

**Executive Summary – Enforcement Matter – Case No. 57360**  
**Universal Pressure Pumping, Inc.**  
**RN109716191**  
**Docket No. 2019-0386-IHW-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

IHW

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Pearsall Facility, 9029 Seventy Seven Drive, Pearsall, Frio County

**Type of Operation:**

Oilfield vehicle and machinery maintenance facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

**Texas Register Publication Date:** August 21, 2020

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$34,221

**Amount Deferred for Expedited Settlement:** \$6,844

**Total Paid to General Revenue:** \$27,377

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - N/A

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** November 28, 2018

**Complaint Information:** Alleged that the Facility was improperly handling used oil and other chemicals without proper authorization.

**Date(s) of Investigation:** December 6, 2018

**Date(s) of NOE(s):** February 15, 2019

**Executive Summary – Enforcement Matter – Case No. 57360**  
**Universal Pressure Pumping, Inc.**  
**RN109716191**  
**Docket No. 2019-0386-IHW-E**

***Violation Information***

1. Caused, suffered, allowed, or permitted the disposal of industrial solid waste at an unauthorized facility. Specifically, during an eight-day period between January and November 2018, 22 shipments totaling approximately 98,600 gallons of Class I waste, consisting of soils contaminated with organic matter, were transported from the Facility and disposed of at unauthorized facilities located at 696 El Jardin in Cotulla, La Salle County, Texas (approximately 19,200 gallons) and 6605 Farm-to-Market 1583 in Dilley, Frio County, Texas (approximately 79,400 gallons) [30 TEX. ADMIN. CODE § 335.2(b)].
2. Failed to notify the Commission of the generation and disposal of industrial solid waste at least 90 days prior to engaging in such activities. Specifically, during an eight-day period between January and November 2018, 22 shipments totaling approximately 98,600 gallons of Class 1 waste, consisting of soils contaminated with organic matter, were generated and disposed of without prior notification to the TCEQ [30 TEX. ADMIN. CODE § 335.6(a) and (c)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. Notified the TCEQ of the generation and disposal of Class I Waste on December 17, 2018; and
- b. Developed and implemented procedures designed to prevent the disposal of industrial solid waste at unauthorized facilities by January 1, 2019.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Berenice Munoz, Enforcement Division, Enforcement Team 6, MC R-06, (915) 834-4976; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Akshay Sagar, President, Universal Pressure Pumping, Inc., 10713 West Sam Houston Parkway North, Suite 800, Houston, Texas 77064-3583

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	19-Feb-2019	<b>Screening</b>	25-Feb-2019	<b>EPA Due</b>	
	<b>PCW</b>	1-May-2020				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Universal Pressure Pumping, Inc.		
<b>Reg. Ent. Ref. No.</b>	RN109716191		
<b>Facility/Site Region</b>	13-San Antonio	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	57360	<b>No. of Violations</b>	2	
<b>Docket No.</b>	2019-0386-IHW-E	<b>Order Type</b>	1660	
<b>Media Program(s)</b>	Industrial and Hazardous Waste	<b>Government/Non-Profit</b>	No	
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Berenice Munoz	
		<b>EC's Team</b>	Enforcement Team 6	
<b>Admin. Penalty \$ Limit</b>	<b>Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** **0.0%** Adjustment **Subtotals 2, 3, & 7**

Notes

**Culpability** **No** **0.0%** Enhancement **Subtotal 4**

Notes

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

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6**

Total EB Amounts	\$8,916
Estimated Cost of Compliance	\$9,100

\*Capped at the Total EB \$ Amount

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  **Reduction** **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

**PAYABLE PENALTY**

Screening Date 25-Feb-2019

Docket No. 2019-0386-IHW-E

PCW

Respondent Universal Pressure Pumping, Inc.

Policy Revision 4 (April 2014)

Case ID No. 57360

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN109716191

Media Industrial and Hazardous Waste

Enf. Coordinator Berenice Munoz

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

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

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 0%

**Screening Date** 25-Feb-2019  
**Respondent** Universal Pressure Pumping, Inc.  
**Case ID No.** 57360

**Docket No.** 2019-0386-IHW-E

**PCW**

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

**Reg. Ent. Reference No.** RN109716191  
**Media** Industrial and Hazardous Waste

**Enf. Coordinator** Berenice Munoz

**Violation Number** 1

**Rule Cite(s)** 30 Tex. Admin. Code § 335.2(b)

**Violation Description**  
 The Respondent caused, suffered, allowed, or permitted the disposal of industrial solid waste ("ISW") at an unauthorized facility. Specifically, during an eight-day period between January and November 2018, 22 shipments totaling approximately 98,600 gallons of Class I waste, consisting of soils contaminated with organic matter, were transported from the Facility and disposed of at unauthorized facilities located at 696 El Jardin in Cotulla, La Salle County, Texas (approximately 19,200 gallons) and 6605 Farm-to-Market 1583 in Dilley, Frio County, Texas (approximately 79,400 gallons).

**Base Penalty** \$25,000

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential		X		

**>>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes**  
 Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events 8      8 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$30,000

Eight single events are recommended (one for each day with documented unauthorized deliveries).

**Good Faith Efforts to Comply**

25.0%

Reduction \$7,500

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

Extraordinary	
Ordinary	X
N/A	

**Notes**  
 The Respondent developed and implemented procedures designed to prevent the disposal of ISW at unauthorized facilities by January 1, 2019, before the February 15, 2019 Notice of Enforcement.

**Violation Subtotal** \$22,500

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$8,910

**Violation Final Penalty Total** \$30,418

**This violation Final Assessed Penalty (adjusted for limits)** \$30,418

# Economic Benefit Worksheet

**Respondent** Universal Pressure Pumping, Inc.  
**Case ID No.** 57360  
**Reg. Ent. Reference No.** RN109716191  
**Media** Industrial and Hazardous Waste  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	6-Dec-2018	1-Jan-2019	0.07	\$2	n/a	\$2

**Notes for DELAYED costs**  
 Estimated delayed cost to develop and implement procedures designed to prevent the disposal of ISW at unauthorized facilities. The Date Required is the investigation date and the Final Date is the date of compliance.

Avoided Costs	<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>						
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$8,500	15-Jan-2018	1-Jan-2019	0.96	\$408	\$8,500	\$8,908
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**  
 Estimated avoided cost to properly dispose of 2,465 barrels of Class I waste at an authorized facility (cost of disposal with authorized recycler - actual cost paid ≈ \$44,370-\$35,870). The Date Required is the first disposal date and the Final Date is the compliance date.

Approx. Cost of Compliance	\$9,000	<b>TOTAL</b>	\$8,910
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**Screening Date** 25-Feb-2019  
**Respondent** Universal Pressure Pumping, Inc.  
**Case ID No.** 57360

**Docket No.** 2019-0386-IHW-E

**PCW**

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

**Reg. Ent. Reference No.** RN109716191  
**Media** Industrial and Hazardous Waste  
**Enf. Coordinator** Berenice Munoz

**Violation Number**

**Rule Cite(s)**

**Violation Description**

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Harm			Percent
	Major	Moderate	Minor	
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="15.0%"/>

**Matrix Notes**

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

**Good Faith Efforts to Comply**

**Reduction**

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>

**Notes**

**Violation Subtotal**

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

# Economic Benefit Worksheet

**Respondent** Universal Pressure Pumping, Inc.  
**Case ID No.** 57360  
**Reg. Ent. Reference No.** RN109716191  
**Media** Industrial and Hazardous Waste  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$100	18-Oct-2017	17-Dec-2018	1.16	\$6	n/a	\$6
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated delayed cost to notify the TCEQ of the generation and disposal of Class I Waste. The Date Required is 90 days prior to the first known generation date and the Final Date is the date of compliance.

**Avoided Costs** **ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$6



The TCEQ is committed to accessibility.

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



# TCEQ Compliance History Report

Compliance History Report for CN603736455, RN109716191, Rating Year 2018 which includes Compliance History (CH) components from September 1, 2013, through August 31, 2018.

**Customer, Respondent, or Owner/Operator:** CN603736455, Universal Pressure Pumping, Inc. **Classification:** SATISFACTORY **Rating:** 2.31

**Regulated Entity:** RN109716191, Pearsall Facility **Classification:** NOT APPLICABLE **Rating:** N/A

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

**CH Group:** 14 - Other

**Location:** 9029 Seventy Seven Drive, Pearsall, Frio County, Texas 78061

**TCEQ Region:** REGION 13 - SAN ANTONIO

**ID Number(s):**

**INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 97332**

**INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000084836**

**Compliance History Period:** September 01, 2013 to August 31, 2018 **Rating Year:** 2018 **Rating Date:** 09/01/2018

**Date Compliance History Report Prepared:** February 25, 2019

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** February 25, 2014 to February 25, 2019

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

**Name:** Berenice Munoz

**Phone:** (915) 834-4976

**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

N/A

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

N/A

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

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

N/A

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
UNIVERSAL PRESSURE  
PUMPING, INC.  
RN109716191**

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**BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2019-0386-IHW-E**

**I. JURISDICTION AND STIPULATIONS**

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

1. The Respondent owns and operates an oilfield vehicle and machinery maintenance facility located at 9029 Seventy Seven Drive in Pearsall, Frio County, Texas (the "Facility"). The Facility involves or involved the management of industrial solid waste ("ISW"), as defined in TEX. HEALTH & SAFETY CODE ch. 361.
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 361 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$34,221 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$27,377 of the penalty and \$6,844 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - a. Notified the TCEQ of the generation and disposal of Class I Waste on December 17, 2018; and
  - b. Developed and implemented procedures designed to prevent the disposal of ISW at unauthorized facilities by January 1, 2019.

## **II. ALLEGATIONS**

During an investigation conducted on December 6, 2018, an investigator documented that the Respondent:

1. Caused, suffered, allowed, or permitted the disposal of ISW at an unauthorized facility, in violation of 30 TEX. ADMIN. CODE § 335.2(b). Specifically, during an eight-day period between January and November 2018, 22 shipments totaling approximately 98,600 gallons of Class I waste, consisting of soils contaminated with organic matter, were transported from the Facility and disposed of at unauthorized facilities located at 696 El Jardin in Cotulla, La Salle County, Texas (approximately 19,200 gallons) and 6605 Farm-to-Market 1583 in Dilley, Frio County, Texas (approximately 79,400 gallons).
2. Failed to notify the Commission of the generation and disposal of ISW at least 90 days prior to engaging in such activities, in violation of 30 TEX. ADMIN. CODE § 335.6(a) and (c). Specifically, during an eight-day period between January and November 2018, 22 shipments totaling approximately 98,600 gallons of Class 1 waste, consisting of soils contaminated with organic matter, were generated and disposed of without prior notification to the TCEQ.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Universal Pressure Pumping, Inc., Docket No. 2019-0386-IHW-E" to:  

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of

manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
For the Executive Director

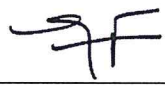
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
9/29/2020  
Date

Akshay Sagar  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Universal Pressure Pumping, Inc.

\_\_\_\_\_  
President  
Title

If mailing address has changed, please check this box and provide the new address below: