

ENFORCEMENT REPORT TO THE COMMISSION FOR APRIL 2008

June 20, 2008 Commission Work Session

PROGRAMS	FORMAL ACTIONS INITIATED BY PROPOSED ORDER OR EDPRP		ADMINISTRATIVE ORDERS ISSUED BY THE COMMISSION		FISCAL YEAR 2008 YEAR-TO-DATE ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, PAYABLE, AND DOLLAR AMOUNT THAT WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE COMMISSION				
	Month	FY	Month	FY	ASSESSED	DEFERRED	PAYABLE PENALTY	SEP COST	SEP OFFSET
AGRICULTURE	0	11	4	34	\$140,191.00	\$18,184.00	\$122,007.00	\$0.00	\$0.00
AIR	26	310	55	240	\$5,426,395.00	\$502,960.00	\$3,074,999.50	\$1,848,435.50	\$1,848,435.50
DRY CLEANERS	0	2	5	46	\$62,237.00	\$3,186.00	\$59,051.00	\$0.00	\$0.00
INDUSTRIAL AND HAZARDOUS WASTE ¹	4	20	2	13	\$341,507.00	\$26,503.00	\$237,200.00	\$77,804.00	\$77,804.00
MUNICIPAL SOLID WASTE	2	48	9	51	\$328,442.00	\$31,120.00	\$223,233.00	\$74,089.00	\$74,089.00
OCCUPATIONAL CERTIFICATION	0	18	4	44	\$24,838.00	\$1,938.00	\$22,900.00	\$0.00	\$0.00
PETROLEUM STORAGE TANKS	23	149	21	164	\$1,088,654.00	\$85,309.00	\$991,383.00	\$11,962.00	\$11,962.00
PUBLIC WATER SUPPLY ²	18	137	29	125	\$266,426.00	\$23,567.00	\$184,152.00	\$58,707.00	\$58,707.00
WATER QUALITY	34	231	53	312	\$2,412,851.00	\$426,799.00	\$1,293,674.00	\$692,378.00	\$692,378.00
MULTI-MEDIA	7	42	12	81	\$781,739.00	\$93,048.00	\$482,309.00	\$206,382.00	\$206,382.00
TOTALS	114	968	194	1,110	\$10,873,280.00	\$1,212,614.00	\$6,690,908.50	\$2,969,757.50	\$2,969,757.50

¹ Includes radioactive waste and underground injection control cases

² Includes water rights cases

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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 ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS ⁴	CASES BEING TRACKED FOR COMPLIANCE ⁵
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	17	103			0	0	15	43
AIR	114	724			7	31	366	448
DRY CLEANERS	0	1			5	17	27	55
INDUSTRIAL AND HAZARDOUS WASTE	29	177			3	14	69	115
MUNICIPAL SOLID WASTE	23	237			1	17	82	177
OCCUPATIONAL CERTIFICATION	6	40			1	6	19	53
PETROLEUM STORAGE TANKS	129	910			12	60	421	179
PUBLIC WATER SUPPLY	626	2,894	383	3,242	7	34	245	609
WATER QUALITY	121	1,232	10	90	2	22	252	558
MULTI-MEDIA	13	123			3	13	96	184
TOTALS	1,078	6,441	393	3,332	41	214	1,592	2,421

³ Includes NOVs issued regarding investigations & enforcement cases and can be either record reviews or onsite investigations.

⁴ Cases that the enforcement programs 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, compliance agreements, and referrals to other agencies or divisions.

⁵ Includes all cases that the enforcement division is tracking for compliance once an agency action is finalized.

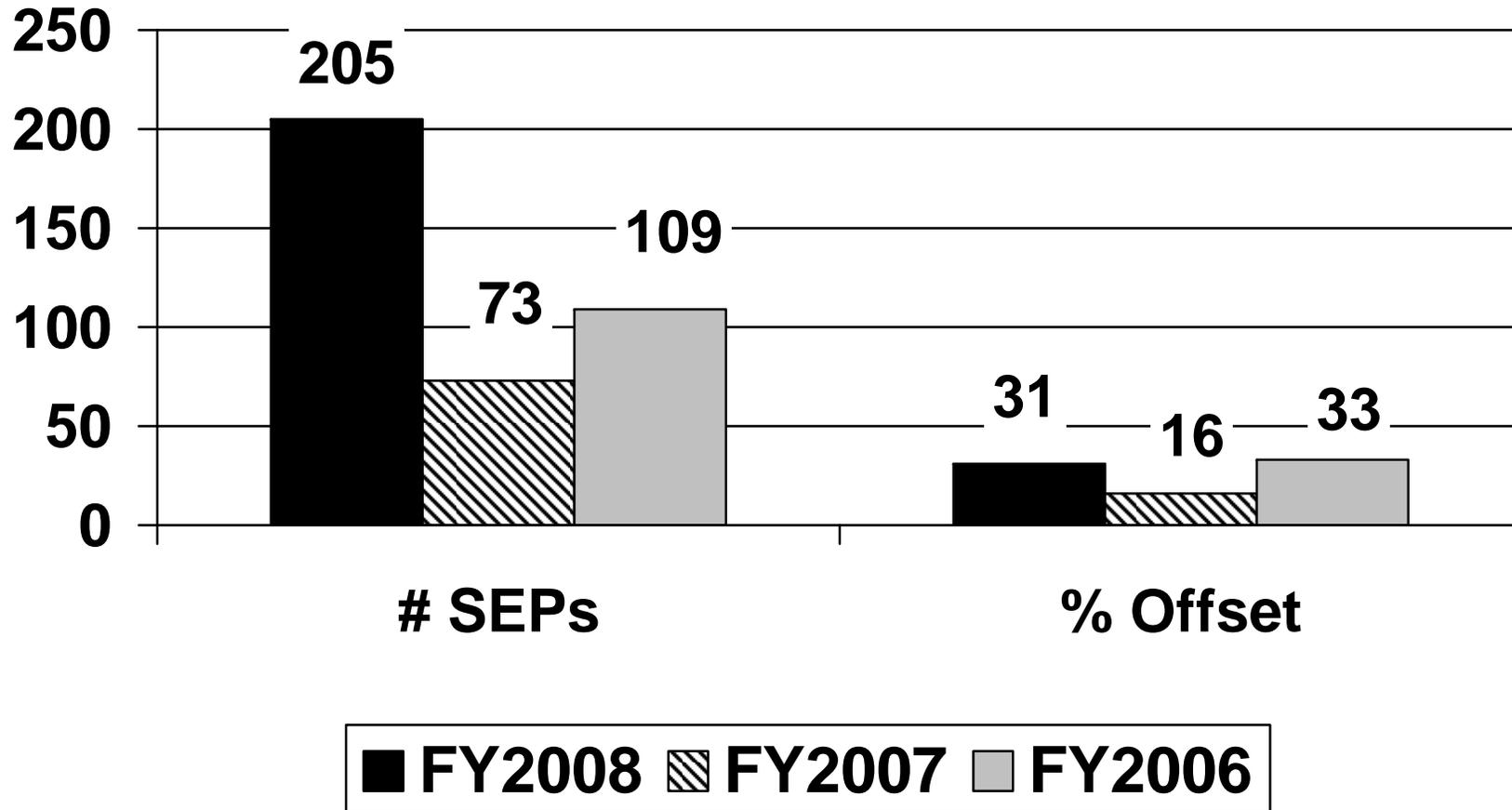
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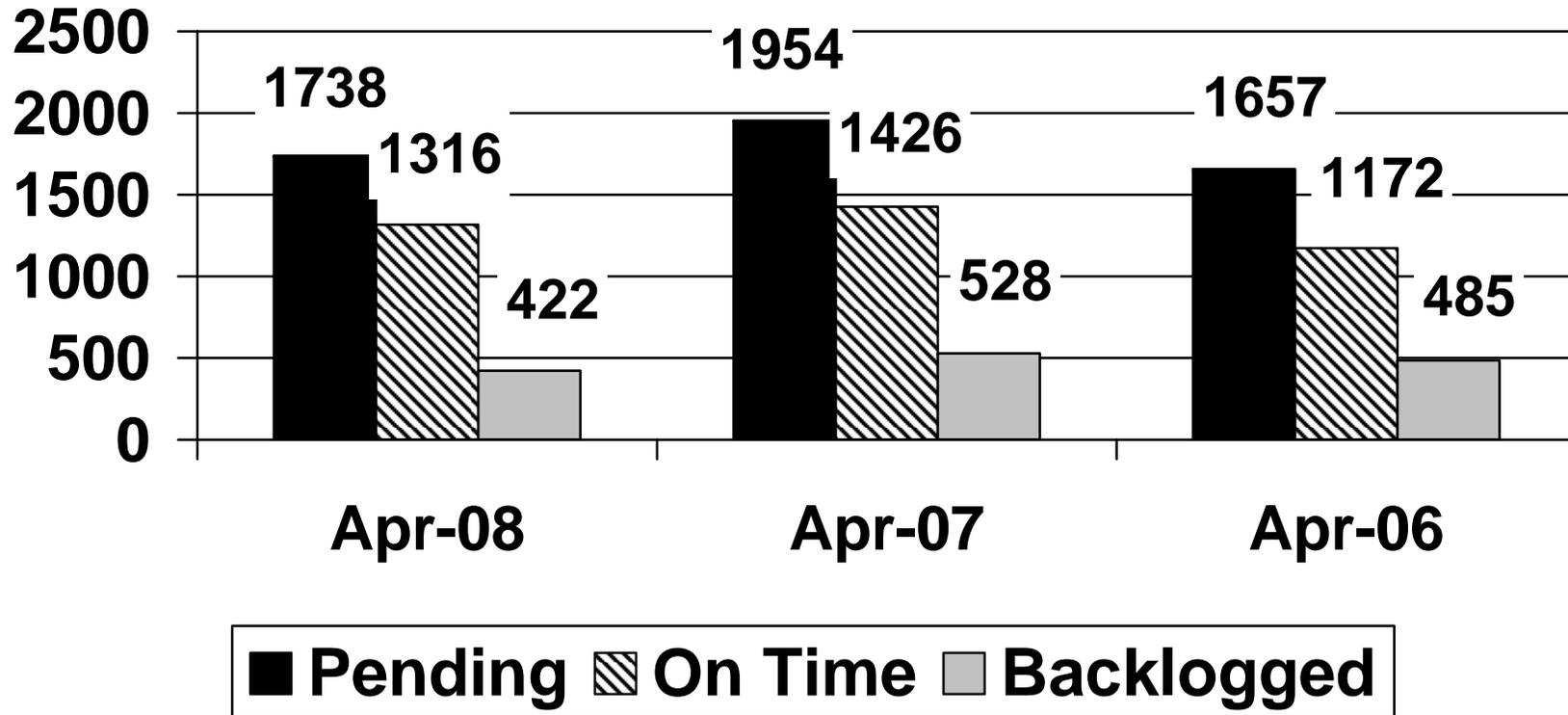
PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TCEQ		CASES PENDING AT THE STATE OFFICE OF ADMIN. HEARINGS	CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL ⁶	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS		NOTICE OF AUDIT LETTERS RECEIVED REGARDING VOLUNTARY ENVIRONMENTAL SELF AUDITS		DISCLOSURE OF VIOLATION 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	17	1	2	4	0	0	0	0	0	0	2	13
AIR	391	50	26	17	0	1	16	157	6	55	51	332
DRY CLEANERS	47	41	1	0	0	0	0	0	0	0	0	10
INDUSTRIAL AND HAZARDOUS WASTE	55	20	3	27	0	2	0	9	0	3	3	36
MUNICIPAL SOLID WASTE	116	36	24	31	1	3	0	0	0	0	18	93
OCCUPATIONAL CERTIFICATION	53	6	0	5	0	0	0	0	0	0	1	30
PETROLEUM STORAGE TANKS	410	154	39	23	0	0	0	3	0	2	37	240
PUBLIC WATER SUPPLY	209	40	12	40	0	0	0	0	0	0	35	264
WATER QUALITY	326	35	25	24	1	3	2	8	0	2	48	310
MULTI-MEDIA	114	39	13	19	1	3	3	41	2	20	16	74
TOTALS	1,738	422	145	190	3	12	21	218	8	82	211	1,402

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

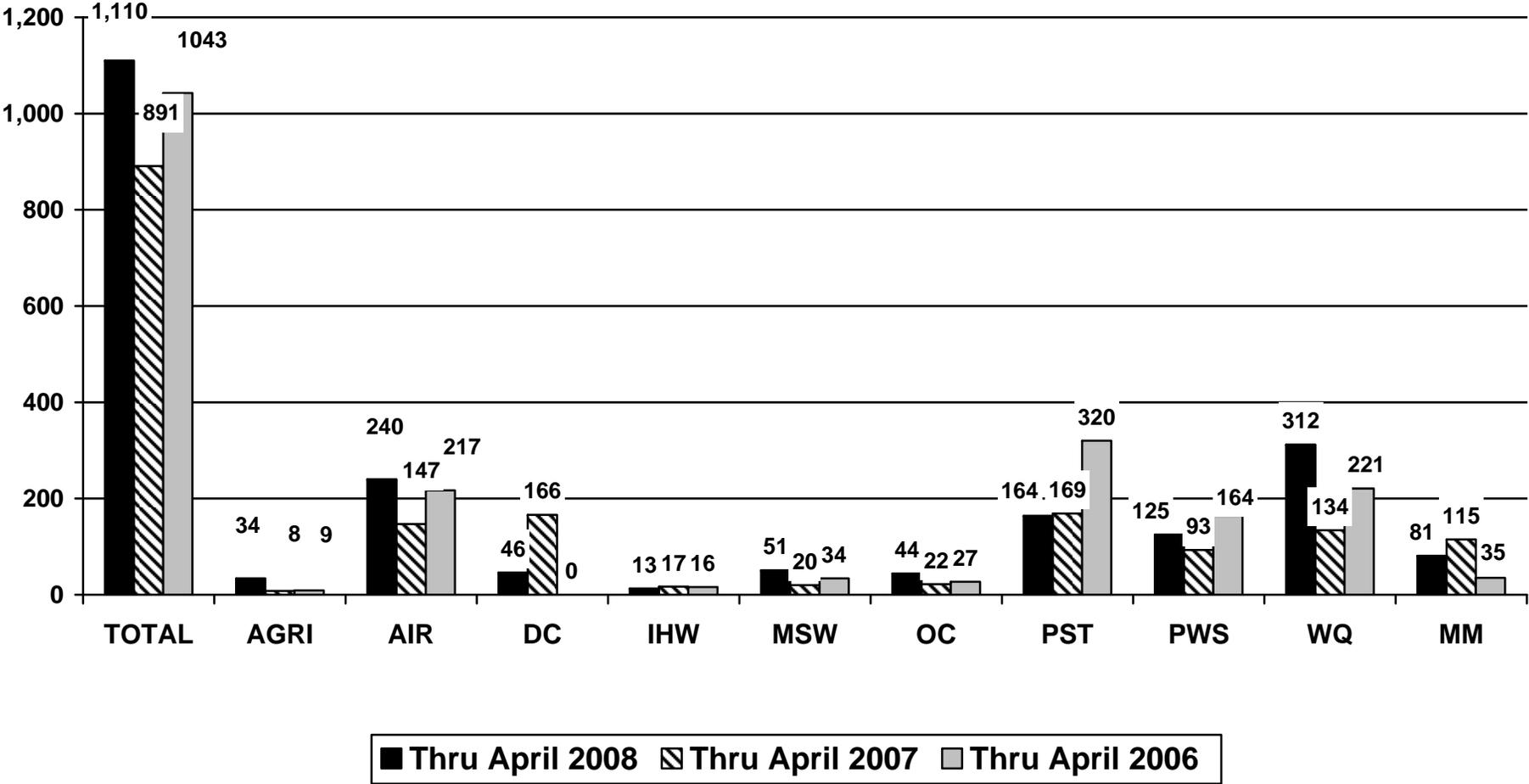
Comparison of SEP Data (thru April)



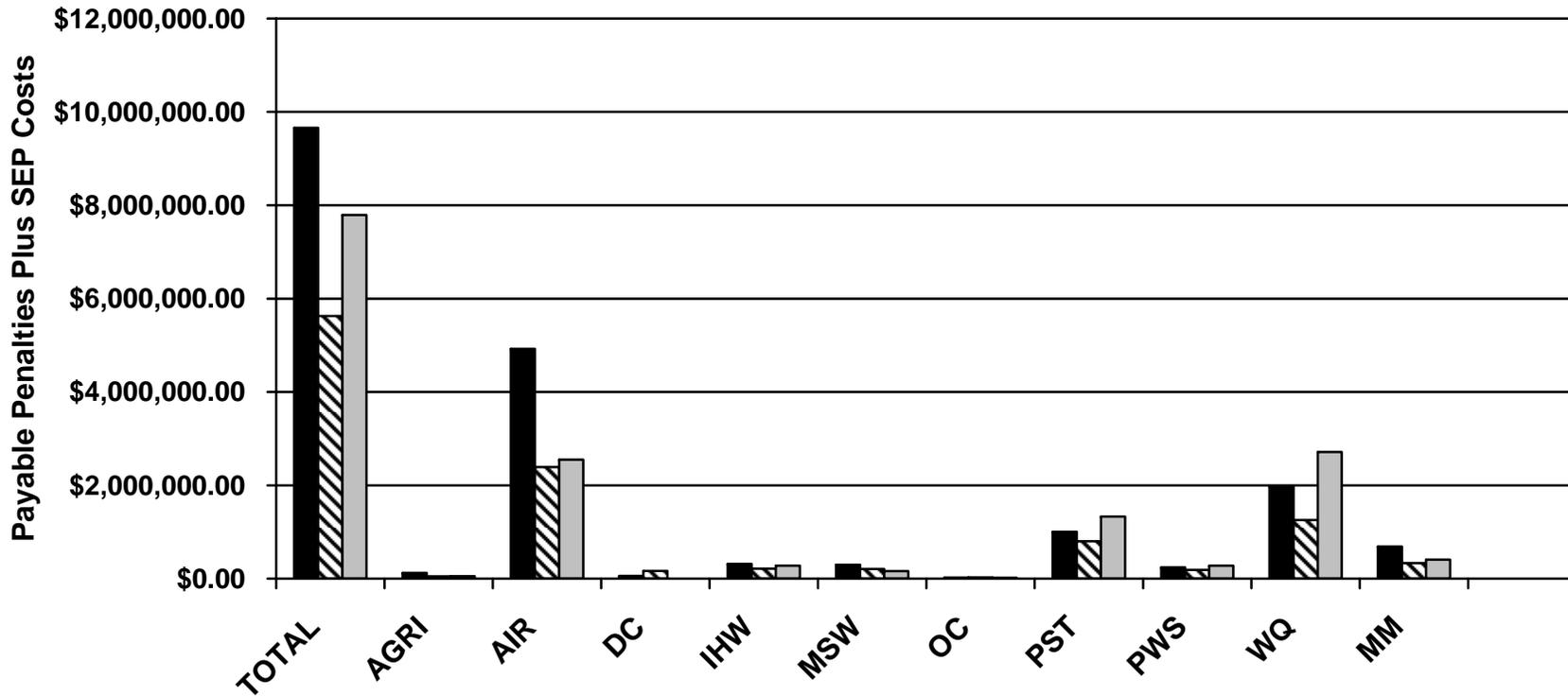
Backlog Distribution (FY06-FY08)



Number of Orders Issued (FY06-FY08)



Penalties in Orders Issued (FY06-FY08)



■ Thru April 2008
 ▨ Thru April 2007 (FY 07 Total = \$10.1 million)
 ■ Thru April 2006 (FY 06 Total = \$13.2 million)

Final Order Statistics (FY06-FY08)

