004	September 1, 2004 Proposed Rules	Letter sent 10/5/04. ED/Commission agreed with staff recommendation to comment. Staff prepared briefing documents for ED/Commission review.
National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production	October 1, 2004 or if a hearing is requested by September 13, 2004 comments due by October 18, 2004.	September 1, 2004 Proposed Rules	ED/Commission agreed with staff recommendation for no comment. Staff prepared briefing documents for ED/Commission review.

Federal Notices and Regulatory Initiatives
October 6, 2004

Air Programs

Subject	Activity Dates	Federal Register Date, Action	Agency Activity & Status
Stage II Vapor Recovery Issue Paper	September 30, 2004	August 12, 2004 Draft Proposal from EPA	Letter sent 9/30/04. ED/Commission agreed with staff recommendation to comment. Staff prepared briefing documents for ED/Commission review.
National Emission Standards for Coke Oven Batteries	October 8, 2004	August 9, 2004 Proposed Rules	ED/Commission agreed with staff recommendation for no comment. Staff prepared briefing document for ED/Commission review.

Federal Notices and Regulatory Initiatives
October 6, 2004

Water Programs

Subject	Activity Dates	Federal Register Date, Action	Agency Activity & Status
Notice of Availability of 2004 Effluent Guidelines Program Plan	None stated.	September 2, 2004 Notices	ED/Commission agreed with staff recommendation for no comment. Staff preparing briefing documents for ED/Commission review.

Other Programs

Subject	Activity Dates	Federal Register Date, Action	Agency Activity & Status
Standards and Practices for All Appropriate Inquiries and Notice of Public Meeting To Discuss Standards and Practices for All Appropriate Inquiries; Proposed Rules	October 25, 2004	August 26, 2004 Proposed Rules	ED/Commission agreed with staff recommendation for no comment. Staff prepared briefing documents for ED/Commission review.

**Federal Notices and Regulatory Initiatives
October 6, 2004**

Final Rule Adoption Notices and Reports

Subject	Activity Dates	Federal Register Date, Action
Protection of Stratospheric Ozone; Listing of Substitutes in the Foam Sector	November 29, 2004	September 30, 2004 Rules and Regulations
National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters	November 12, 2004	September 13, 2004 Rules and Regulations
Effluent Limitations Guidelines and New Source Performance Standards for Meat Poultry Products Point Source Category	October 8, 2004	September 8, 2004 Rules and Regulations
National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production; Direct Final Rule and Proposed Rule	November 2, 2004 unless EPA receives adverse written comment by October 4, 2004, or if a public hearing is requested by September 13, 2004	September 3, 2004 Rules and Regulations
National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production	Effective November 1, 2004 without further notice, unless EPA receives adverse written comment by October 1, 2004 or if a public hearing is requested by September 13, 2004.	September 1, 2004 Rules and Regulations

Federal Notices and Regulatory Initiatives
October 6, 2004

Final Rule Adoption Notices and Reports

Subject	Activity Dates	Federal Register Date, Action
Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage	Delayed from October 1, 2004 until January 2, 2005.	February 10, 2004 Rules and Regulations
Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments; Correction	Effective October 1, 2004 Final Rule Correction	February 10, 2004 Rules and Regulations

PUBLIC COMMENT SESSION: The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ, with the exception of pending permitting matters or other contested cases which are subject to the *ex parte* prohibition found in Texas Government Code §2001.061. In the interest of time, speakers will be limited to three minutes each, with the total time for public comment limited to one hour.

Please note there are no backup materials for this issue.

Planning for the next Commissioners' Work Session.

SUBM TO	DATE	SHORT TITLE	TNRCC COMMENTS	DIV PREPARING	DIV CONTACT
EPA	8/13/2004	Nomination of Mr. Tony Bennett for Consideration to Serve a Three-year Term as a Member on the National Drinking Water Advisory Council	<p>Texas should nominate a candidate for membership on this Council to represent the state regulatory program and ensure that Texas interests are represented.</p> <p>It is imperative that the state regulatory programs have a clear voice in the issues addressed by the Council A thorough and comprehensive review of Council actions and recommendations is necessary to ensure that the need for safe drinking water supplies is balanced against the ability of the regulated community to comply and the ability of regulatory agencies to provide assistance and oversight.</p> <p>Tony Bennett, R.S. is being nominated by TCEQ for one of the open positions on the Council.</p>	Water Supply	Buck Henderson
EPA	8/16/2004	Proposed Rule on Control of Emissions of Air Pollution From New Motor Vehicles: In-Use Testing for Heavy-Duty Diesel Engines and Vehicles	<p>Provide strong support for the in-use not to exceed (NTE) testing proposal for heavy-duty diesel vehicles.</p> <p>Provide support and encouragement for EPA's continued efforts to draft similar in-use testing requirements using portable emissions measurement systems (PEMS) for the non-road sector.</p>	Policy and Regulations	Kim Herndon
EPA	8/31/2004	Proposed Rules for Control of Emissions of Air Pollution From New Locomotive Engines and New Marine Compression-Ignition Engines Less than 30 Liters per Cylinder	<p>TCEQ strongly supports the locomotive and marine controls that EPA is proposing. EPA has pointed out in this notice that marine and locomotive engines have many similarities to large mobile generator engines which are already subject to a 0.5 g/bhp-hr NOx standard in 2011, and recommendations to control these engines are the next logical step in EPA's 3-prong diesel strategy: (1) highways; (2) nonroad diesel engines; and (3) marine and locomotive engines.</p> <p>It will be difficult for Texas to attain the 8-hour ozone standard, in some parts of the state, unless cleaner engines are federally mandated and implementation of those standards begins before the EPA mandated attainment dates.</p> <p>The commission recommends mandatory use of idle shutdown technology for both new and in-use locomotives, as well as mandatory idle emission reduction technology for in-use and new marine equipment in 2011.</p> <p>Mandatory introduction of cleaner engines and technologies may have the additional benefit for Texas of freeing up TERP dollars for supporting other new technology opportunities.</p>	Policy and Regulations	Kim Herndon

SUBM TO	DATE	SHORT TITLE	TNRCC COMMENTS	DIV PREPARING	DIV CONTACT
EPA	9/20/2004	2005 Exchange Network Guidance	<p>Our proposed comments fall into two broad categories, flexibility in grant proposals for electronic discharge monitoring reports, or e-DMRs, and eligibility criteria for receiving a grant.</p> <p>The comments on proposal flexibility focus on EPA's stated intention to prevent e-DMR proposals from including functionality to submit e-DMRs to the Permit Compliance System (PCS) or use the current submission format, the Interim Data Exchange Format (IDEF). While this language is not within the draft guidance, the EPA indicated during the September 9 meeting that such language would be included in a revised draft. The EPA intends to produce an errata document which includes this restriction, but that document was not available in time for the preparation of these comments. The eligibility criteria comments focus on the definition of an operational Network Node, which does not consider reporting time lines and may impact our eligibility to apply for a grant. The most significant concern with the draft guidance is the intention to prevent submissions to PCS or the use of IDEF. At least one state, Michigan, already flows e-DMRs to PCS in the IDEF format. The modernized PCS, called the Integrated Compliance Information System (ICIS), is not scheduled to accept uploads of e-DMRs until the Fall of 2007. Which is a year later than what they told us last year. The proposed guidance language would prevent an e-DMR system from going on-line until at least the Fall of 2007. That assumes ICIS will meet that Fall 2007 target date, which is unlikely given the history of that project.</p>	Office of Administrative Services	Gregg Nudd

SUBM TO	DATE	SHORT TITLE	TNRCC COMMENTS	DIV PREPARING	DIV CONTACT
EPA	9/30/2004	Stage II Vapor Recovery Systems Issues Paper	<p>Phase-out of Stage II systems once widespread use is determined. Simply ceasing to investigate gasoline dispensing facilities (GDFs) with Stage II would have a negative effect as numerous vacuum-assist systems would remain in service without maintenance or oversight.</p> <p>Actual in-use efficiency (IUE) for ORVR systems. The EPA issue paper notes an ORVR efficiency of 98% without referencing any studies undertaken to determine the actual IUE.</p> <p>Will EPA mandate ORVR compatibility for states choosing to continue Stage II after widespread use? If so, how does EPA recommend states determine ORVR compatibility of current systems outside of CARB's EVR certification program?</p> <p>The issues paper notes that the Houston-Galveston area of Texas has a vacuum-assist system percentage of 64%. The actual percentage is approximately 92%.</p> <p>If the proposed widespread use definition is adopted, would the EPA provide guidelines on the accurate determination of in-use efficiency for existing Stage II systems?</p> <p>Will guidance on exemptions for facilities dispensing 100% of fuel to ORVR-equipped vehicles (rental car facilities and car dealerships) be forthcoming?</p> <p>From a modeling standpoint, definition "b" would be the easiest, and the most realistic way to determine widespread use.</p> <p>Any widespread use definition requiring data on percent of gasoline dispensed would be very difficult to implement.</p> <p>TCEQ agrees with the EPA regarding the need for new emission factors. Currently, only Stage I and Stage II factors allow for local input (others are generic). It may be more beneficial to also allow local inputs for such things as liquid temperature and Reid vapor pressure.</p>	Environmental Planning and Implementation	Ashley Forbes
EPA	10/5/2004	Nitrogen Oxides Exemption Guidance for the Proposed Rule to Implement the 8-hour Ozone National Ambient Air Quality Standard	<p>Alternatives to photochemical modeling to support an exemption should not be eliminated. More specific guidance needs to be provided regarding the standards and criteria on what an area can become exempt from, and under what conditions. Guidance needs to be provided on how frequent and how extensive additional support will need to be to maintain an exemption.</p>	Environmental Law	Laura Pfefferle

SUBM TO	DATE	SHORT TITLE	TNRCC COMMENTS	DIV PREPARING	DIV CONTACT
TXDOT	8/20/2004	Federal Highway Administration and Texas Department of Transportation on I-69/Trans-Texas Corridor Study	<p>TCEQ proposes to concur by signature of its TAC and Steering Committee representatives with the Memorandum of Decision, with the following conditions:</p> <p>We propose to add an additional objective to Goal F (in all three of the discussion documents) to emphasize compliance with applicable state and federal requirements as criteria.</p> <p>TCEQ would like to emphasize that the GIS Screening Tool (GISST) and the Texas Ecological Assessment Protocol (TEAP) cited under Goal F, Tier 1 Draft Environmental Impact Statement (DEIS) Draft Evaluation Criteria, are both works in progress, and that the latest versions should always be used for Tier 1 and Tier 2 decision making.</p>	Policy and Regulations	Susi Ferguson

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Last Update: October 5, 2004

Scheduled on: November 1 & 15

<u>Short Title of Issue</u>	<u>Lead Office & Staff</u>	<u>Date Issue Referred</u>
Compliance and Enforcement Policy and Practices Review	DED/OCE	12/5/2003

Scheduled on: Standing Item

<u>Short Title of Issue</u>	<u>Lead Office & Staff</u>	<u>Date Issue Referred</u>
State and Federal legislation potentially affecting the TCEQ and other issues related to actions taken by the Texas Legislature	IGR/Lenny Olsen	1/1/2004
Enforcement Report	OCE/Anne Dobbs	1/1/2004
SIP Activities	OEPA/Herb Williams	1/1/2004
Planning for next work session	Commissioners' Executive Assistants	1/1/2004
Public Comment Session	Public Participation	10/24/03
Compliance and Enforcement Policy and Practices Review	DED/OCE	12/5/2003
TMDLs		1/1/2002

Scheduled on: December 17

<u>Short Title of Issue</u>	<u>Lead Office & Staff</u>	<u>Date Issue Referred</u>
EMRS	OCE/Steib	8/16/04

Scheduled on: To be determined

<u>Short Title of Issue</u>	<u>Lead Office & Staff</u>	<u>Date Issue Referred</u>
Permit back log and time lines	OPRR	12/1/03

Tentative Dates for August 2004 - August 2005
Commissioners' Work Sessions
Last Update: 10/5/04

DATE OF WORK SESSION	TIME OF WORK SESSION	FILE AGENDA WITH CHIEF CLERK'S OFFICE by 4:00 pm	EXECUTIVE SUMMARY DEADLINE by noon unless otherwise stated (effective 9/7/04)
August 16	1:30 pm - 4:00 pm	August 6	August 6
September 17	9:30 am - 12:00 n	September 9	September 9
October 15	9:30 am - 12:00 n	October 6	October 6
November 1	9:30 am - 12:00 n	October 22	October 22
November 15	9:30 am - 12:00 n	November 5	November 5
December 17	9:30 am - 12:00 n	December 8	December 8
January 14	9:30 am - 12:00 n	January 5	January 5
February 11	9:30 am - 12:00 n	February 2	February 2
March 11	9:30 am - 12:00 n	March 2	March 2
April 15	9:30 am - 12:00 n	April 6	April 6
May 13	9:30 am - 12:00 n	May 4	May 4

NOTE: These dates are subject to change. Some backup deadline dates were moved up a day or two due to holidays.

Closed Session:

- a. Docket No. 1998-1154-EXE. The Commission will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.**

- b. Docket No. 1999-0024-EXE. The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open session to take action on a legal or personnel matter considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.**

- c. Docket No. 1999-0025-EXE. The Commission will conduct a closed session to discuss their duties, roles, and responsibilities as commissioners of the TCEQ pursuant to section 551.074 of the open meetings act, codified as chapter 551 of the government code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.**