

I Received a Field Citation

What Happens Next?



TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

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- The TCEQ conducted an investigation at your facility. The investigator cited one or more violations on an official TCEQ Field Citation form.
- The Field Citation is intended to promote a quick resolution for violations documented during a TCEQ investigation, while offering a reduced penalty (as compared to a penalty calculated through the standard enforcement process).
- If you have received a Field Citation, you have two basic options:
 - **Option A: Settle the Field Citation.**
In this case, you will pay the assessed penalty amount within 30 days and correct the violation(s) within 45 days from the date of the investigation.
 - **Option B: Decline the Field Citation.**
In this case, you will most likely receive a standard administrative order, with a higher penalty amount.

Option A. Settle the Field Citation

If you choose to settle the field citation, you must do the following two things:

1. Sign the Field Citation form and send the original signed form (not a copy) to the TCEQ along with the total assessed penalty payment within 30 days from the investigation date. Mail the original signed form and the payment to:

Financial Administration Division, MC 214
TCEQ
P.O. Box 13088
Austin, TX 78711-3088

Please include the Field Citation number (located on the top right-hand corner of the Field Citation form) on your payment check or money order. AND

2. Within 45 days from the investigation date, correct the violation(s) and mail certification of your completed corrective action to your TCEQ regional office (circled on the back of the Field Citation form). Your certification of completed corrective action must include any documentation necessary to prove that the corrective measures have been completed, such as receipts, photographs, and copies of records.

If you are unable to correct the violation(s) within 45 days, the field citation process will not work for you. Instead, you'll go through the standard enforcement process, which provides more time to correct violations, although with a higher penalty. Please see Option B if you need more than 45 days to correct your violation(s).

Please be aware that payment of the penalty does not relieve you of your responsibility to correct all alleged violations within the 45-day time frame.

Note: You have the right to appeal the Field Citation to the Regional Director within 30 days from the investigation date. Please contact the Regional Director at the phone number on the back of the Field Citation. **Please be aware** that after the 30th day, you will be subject to higher penalties for the unsettled field citation.

Option B. Decline the Field Citation

If you choose to decline the field citation:

- Once you inform the investigator that you are choosing Option B—or if payment is not made or corrective action is not completed in the allotted time—the violations in your Field Citation will be referred to the TCEQ's Enforcement Division. You will be contacted by an Enforcement Coordinator who will develop a revised (higher) penalty and an order for settlement purposes only. In this process, you may choose to agree or disagree with the violation(s) and enter into discussions that may resolve or settle the enforcement matter or lead to litigation for resolution. Please be aware that the reduced-penalty opportunity is withdrawn during this process.
- You will retain your opportunity to request an evidentiary hearing through the State Office of Administrative Hearings.

There is more information about the TCEQ Field Citation Program on our Web site, at www.tceq.state.tx.us/goto/field_citation