Executive Summary - Enforcement Matter - Case No. 56769 OREAL, Inc. RN101519064 Docket No. 2018-1377-MWD-E

Order Type: Findings Agreed Order Findings Order Justification: People or environmental receptors have been exposed to pollutants which exceed levels that are protective. Media: **MWD Small Business:** Yes Location(s) Where Violation(s) Occurred: Twin Oaks MHP Oak Haven Subdivision, located on the west bank of Willis Creek, approximately one mile south of the Willis Creek crossing of Farm-to-Market Road 842 and approximately two miles northeast of the intersection of Farm-to-Market Road 842 and State Highway 103E near Lufkin, Angelina County Type of Operation: Wastewater treatment facility **Other Significant Matters:** Additional Pending Enforcement Actions: Yes, Docket No. 2021-1433-MLM-E Past-Due Penalties: No Other: N/A Interested Third-Parties: None Texas Register Publication Date: May 13, 2022 Comments Received: No **Penalty Information** Total Penalty Assessed: \$97,802 Amount Deferred for Financial Inability to Pay: \$94,202 Confidential information, which may include financial or medical information, has been provided to the Commission for their consideration. **Total Paid to General Revenue:** \$100 Total Due to General Revenue: \$3,500 Payment Plan: 35 payments of \$100 each **Compliance History Classifications:** Person/CN - N/A Site/RN - Unclassified Maior Source: No Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A Date(s) of Investigation: July 12, 2018 Date(s) of NOE(s): September 10, 2018

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Violation Information

1. Failed to submit complete monitoring results on the discharge monitoring report ("DMR") for the following months: January 2016 (daily average and daily maximum flow); October 2016 total suspended solids ("TSS") daily average and single grab concentrations); March 2017 biochemical oxygen demand five-day ("BOD5") daily average concentration and TSS daily average concentration; April 2017 (chlorine monthly minimum and maximum concentrations, dissolved oxygen monthly minimum concentration, and pH minimum); May 2017 (daily average and daily maximum flow; and BOD5 daily average concentration, single grab concentration, and daily average loading); August 2017 (TSS daily average concentration and single grab concentration, dissolved oxygen monthly minimum concentration, and pH minimum and maximum concentrations) [30 Tex. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 1].

2. Failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal [30 Tex. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1].

3. Failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1].

4. Failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal [30 TEX. ADMIN. CODE §§ 305.125(1) and (5), 317.3(e)(5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1].

5. Failed to comply with permitted effluent limitations for total residual chlorine, total suspended solids, dissolved oxygen, and *Escherichia coli* [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0011588001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 6].

6. Failed to submit the annual sludge report for the monitoring periods ending July 31, 2016 and July 31,2017 to the TCEQ Enforcement Division and the Beaumont Regional Office by September 30, 2016 and September 30, 2017, respectively [30 TEX. ADMIN. CODE § 305.125(1) and (17) and TPDES Permit No. WQ0011588001, Sludge Provisions].

7. Failed to submit monitoring results at the intervals specified in the permit [30 Tex. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 1].

8. Failed to ensure all records of monitoring information required by the permit are retained at the Facility and made readily available for review at the Facility [30 TEX. ADMIN. CODE § 305.125(1) and (11)(B) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 3.b].

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9. Failed to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ Beaumont Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 7.c].

10. Failed to retain the annual backflow prevention assembly test and maintenance report forms for a minimum of three years [30 TEX. ADMIN. CODE § 317.4(a)(8)].

11. Failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal [30 Tex. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On September 23, 2019, the Respondent transferred ownership of the Facility.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Alejandro Laje, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2547; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Jay Bearden, President, OREAL, Inc., 101 West Tarrant Street, Bowie, Texas 76230

Respondent's Attorney: Timothy J. Karczewski, Skelton Slusher Barnhill Watkins Wells PLLC, 1616 South Chestnut Street, Lufkin, Texas 75901

	Policy Revision 4 (A)		nalty Ca	lculatio	n Worksh	eet (PC		Revision March 26, 2014
TCEQ DATES	Assigned	17-Sep-2018						
DATES	PCW		Screening 💈	26-Sep-2018	EPA Due]	
RESPO	NDENT/FACILI	TY INFORMATI	ON					
Dec	Respondent							
	g. Ent. Ref. No. ty/Site Region				Major/M	inor Source	Minor	
CASE I	NFORMATION							
En	f./Case ID No.		_		No. a	f Violations		
Med	Docket No. lia Program(s)	2018-1377-MWD	-E		Government	Order Type /Non-Profit		
	Multi-Media	Water Quality				Coordinator	Alejandro Laje	
Adr	nin. Penalty \$ I	Limit Minimum	\$0 N	laximum	\$25,000	EC's Team	Enforcement	Feam 3
			Penalty	/ Calcula	tion Sectio	n		
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation b	ase penalt	ties)		Subtotal 1	\$70,750
ADJU	STMENTS (+	/-) TO SUBTO	TAL 1					
	Subtotals 2-7 are of Compliance Hi	ptained by multiplying	the Total Base Pe	nalty (Subtotal 1) 15.0%) by the indicated pe Adjustment		tals 2, 3, & 7	\$10,612
	-	Enhancement fo	r two months o		•			<i><i><i></i></i></i>
	Notes			ame/similar v				
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does	not meet the	culpability crite	ria.		
	Good Faith Eff	ort to Comply T	otal Adjustme	ents			Subtotal 5	\$0
	Economic Ben				Enhancement*		Subtotal 6	\$16,440
	Estimated	Total EB Amounts Cost of Compliance	\$16,440 \$15,800	*Capped	d at the Total EB \$ A	imount		
SUM (OF SUBTOTA	LS 1-7				E	inal Subtotal	\$97,802
OTUE				I	0.00/			
		Subtotal by the indic			0.0%		Adjustment	\$0
		Recommended						
	Notes	associated with in the			nd / through 12 nent (Subtotal 6			
						,	alty Amount	\$97,802
STAT	JTORY LIMI		Т			Final Asse	ssed Penalty	\$97,802
DEFE					0.0%	Reduction	Adjustment	\$0
		nalty by the indicated	percentage.		0.070	Reduction	Aujustinellt	40
	Notes	No c	eferral is recor	mmended for	Findings Orders			
]	
PAYA	BLE PENALT	Y						\$97,802

	0	0%			
Judgments and Consent	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%		
Decrees	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	Convictions Any criminal convictions of this state or the federal government (<i>number of counts</i>)				
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)	0	0%		
Addits	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%		
	Environmental management systems in place for one year or more	No	0%		
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%		
e ti i e	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 Per	centage (Sub	total 2)		
Repeat Violator	(Subtotal 3)				
Repeat Violator	(Subtotal 3) Adjustment Per	centage (Sub	total 3)		
No		centage (Sub	total 3) 🗌		
No	Adjustment Per				
No Compliance Histo	Adjustment Per ory Person Classification (Subtotal 7) Adjustment Per				
No Compliance Histo N/A	Adjustment Per ory Person Classification (Subtotal 7) Adjustment Per	centage (Sub			
No Compliance Histo N/A Compliance Histor History Notes	Adjustment Per ory Person Classification (Subtotal 7) Adjustment Per ory Summary Enhancement for two months of self-reported effluent violations and one NOV wit violations. Total Compliance History Adjustment Percentage (State)	centage (Sub	total 7) [
No Compliance Histo N/A Compliance Histor History Notes	Adjustment Per ory Person Classification (Subtotal 7) Adjustment Per ory Summary Enhancement for two months of self-reported effluent violations and one NOV wit violations.	ccentage (Sub h same/similar Subtotals 2,	total 7) [

Screening Date 26-Sep-2018 **Respondent** OREAL, Inc. **Case ID No.** 56769 Reg. Ent. Reference No. RN101519064 Media Water Quality Enf. Coordinator Alejandro Laje

Number of...

Other written NOVs

orders meeting criteria)

>>

Component

NOVs

Compliance History Worksheet Compliance History Site Enhancement (Subtotal 2)

Written notices of violation ("NOVs") with same or similar violations as those in

Any agreed final enforcement orders containing a denial of liability (number of

the current enforcement action (number of NOVs meeting criteria)

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

Adjust.

15%

0%

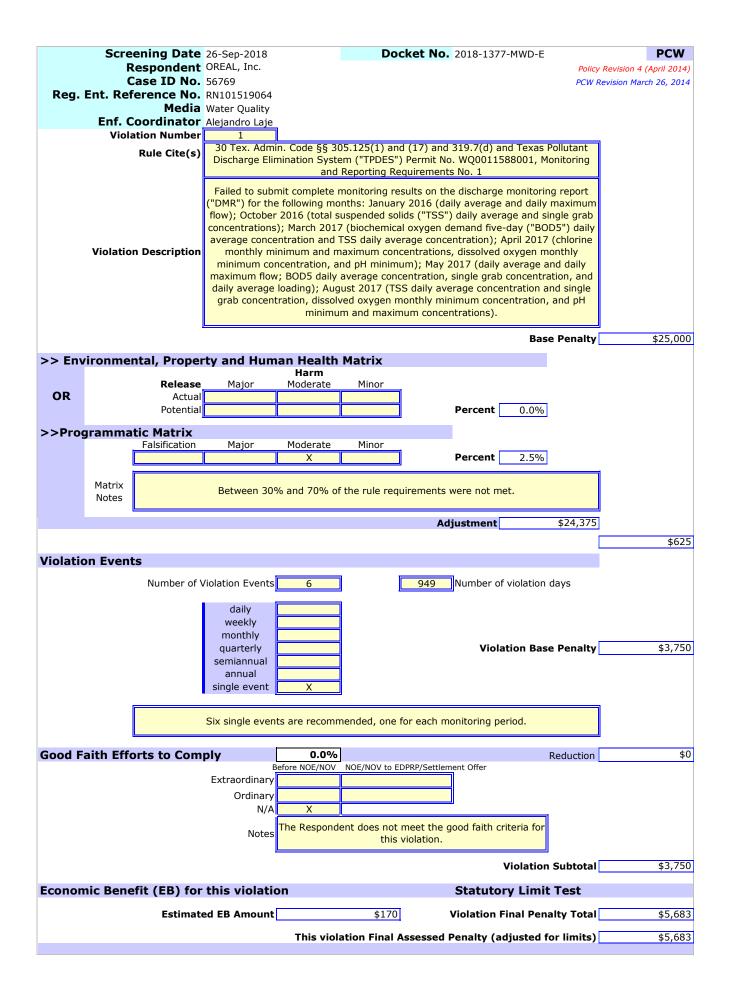
0%

Number

3

0

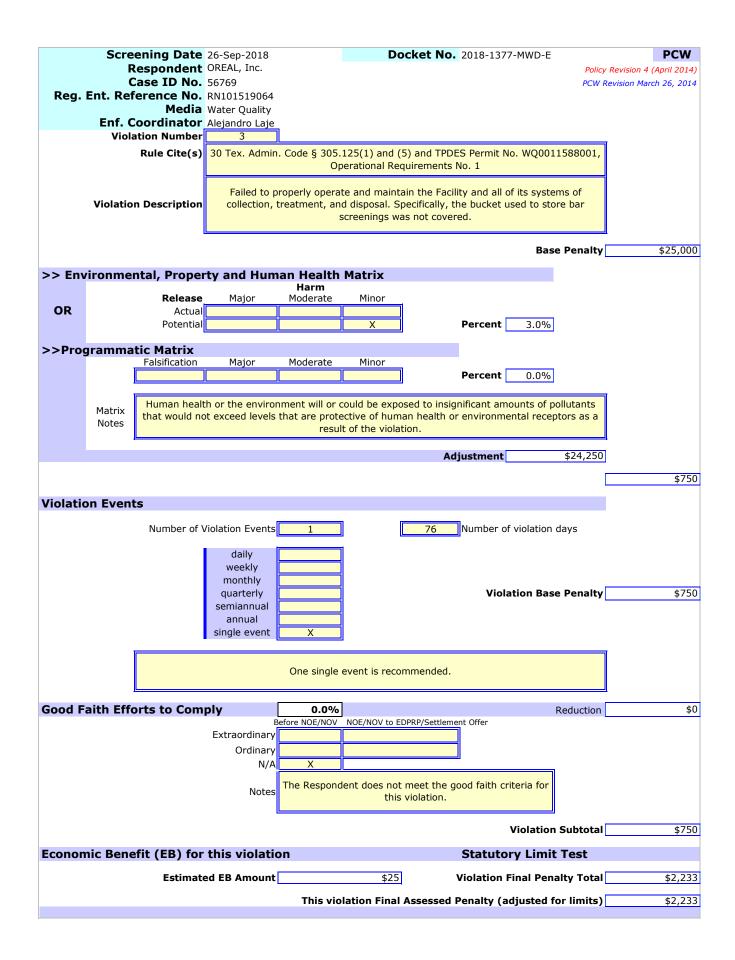
0



	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.	56769						
Reg. Ent. Reference No.							
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.	-					5.0	15
	Itom Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
These Description		Date Required	Final Date	115	Interest Saveu	COSIS Saveu	LB Amount
Item Description							
Delaure d'Orieta							
Delayed Costs	r	1			+0	+0	±0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 ¢0	\$0	\$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction Land				0.00	\$0 \$0	<u>\$0</u> n/a	\$0 \$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)	-			0.00	\$0	n/a	\$0
Notes for DELAYED costs							
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	r one-time avoide	d 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)	\$150	20-Feb-2016	26-Sep-2018	2.60	\$20	\$150	\$170
Notes for AVOIDED costs	2016; Mar	ch 31, 2017; Apr	il 30, 2017; May	/ 31, 20	17; and August 3	ng January 31, 2016 1, 2017 (\$25 x six D ate is the screening	MRs). Date
Approx. Cost of Compliance		\$150			TOTAL		\$170

		ening Date			Doc	cket No. 2018-1377		PCW
		lespondent Case ID No.						Revision 4 (April 2014)
Rea.		erence No.					PCWI	Revision March 26, 2014
			Water Quality					
	Enf. C	oordinator	Alejandro Laje					
	Viola	ation Number						т
		Rule Cite(s)	30 Tex. Admin.) and TPDES Permit No uirements No. 1	b. WQ0011588001,	
	Violatio	n Description	collection, treatr	ment, and dis	posal. Specific	n the Facility and all o cally, the sludge depth I digester had complet	was five feet in the	
					of dry, cak			
	vironmo	ntal Drana	the and Huma	n Haalth	Matrix		Base Penalty	\$25,000
>> EN	vironme	ntal, Proper	ty and Huma	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual				Deveent	15.00/	
		Potential	X			Percent	15.0%	
>>Pro	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor			
						Percent	0.0%	
	Matrix					ed to pollutants that w		
	Notes	that are p	rotective of numa	an nealth or e	environmentai	receptors as a result	of the violation.	
						Adjustment	\$21,250	1
						hujuotinent	<i><i><i></i></i></i>	+2.750
								\$3,750
Violati	on Event	ts						
		Number of \	/iolation Events	6		76 Number of	violation days	
			doily					
			daily weekly					
			monthly	Х				
			quarterly			Viola	tion Base Penalty	\$22,500
			semiannual					
			annual single event					
		, i i i i i i i i i i i i i i i i i i i	Single event					
						nt unit, are recommen ing date (September 2		Ţ
Good F	aith Effe	orts to Com	ply	0.0%			Reduction	\$0
			Be	fore NOE/NOV	NOE/NOV to EDI	PRP/Settlement Offer		
			Extraordinary					
			Ordinary	V				
			N/A	Х				
			Notes	The Respond		neet the good faith cri riolation.	teria for	
						,	Violation Subtotal	\$22,500
Econor	mic Bene	fit (EB) for	this violatio	n		Statutor	ry Limit Test	
		Estimate	ed EB Amount		\$1,515	Violation F	inal Penalty Total	\$27,245
				This vio	lation Final A	ssessed Penalty (ad	justed for limits)	\$27,245
							,	Ţ=: /= 10

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.							
•••••							
Reg. Ent. Reference No.							
	Water Quality					Percent Interest	Years of
Violation No.	, 2						Depreciation
						5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description	1						
Delayed Costs	·	u u		1			
Equipment		<u> </u>		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		<u> </u>		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling					\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Notes for DELAYED costs							
Avoided Costs	ANNUA	ALIZE avoided c	osts before er		· · ·	one-time avoide	
Avoided Costs Disposal	ANNUA	ALIZE avoided c	osts before er	0.00	\$0	\$0	\$0
Avoided Costs Disposal Personnel		ALIZE avoided c	osts before er	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel inspection/Reporting/Sampling	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU/	ALIZE avoided c	osts before er	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	\$1,500	ALIZE avoided c	osts before er 26-Sep-2018	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$1,500 Estimated cc	12-Jul-2018	26-Sep-2018 properly dispos	0.00 0.00 0.00 0.00 0.00 0.00 0.21	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$15 e sludge from the	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$1,515 mber and the
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$1,500 Estimated cc	12-Jul-2018	26-Sep-2018 properly dispos	0.00 0.00 0.00 0.00 0.00 0.00 0.21	\$0 \$0 \$0 \$0 \$0 \$0 \$15 e sludge from the investigation date,	\$0 \$0 \$0 \$0 \$0 \$0 \$1,500 chlorine contact cha	\$0 \$0 \$0 \$0 \$0 \$0 \$1,515 mber and the



	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.							
Reg. Ent. Reference No.							
							Years of
	Water Quality					Percent Interest	
Violation No.	3						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	<u>\$0</u> \$0	<u>\$0</u> \$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$25	12-Jul-2018	26-Sep-2018	0.00	\$0	\$25	\$25
Other (as needed)	\$ZJ	12-Jul-2016	20-3ep-2016	0.00	\$0	\$0	\$0
Notes for AVOIDED costs	Estimated co			d to sto		Date required is the	
Approx. Cost of Compliance		\$25			TOTAL		\$25

	Scre	ening Date	26-Sep-2018		Do	cket No. 2018-1377-MWD-E	PCV	N
		lespondent					Policy Revision 4 (April 20)14)
Dee		Case ID No.					PCW Revision March 26, 20	014
Reg.	Ent. Rei	erence No.	Water Quality					
	Enf (Coordinator						
		ation Number						
		Rule Cite(s)	30 Tex. Admir	n. Code §§ 30	5.125(1) and	(5), 317.3(e)(5), and TPDES Permit	No.	
						ional Requirements No. 1		
	Violatio	n Description	collection, trea 50% coverage was not secure and the wet we	tment, and di e of grease ac ed. Lift Statior II was severely	sposal. Spec cumulation in No. 2 did no corroded. T nctioning pro	ain the Facility and all of its systems of fically, Lift Station No. 1 had greater in the wet well, and the lid of the wet of have an operational audio/visual al he lid of the wet well was not secured perly as the pumps could not be man ed on.	than well arm, J, and	
		l	<u></u>			Base Pe	nalty \$25,0	000
>> En	vironme	ntal. Proper	ty and Hum	an Health	Matrix			
			cy and num	Harm				
		Release	Major	Moderate	Minor			
OR		Actual		V		Barrant F 004		
		Potential		Х		Percent 5.0%		
>>Pro	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor			
						Percent 0.0%		
	Matrix Notes			re protective		ed to significant amounts of pollutants alth or environmental receptors as a		
						Adjustment \$2	3,750	
							\$1,2	250
							+=/=	_00
Violati	on Event	ts						
		Number of \	/iolation Events	2	[76 Number of violation days		
			daily weekly monthly quarterly semiannual annual single event	X	Ľ	Violation Base Pe		500
		Two quarterly				t station, from the investigation date eptember 26, 2018).	(July	
Good F	aith Effo	orts to Com		0.0%			ıction	\$0
			Be Extraordinary	efore NOE/NOV	NOE/NOV to El	DPRP/Settlement Offer		
			Ordinary N/A	Х				
			Notes	,		meet the good faith criteria for violation.		
						Violation Sub	stotal \$2,5	500
Econor	mic Bene	efit (EB) for	this violatio	on		Statutory Limit Te	st	
		Estimate	ed EB Amount		\$1,768	Violation Final Penalty	Total \$4,2	245
			-					
				The fact and the	ation Firms	Assessed Penalty (adjusted for line	mits) \$4,2	745

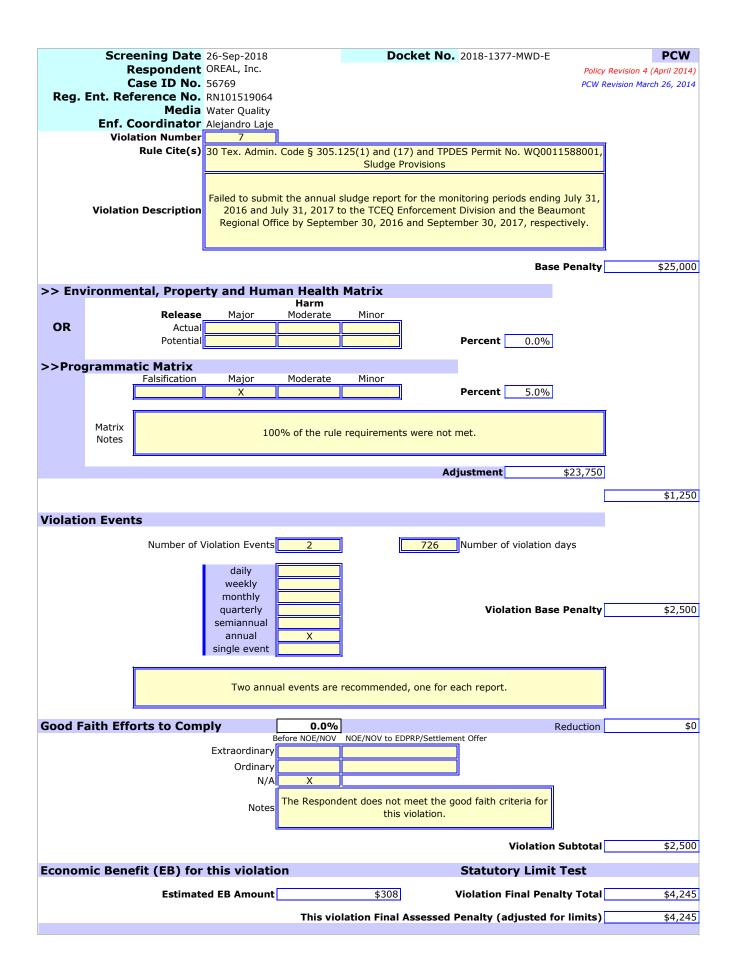
	Ed	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.	56769						
Reg. Ent. Reference No.	RN101519064						
Media	Water Quality					Percent Interest	Years of
Violation No.	. 4						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
Delayed Costs	;						
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)		I <u></u> I		0.00	\$0	n/a	\$0
Notes for DELAYED costs				<u> </u>			
Notes for DELAYED costs	ANNUA	LIZE avoided c	osts before er	tering	item (except for	r one-time avoide	d costs)
Notes for DELAYED costs Avoided Costs Disposal		LIZE avoided c	osts before er	tering	item (except for \$0	one-time avoid e	d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel		ALIZE avoided c	osts before er	tering 0.00 0.00	item (except fo \$0 \$0	r one-time avoide \$0 \$0	d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		LIZE avoided c	osts before er	tering 0.00 0.00 0.00	item (except for \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0	d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel (nspection/Reporting/Sampling Supplies/Equipment		LIZE avoided c	osts before er	tering 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250	 12-Jul-2018	26-Sep-2018	tering 0.00 0.00 0.00 0.00 0.00 0.21	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$3	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$250	d costs) \$0 \$0 \$0 \$0 \$0 \$253
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	\$250 \$1,500	12-Jul-2018 12-Jul-2018	26-Sep-2018 26-Sep-2018	tering 0.00 0.00 0.00 0.00 0.00 0.21 0.21	item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$15	r one-time avoide \$0 \$0 \$0 \$0 \$250 \$1,500	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$1,515
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$1,500 Estimated co	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and	26-Sep-2018 26-Sep-2018 26-Sep-2018 properly dispos	tering 0.00 0.00 0.00 0.00 0.00 0.21 0.21 se of the	item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$15 e excessive grease	r one-time avoide \$0 \$0 \$0 \$0 \$250 \$1,500 accumulation (\$20	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$1,515 0) and secure
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$1,500 Estimated co	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and	26-Sep-2018 26-Sep-2018 26-Sep-2018 I properly dispos ation No. 1 (\$50	tering 0.00 0.00 0.00 0.00 0.21 0.21 0.21 0.21	item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$15 e excessive grease required is the in	r one-time avoide \$0 \$0 \$0 \$0 \$250 \$1,500	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$1,515 0) and secure
Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and	26-Sep-2018 26-Sep-2018 26-Sep-2018 I properly dispos ation No. 1 (\$50	tering 0.00 0.00 0.00 0.00 0.21 0.21 0.21 0.21	item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$15 e excessive grease	r one-time avoide \$0 \$0 \$0 \$0 \$250 \$1,500 accumulation (\$20	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$1,515 0) and secure
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$1,500 Estimated co the lid of the v	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St	26-Sep-2018 26-Sep-2018 26-Sep-2018 I properly dispos ation No. 1 (\$50 is th	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the). Date e scree	item (except for \$0 \$0 \$0 \$0 \$15 e excessive grease required is the in- ning date.	one-time avoide \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 e accumulation (\$20 vestigation date, an	d costs) \$0 \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date
Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St t to provide an a	26-Sep-2018 26-Sep-2018 26-Sep-2018 I properly dispos ation No. 1 (\$50 is th udio/visual alarr	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the)). Date e scree n, repla	item (except for \$0 \$0 \$0 \$0 \$0 \$15 e excessive grease required is the invition ning date.	one-time avoider \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 caccumulation (\$20 vestigation date, an lid to the wet well,	d costs) \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date repair wet well
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St t to provide an a	26-Sep-2018 26-Sep-2018 26-Sep-2018 I properly dispos ation No. 1 (\$50 is th udio/visual alarr	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the)). Date e scree n, repla	item (except for \$0 \$0 \$0 \$0 \$0 \$15 e excessive grease required is the invition ning date.	one-time avoide \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 e accumulation (\$20 vestigation date, an	d costs) \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date repair wet well
Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St t to provide an a	26-Sep-2018 26-Sep-2018 26-Sep-2018 d properly dispos ation No. 1 (\$50 is the udio/visual alarr of panel at Lift S	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the)). Date e scree n, repla tation N	item (except for \$0 \$0 \$0 \$0 \$0 \$15 e excessive grease required is the invition ning date.	one-time avoider \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 caccumulation (\$20 vestigation date, an lid to the wet well,	d costs) \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date repair wet well
Notes for DELAYED costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St t to provide an a	26-Sep-2018 26-Sep-2018 26-Sep-2018 d properly dispos ation No. 1 (\$50 is the udio/visual alarr of panel at Lift S	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the)). Date e scree n, repla tation N	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$15 e excessive grease required is the inv ning date. acceand secure the lo. 2. Date require	one-time avoider \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 caccumulation (\$20 vestigation date, an lid to the wet well,	d costs) \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date repair wet well
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$1,500 Estimated co Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 st to remove and vet well at Lift St t to provide an a	26-Sep-2018 26-Sep-2018 26-Sep-2018 d properly dispos ation No. 1 (\$50 is the udio/visual alarr of panel at Lift S	tering 0.00 0.00 0.00 0.00 0.21 0.21 se of the)). Date e scree n, repla tation N	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$15 e excessive grease required is the inv ning date. acceand secure the lo. 2. Date require	one-time avoider \$0 \$0 \$0 \$0 \$0 \$250 \$1,500 caccumulation (\$20 vestigation date, an lid to the wet well,	d costs) \$0 \$0 \$0 \$253 \$1,515 0) and secure d the final date

		ening Date		Docket No. 2018-1377-MWD-E	PCW
		lespondent Case ID No.			Revision 4 (April 2014)
Rea.			RN101519064	PCW F	Revision March 26, 2014
- 3			Water Quality		
			Alejandro Laje		
	Viola	ation Number Rule Cite(s)			7
		Rule Cite(s)	Tex. Water coue	§ 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES	
				11588001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 6	
	Violatio	n Description	Failed to comply v	vith permitted effluent limitations, as shown in the attached table.	
				Base Penalty	\$25,000
>> Env	vironme	ntal, Prope	rty and Human	Health Matrix Harm	
		Release	Major M	narm Ioderate Minor	
OR		Actual			
		Potential		Percent 30.0%	
>>Pro	gramma	tic Matrix			
		Falsification	Major M	1oderate Minor	
				Percent 0.0%	
	Matuit	Human baa	the or the environm	ant has been evenered to collutants which evened levels that are	
	Matrix Notes			ent has been exposed to pollutants which exceed levels that are th or environmental receptors as a result of the violation.	
					l l
				Adjustment \$17,500	
					\$7,500
					<i></i>
Violati	on Event	ts			
		Number of V	/iolation Events	1 Number of violation days	
			4 - 11 - 1		
			daily weekly		
			monthly	X	
			quarterly	Violation Base Penalty	\$7,500
			semiannual annual		
			single event		
				·	7
			One monthly ev	ent is recommended for the month of July 2018.	
Good F	aith Effo	orts to Com	ply	0.0% Reduction	\$0
			Befor	e NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
			Extraordinary		
			Ordinary N/A		
				e Respondent does not meet the good faith criteria for	
			Notes	this violation.	
				Violation Subtotal	\$7,500
Econor	mic Bene	efit (EB) for	this violation	Statutory Limit Test	
		Estimat	ed EB Amount	\$10,494 Violation Final Penalty Total	\$9,995
				This violation Final Assessed Penalty (adjusted for limits)	\$9,995
					42,233

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.	56769						
Reg. Ent. Reference No.							
-	Water Quality					Percent Interest	Years of Depreciation
	-					5.0	. 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delawed Cente							
Delayed Costs	·				+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	\$0	\$0 \$0	\$0 \$0
Engineering/Construction Land				0.00	\$0 \$0	\$0 n/a	\$0 \$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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs					item (annut for		d as stal
Avoided Costs	ANNU	ALIZE avoided co	osts defore er		<u> </u>	one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 ¢0	\$0 ¢0	\$0 ¢0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0
Other (as needed)	\$10,000	30-Sep-2017	26-Sep-2018	0.99	\$494	\$10,000	\$10,494
Notes for AVOIDED costs	Estin	nated cost to dete	rmine the caus ility. Date requi	e of the red is tl	noncompliance ar	nd to make any nece oncompliance, and t	essary
Approx. Cost of Compliance		\$10,000			TOTAL		\$10,494

		ening Date		Docket No. 2018-1377-MWD-E	PCW
		lespondent Case ID No.			cy Revision 4 (April 2014)
Rea.		ference No.		PCW	Revision March 26, 2014
			Water Quality		
			Alejandro Laje		
	Viola	ation Number Rule Cite(s)			T
		Kule Cite(S)	Tex. Water Coue	§ 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES 1588001, Effluent Limitations and Monitoring Requirements No. 6	;
	Violatio	n Description	Failed to comply w	ith permitted effluent limitations, as shown in the attached table.	
				Base Penalty	\$25,000
>> Env	vironme	ntal, Prope	rty and Human	Health Matrix ^{Harm}	
		Release	Major M	oderate Minor	
OR		Actual		X	
		Potential		Percent 5.0%	
>>Pro	gramma	tic Matrix			
		Falsification	Major M	oderate Minor	
				Percent 0.0%	
		Human health	n or the environmen	t has been exposed to insignificant amounts of pollutants that do	7
	Matrix Notes			ive of human health or environmental receptors as a result of the	
	notes			violation.	
				Adjustment \$23,750	2
					\$1,250
Violati	on Even	ts			
		Number of)	/iolation Events	1 30 Number of violation days	
		Number of V			
			daily		
			weekly		
			monthly quarterly	X Violation Base Penalty	\$1,250
			semiannual		
			annual		
			single event		
					1
		One quarter	ly event is recomme	nded for the quarter containing the month of September 2017.	
Good F	aith Effe	orts to Com		0.0% Reduction	ı \$0
			Before Extraordinary	NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
			Ordinary		
			N/A	X	
			Notes Th	Respondent does not meet the good faith criteria for this violation.	
				Violation Subtota	I \$1,250
-					+-,100
Econor	nic Bene	ent (EB) for	this violation	Statutory Limit Test	
		Estimate	ed EB Amount	\$0 Violation Final Penalty Tota	\$2,808
				This violation Final Assessed Penalty (adjusted for limits	\$2,808

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.							
Reg. Ent. Reference No.							
							Years of
	Water Quality					Percent Interest	
Violation No.	6						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs		ALLIZE avoided o	osts hefore er	tering	item (avcent for	· one-time avoide	d 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	\$0
Financial Assurance				0.00	\$0 \$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs				e of the		nd to make any nece t Worksheet for Vio	
Approx. Cost of Compliance		\$0			TOTAL		\$0



	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.	56769						
Reg. Ent. Reference No.	RN101519064						
	Water Quality						Years of
Violation No.	/					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
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
Permit Costs							
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs					\$0	n/a	
Other (as needed) Notes for DELAYED costs Avoided Costs	ANNUA	ALIZE avoided c	osts before er	tering	\$0 item (except for	n/a r one-time avoide	d costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	ANNU4	ALIZE avoided c	osts before er	tering	\$0 item (except for \$0	n/a r one-time avoide \$0	d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNU4	ALIZE avoided c	osts before er	tering 0.00 0.00	\$0 item (except for \$0 \$0	n/a r one-time avoider \$0 \$0	d costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANNU#	ALIZE avoided c	osts before er	tering 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0	n/a r one-time avoide \$0 \$0 \$0	d costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNUA	ALIZE avoided c	osts before er	tering 0.00 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0 \$0 \$0	n/a r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				tering 0.00 0.00 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250	12-Jul-2018	26-Sep-2018	tering 0.00 0.00 0.00 0.00 0.00 0.21	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3	n/a r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$250	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$253
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance			26-Sep-2018	tering 0.00 0.00 0.00 0.00 0.00 0.21	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$50	12-Jul-2018 30-Sep-2016	26-Sep-2018 26-Sep-2018	tering 0.00 0.00 0.00 0.00 0.00 0.21 1.99	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5	n/a r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$250	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$55
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$50 Estimated cos	12-Jul-2018 30-Sep-2016 t to update opera	26-Sep-2018 26-Sep-2018 tional guidance	tering 0.00 0.00 0.00 0.00 0.21 1.99 and col	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee training the second seco	n/a r one-time avoided \$0 \$0 \$0 \$0 \$250 \$50 aining to ensure tha	d costs) \$0 \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$50 Estimated cos requirements	12-Jul-2018 30-Sep-2016 t to update operations are properly accounting the second seco	26-Sep-2018 26-Sep-2018 tional guidance complished, inclu	tering 0.00 0.00 0.00 0.00 0.21 1.99 and con uding tin	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$5 mduct employee transition of so	n/a r one-time avoided \$0 \$0 \$0 \$0 \$250 \$50 aining to ensure tha signed and certified	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements	12-Jul-2018 30-Sep-2016 t to update operations are properly accounting the second seco	26-Sep-2018 26-Sep-2018 tional guidance complished, inclu	tering 0.00 0.00 0.00 0.00 0.21 1.99 and con uding tin	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$3 \$5 mduct employee transition of so	n/a r one-time avoided \$0 \$0 \$0 \$0 \$250 \$50 aining to ensure tha	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$250 \$50 Estimated cos requirements reports (12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ	26-Sep-2018 26-Sep-2018 Itional guidance complished, inclu uired is the inve	tering 0.00 0.00 0.00 0.00 0.21 1.99 and co uding tii stigatio	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a r one-time avoidee \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date.
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements reports (Estimated co	12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ ost to submit the	26-Sep-2018 26-Sep-2018 itional guidance complished, inclu uired is the inve- annual sludge re	tering 0.00 0.00 0.00 0.00 0.21 1.99 and cou uding tii stigatio	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee tro mely submittal of so n date, and the fin for the monitoring	n/a r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date. 31, 2016 and
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements reports (Estimated co	12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ ost to submit the	26-Sep-2018 26-Sep-2018 itional guidance complished, inclu uired is the inve- annual sludge re	tering 0.00 0.00 0.00 0.01 1.99 and cou uding tii stigation eports f the firs	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee tro mely submittal of so n date, and the fin for the monitoring st report was due,	n/a r one-time avoidee \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date. 31, 2016 and
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements reports (Estimated co	12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ ost to submit the	26-Sep-2018 26-Sep-2018 itional guidance complished, inclu uired is the inve- annual sludge re	tering 0.00 0.00 0.00 0.00 0.21 1.99 and cou uding tii stigatio	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee tro mely submittal of so n date, and the fin for the monitoring st report was due,	n/a r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date. 31, 2016 and
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements reports (Estimated co	12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ ost to submit the	26-Sep-2018 26-Sep-2018 itional guidance complished, inclu uired is the inve- annual sludge re	tering 0.00 0.00 0.00 0.01 1.99 and cou uding tii stigation eports f the firs	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee tro mely submittal of so n date, and the fin for the monitoring st report was due,	n/a r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date. 31, 2016 and
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$250 \$50 Estimated cos requirements reports (Estimated co	12-Jul-2018 30-Sep-2016 t to update opera s are properly acc (\$250). Date requ ost to submit the	26-Sep-2018 26-Sep-2018 itional guidance complished, inclu uired is the inve- annual sludge re	tering 0.00 0.00 0.00 0.01 1.99 and cou uding tii stigation eports f the firs	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$3 \$5 nduct employee tro mely submittal of so n date, and the fin for the monitoring st report was due,	n/a r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$253 \$55 t self-reporting annual sludge hing date. 31, 2016 and

		ening Date		Docket No.	2018-1377-MWD-E	PCW
		espondent				Policy Revision 4 (April 2014)
Pog		Case ID No.	56769 RN101519064			PCW Revision March 26, 2014
Reg.	EIII. Kei		Water Quality			
	Enf. C		Alejandro Laje			
		ation Number				
		Rule Cite(s)		.,		No.
			WQ0011588001,	Monitoring and Reporting	Requirements No. 1	
	Violatio	n Description	Failed to submit monito Specifically, the Respondent October 31, 2017 and Janua monitoring results for the	t did not submit DMRs for ry 31, 2018 through June	e 30, 2018; and Escherichi ods ending February 29, 20	a coli
					Base Per	halty \$25,000
>> En	vironme	ntal, Prope	rty and Human Health	Matrix		
		Release	Harm Major Moderate	Minor		
OR		Actual		Minor		
•		Potential			Percent 0.0%	
			<u></u>			
>>Pro	gramma	tic Matrix	Majar Madarata	Minor		
		Falsification	Major Moderate	Minor	Percent 5.0%	
]]		
	Matrix Notes		100% of the rule	e requirements were not	met.	
				• •	*22	750
				Ad	justment \$23	8,750
						\$1,250
Violati	ion Even	te				
Violati						
		Number of V	/iolation Events 17	920	Number of violation days	
			daily weekly monthly quarterly		- Violation Base Per	nalty \$21,250
			semiannual annual single event X			
		Se	venteen single events are re	commended, one for each	n monitoring period.	
Good F	Saith Eff	arte to Com	0.0%	7		ction \$0
					Redu	¢0
			Before NOE/NOV	NOE/NOV to EDPRP/Settleme		
			Before NOE/NOV Extraordinary			¢0
			Before NOE/NOV			
			Before NOE/NOV Extraordinary Ordinary N/A X		ent Offer	¥
			Before NOE/NOV Extraordinary Ordinary N/A X The Response	NOE/NOV to EDPRP/Settleme	ent Offer	
Econor			Before NOE/NOV Extraordinary Ordinary N/A X The Response	NOE/NOV to EDPRP/Settleme	ood faith criteria for	total \$21,250
Econor		efit (EB) for	Before NOE/NOV Extraordinary Ordinary N/A X Notes	NOE/NOV to EDPRP/Settleme	ood faith criteria for Violation Sub	total \$21,250

	E	conomic	Benefit	Wo	rksheet			
Respondent	OREAL, Inc.							
Case ID No.	56769							
Reg. Ent. Reference No.								
							Years of	
	Water Quality					Percent Interest		
Violation No.	8						Depreciation	
						5.0	1	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description								
Item Description								
Delayed Costs								
Delayed Costs		1			¢0	±0	¢0	
Equipment		{		0.00	\$0	\$0	\$0	
Buildings Other (as needed)				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0	
Engineering/Construction		1		0.00	\$0	\$0	<u>\$0</u> \$0	
Lingineering/construction				0.00	\$0		\$0	
Record Keeping System		1		0.00	\$0	n/a	\$0	
Training/Sampling		1		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)				0.00	\$0	n/a	\$0	
Avoided Costs	ANNUA	LIZE avoided c	osts before en			r one-time avoide		
Disposal				0.00	\$0	\$0	\$0	
Personnel		<u> </u>		0.00	\$0	\$0	\$0	
nspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0	
Financial Assurance		1		0.00	\$0	\$0		
ONE-TIME avoided costs	\$250	12-Jul-2018	26-Sep-2018	0.00	\$3	\$250		
Other (as needed)			20 300 2010				\$0 \$253	
Notes for AVOIDED costs Estimated cost to submit DMRs for the monitoring periods ending October 31, 2017; January 31, 2018 through June 30, 2018, and Escherichia coli monitoring results for the quarterly monitoring periods ending February 29, 2016 through June 30, 2018 (\$25 x 17 DMRs). Date required is the date the first DMR was due, and the final date is the screening date.								
	requirements Estimated c through June	s are properly acc investig ost to submit DMI 30, 2018, and Es 2016 through Ju	complished, inclu gation date, and Rs for the monit scherichia coli m ine 30, 2018 (\$2	and countries and countries and countries and countries and the fination of th	\$56 nduct employee tr mely submittal of I al date is the scree eriods ending Octo g results for the q DMRs). Date requ	\$425 aining to ensure tha DMRs (\$250). Date i ening date. ober 31, 2017; Janu uarterly monitoring ired is the date the	\$253 \$481 t self-reportin required is the ary 31, 2018 periods endin	

		ening Date lespondent			Do	cket No. 2018-1377-MWD-E	D- // D	PCW
		Case ID No.						ision 4 (April 2014) ion March 26, 2014
Reg.			RN101519064					
			Water Quality					
			Alejandro Laje					
	Viola	ation Number		Admin Code 8	305 125(1)	and (11)(B) and TPDES Permit No		
		Rule Cite(s)				Reporting Requirements No. 3.b	J.	
						g information required by the perr	nit are	
						dily available for review at the Faci		
	Violatio	n Description				to May 2018, pH calibration log, di		
			oxygen calibrat	ion log, colorir	neter accura for re	cy check log, and DMRs were not a	available	
						Base	Penalty	\$25,000
>> En	vironme	ntal, Propei	rty and Hum	an Health	Matrix			
			-	Harm				
OR		Release Actual		Moderate	Minor			
ÖN		Potential				Percent 0.0%		
			<u></u> /	/				
>>Pro	gramma	tic Matrix	Major	Madarata	Minor			
		Falsification	Major X	Moderate	Minor	Percent 5.0%		
	Matrix							
	Notes		Greater th	han 70% of th	e rule require	ements were not met.		
						Adjustment	\$23,750	
								\$1,250
								\$1,230
Violati	on Even	ts						
		Number of \	/iolation Events	1	ſ	76 Number of violation da	ays	
			daily weekly					
			monthly					
			quarterly			Violation Base	Penalty	\$1,250
			semiannual					
			annual	X				
			single event	Λ				
				One single e	event is recor	nmended.		
Good F	aith Effe	orts to Com		0.0%		R	eduction	\$0
			Be Extraordinary	efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer		
			Ordinary					
			N/A	Х				
			,					
			Notes	The Responde		meet the good faith criteria for violation.		
			l					
						Malatian (Subtotal	
						Violation S		\$1,250
Econor	mic Bene	efit (EB) for	this violatio	n		Statutory Limit		\$1,250
Econor	mic Bene		this violatio	n	\$253		Test	\$1,250 \$2,808
Econoi	mic Bene					Statutory Limit	Test ty Total	

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.							
Reg. Ent. Reference No.							
							Years of
	Water Quality					Percent Interest	
Violation No.	9						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							
Avoided Costs	ANNU	ALIZE avoided c	osts before er			one-time avoide	
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	+250		26.0 2010	0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$250	12-Jul-2018	26-Sep-2018	0.21	\$3	\$250	\$253
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs		tivities are proper	ly maintained a	t the Fa		e training to ensure vailable for review. D reening date.	
Approx. Cost of Compliance		\$250			TOTAL		\$253

		ening Date		Docket	No. 2018-1377-MWD-E	PCW
		Respondent				Policy Revision 4 (April 2014)
Rea		Case ID No.	S6769 RN101519064			PCW Revision March 26, 2014
Reg.	LIIU. Kei		Water Quality			
	Enf. C		Alejandro Laje			
	Viola	ation Number				
		Rule Cite(s)			(9)(A) and TPDES Permit No.	
					rting Requirements No. 7.c eviates from the permitted ef	fluent
					CEQ Beaumont Regional Offi	
	Violatio	n Description			days of becoming aware of	
		•	noncompliance. Spe		t failed to submit noncomplia itoring periods ending Augus	
					2017, and June 30, 2017.	
						I
					Base	Penalty \$25,000
>> Env	vironme	ntal, Prope	ty and Human Hea	lth Matrix		
			Harn	1		
OR		Release Actual	Major Modera	te Minor		
ÖK		Potential			Percent 0.0%	
			<u></u>][]]		
>>Pro	gramma	tic Matrix				
		Falsification	Major Modera	te Minor	Percent 5.0%	
					Fercent 5.0%	
	Matrix Notes		100% of the	rule requirements were	not met.	
	Notes					
					Adjustment	\$23,750
					Aujustinent	·
						\$1,250
Violati	on Even	ts				
		Number of V	/iolation Events 4	74	9 Number of violation da	ys
			daily			
			weekly			
			monthly			
			quarterly		Violation Base	Penalty \$5,000
			semiannual annual			
			single event X			
		1				
			Four single sugate or		· · · · · · · · · · · · · · · · · · ·	
			Four single events ar	e recommended, one for		
		Į				l
Good F	aith Effe	orts to Com		0%		eduction \$0
			Before NOE/	NOV NOE/NOV to EDPRP/Set	ttlement Offer	
			Ordinary			
				andant daga nat maat t	the good faith critaria for	
			Notes The Res	this violatic	the good faith criteria for on.	
					Violation S	ubtotal \$5,000
-						
Econor	mic Bene	ent (EB) for	this violation		Statutory Limit T	est
		Estimat	ed EB Amount	\$364	Violation Final Penalt	t y Total \$7,120
			Thi	violation Final Accord	sed Penalty (adjusted for	limits) \$7,120
			i nis	violation rinal Asses	sea reliaity (aujusted for	φ7,120

	E	conomic	Benefit	Wo	rksheet				
Respondent	OREAL, Inc.								
Case ID No.	56769								
Reg. Ent. Reference No.	RN101519064								
Media	Water Quality					Percent Interest	Years of		
Violation No.	10					Percent Interest	Depreciation		
						5.0	15		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount		
Item Description		bate Required	That Date		Interest Suveu		ED Amount		
Item Description									
Delayed Cente									
Delayed Costs Equipment			1	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)				0.00	\$0	n/a	\$0		
Notes for DELAYED costs		NITZE availed a	acto hofero er		itom (overst for	r one-time avoide	d an ata)		
Avoided Costs	ANNUA	ALIZE avoided C	osts before er						
Disposal Personnel				0.00	\$0 \$0	\$0 \$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	\$250	12-Jul-2018	26-Sep-2018	0.21	\$3	\$250	\$253		
Other (as needed)	\$100	7-Sep-2016	26-Sep-2018	2.05	\$11	\$100	\$111		
Notes for AVOIDED costs	\$100 7-Sep-2016 26-Sep-2018 2.05 \$11 \$100 \$111 Estimated cost to update operational guidance and conduct employee training to ensure noncompliance notifications for effluent violations are properly submitted. Date required is the investigation date, and the final date is the screening date. State of the investigation date, and the final date is the screening date. Estimated cost to prepare and submit the noncompliance notifications (\$25 x four notifications). Date required is the date the first notification was due, and the final date is the screening date.								
Approx. Cost of Compliance		\$350			TOTAL		\$364		

		ening Date			Do	cket No. 2018-1377-MWI		PCW
		Respondent Case ID No.						Revision 4 (April 2014) Revision March 26, 2014
Reg.	Ent. Ref	ference No.						
	Enf. C	Media Coordinator	Water Quality Aleiandro Laie					
		ation Number						
		Rule Cite(s)		30 T	ex. Admin. C	Code § 317.4(a)(8)		
			Failed to retain	the annual re	duced-pressi	ure backflow prevention asse	mbly ("RPBA")	
	Violatio	n Description				minimum of three years. Spe BA for the potable water line		
			were no recore			ested.	at the racincy	
							Base Penalty	\$25,000
>> Env	vironme	ntal, Propei	rty and Hum		Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual						
		Potential				Percent 0.	0%	
>>Pro	gramma	tic Matrix		M 1 -				
		Falsification	Major X	Moderate	Minor	Percent 5.	0%	
		i						
	Matrix Notes		100)% of the rule	requirement	s were not met.		
						Adjustment	\$23,750	
								\$1,250
Violati	on Event	ts						
		Number of \	/iolation Events	1	[76 Number of viola	tion days	
		Number of			l L		lion duys	
			daily weekly					
			monthly					
			quarterly semiannual			Violation	Base Penalty	\$1,250
			annual					
			single event	X				
				One single	event is reco	mmended.		
Good F	aith Effo	orts to Com		0.0%			Reduction	\$0
			E Extraordinary	efore NOE/NOV	NOE/NOV to E	DPRP/Settlement Offer		
			Ordinary					
			N/A	X				
			Notes	The Respond		meet the good faith criteria violation.	for	
						Viola	tion Subtotal	\$1,250
Econor	nic Bene	efit (EB) for	this violatio	on		Statutory Li	mit Test	
		Estimate	ed EB Amount		\$253	Violation Final	Penalty Total	\$2,808
				This vio		Assessed Penalty (adjust	ed for limits)	\$2,808
				1113 110				<i>42,000</i>

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.							
Reg. Ent. Reference No.							
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
	11					5.0	-
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
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 \$0	n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	<u>\$0</u>
Notes for DELAYED costs		ALIZE avoided o	osts hefore er	tering	item (excent for	^r one-time avoide	d costs)
Disposal			USUS DEIVIE EI	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$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)	\$250	12-Jul-2018	26-Sep-2018	0.21	\$3	\$250	\$253
Notes for AVOIDED costs		e report forms are	e retained for a	minimu		aining to ensure the Date required is the ate.	
Approx. Cost of Compliance		\$250			TOTAL		\$253

		ening Date		Docket No. 2018-1377-MWD-E	PCW
		lespondent Case ID No.			Policy Revision 4 (April 2014)
Rea.		erence No.			PCW Revision March 26, 2014
			Water Quality		
	Enf. C		Alejandro Laje		
		V12 Dula Cita(a)	12	5.125(1) and (5) and TPDES Permit No. WQ00115	88001
		Rule Cite(s)		Operational Requirements No. 1	88001,
	Violatio	n Description	collection, treatment, an aeration basin at the cla	rate and maintain the Facility and all of its systems d disposal. Specifically, splashing was noted outsid irifier return line; debris was on the cement around gs were noted on the ground around the headwork	e the d the
			<u></u>	Base P	enalty \$25,000
>> En	vironme	ntal, Proper	ty and Human Healt	h Matrix	
			Harm		
OR		Release Actual	Major Moderate	Minor X	
•n		Potential		Percent 5.0%	
.					
>>Pro	gramma	tic Matrix Falsification	Major Moderate	Minor	
				Percent 0.0%	
	Matrix Notes			en exposed to insignificant amounts of pollutants t uman health or environmental receptors as a resulviviolation.	
				Adjustment \$	23,750
					\$1,250
Violati	on Event	ts			
		Number of \	/iolation Events 1	76 Number of violation day	
		Number of V			ys
			daily		
			weekly monthly	_	
			quarterly X	Violation Base P	Penalty \$1,250
			semiannual		_
			annual single event	_	
		One quarterly		m the investigation date (July 12, 2018) to the scr September 26, 2018).	eening
Good F	aith Fff	orts to Com	0.09	/o Day	duction \$0
Good I			Before NOE/NO		40000 ¥0
			Extraordinary		
			Ordinary N/A X		
			Notes The Response	ndent does not meet the good faith criteria for this violation.	
				Violation Su	ubtotal \$1,250
Econor	mic Bene	efit (EB) for	this violation	Statutory Limit T	est
		Estimate	ed EB Amount	\$556 Violation Final Penalt	y Total \$2,808
			i nis v	iolation Final Assessed Penalty (adjusted for	limits) \$2,808

	E	conomic	Benefit	Wo	rksheet		
Respondent	OREAL, Inc.						
Case ID No.	56769						
Reg. Ent. Reference No.	RN101519064						
	Water Quality					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs							
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)				0.00	\$0	n/a	\$0
Notos for DELAYED costs							
Notes for DELAYED costs							
Notes for DELAYED costs Avoided Costs	ANNUA	ALIZE avoided c	osts before en	tering	item (except for	⁻ one-time avoided	d costs)
	ANNUA	ALIZE avoided c	osts before en	tering	item (except for \$0	r one-time avoide \$0	<mark>d costs)</mark> \$0
Avoided Costs	ANNUA	ALIZE avoided c	osts before en			1	
Avoided Costs Disposal Personnel		ALIZE avoided c	osts before en	0.00	\$0	\$0	\$0
Avoided Costs Disposal Personnel	ANNU/	ALIZE avoided c	osts before en	0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling				0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	ANNUA	 12-Jul-2018	26-Sep-2018	0.00 0.00 0.00 0.00 0.00 0.21	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$505
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance		 12-Jul-2018		0.00 0.00 0.00 0.00 0.00 0.21	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$500 \$50	12-Jul-2018 12-Jul-2018	26-Sep-2018 26-Sep-2018	0.00 0.00 0.00 0.00 0.00 0.21 0.21	\$0 \$0 \$0 \$0 \$0 \$5 \$1	\$0 \$0 \$0 \$0 \$0 \$0 \$500	\$0 \$0 \$0 \$0 \$0 \$0 \$505 \$51
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$500 \$50 Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 tt o alter operatic	26-Sep-2018 26-Sep-2018 26-Sep-2018 onal procedures	0.00 0.00 0.00 0.00 0.00 0.21 0.21 to prev	\$0 \$0 \$0 \$0 \$0 \$5 \$1 vent the occurrenc	\$0 \$0 \$0 \$0 \$500 \$50 \$50 \$50 \$50	\$0 \$0 \$0 \$0 \$0 \$505 \$51 de the aeration
Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$500 \$50 Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 tt o alter operatic	26-Sep-2018 26-Sep-2018 26-Sep-2018 onal procedures te (\$500). Date	0.00 0.00 0.00 0.00 0.21 0.21 to prev require	\$0 \$0 \$0 \$0 \$5 \$1 vent the occurrenc d is the investigat	\$0 \$0 \$0 \$0 \$0 \$500 \$50	\$0 \$0 \$0 \$0 \$0 \$505 \$51 de the aeration
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos	12-Jul-2018 12-Jul-2018 12-Jul-2018 tt o alter operatic	26-Sep-2018 26-Sep-2018 26-Sep-2018 onal procedures te (\$500). Date	0.00 0.00 0.00 0.00 0.00 0.21 0.21 to prev	\$0 \$0 \$0 \$0 \$5 \$1 vent the occurrenc d is the investigat	\$0 \$0 \$0 \$0 \$500 \$50 \$50 \$50 \$50	\$0 \$0 \$0 \$0 \$0 \$505 \$51 de the aeration
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures ne (\$500). Date s	0.00 0.00 0.00 0.21 0.21 to prev require creenin	\$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date.	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures ne (\$500). Date s d properly dispos	0.00 0.00 0.00 0.00 0.21 0.21 to prev require creenin se of de	\$0 \$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date.	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the e clarifier and
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures the (\$500). Date s d properly disposorks (\$50). Date	0.00 0.00 0.00 0.00 0.21 0.21 to prev require creenin se of de	\$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date. bris located on the	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the e clarifier and
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures the (\$500). Date s d properly disposorks (\$50). Date	0.00 0.00 0.00 0.00 0.21 0.21 to prev require creenin se of de	\$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date. bris located on the	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the e clarifier and
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures the (\$500). Date s d properly disposorks (\$50). Date	0.00 0.00 0.00 0.00 0.21 0.21 to prev require creenin se of de	\$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date. bris located on the ed is the investigat	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the e clarifier and
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$500 \$50 Estimated cos basin at the	12-Jul-2018 12-Jul-2018 to alter operatic clarifier return lir	26-Sep-2018 26-Sep-2018 onal procedures the (\$500). Date s d properly disposorks (\$50). Date	0.00 0.00 0.00 0.00 0.21 0.21 to prev require creenin se of de	\$0 \$0 \$0 \$0 \$5 \$1 rent the occurrenc d is the investigat g date. bris located on the ed is the investigat	\$0 \$0 \$0 \$0 \$500 \$500 \$50 e of splashing outsic ion date, and the fin	\$0 \$0 \$0 \$0 \$505 \$51 de the aeration al date is the e clarifier and

OREAL, Inc. TPDES Permit No. WQ0011588001 Docket No. 2018-1377-MWD-E

	Effluent Violation Table											
	Total Residual	Dissolved	Total	Escherichia								
	Chlorine	Oxygen	Suspended	coli								
Month/	Monthly	Monthly	Solids	Single Grab								
Year	Minimum	Minimum	Daily Average	Concentration								
Ieal	Concentration	Concentration	Concentration	Limit =								
	Limit =	Limit =	Limit =	399								
	1.0 mg/L	4.0 mg/L	15 mg/L	MPN/100mL								
September 2017	С	3.9	С	**								
July 2018	С	3.4	19.8	N/A								
July 12, 2018*	0.02*	1.87*	N/A	>240,000*								

mg/L = milligrams per liter

MPN/100mL = most probable number per 100 milliliters * = grab sample taken at the time of the investigation by the TCEQ Regional Office ** = results not submitted for review

N/A = not applicable

c = compliant



Compliance History Report

Compliance History Report for CN604359893, RN101519064, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent,	CN604359893, OREAL, I	nc.	Classification: NOT APPLI	CABLE Rating: N/A
or Owner/Operator:				
Regulated Entity:	RN101519064, TWIN OA HAVEN SUBDIVISION	KS MHP OAK	Classification: UNCLASSI	FIED Rating:
Complexity Points:	7		Repeat Violator: NO	
CH Group:	14 - Other			
Location:	located on the west bank of Willis Creek, approximately one mile south of the Willis Creek crossing of			
	Farm-to-Market Road 84	2 and approxima	tely two miles northeast of the ir	ntersection of Farm-to-Market Road
	842 and State Highway 103E, near the City of Lufkin in Angelina County, Texas			
TCEQ Region:	REGION 10 - BEAUMONT	Г		
ID Number(s): WASTEWATER EPA ID TX0054127				
Compliance History Peri	od: September 01, 2016	5 to August 31, 20	21 Rating Year: 2021	Rating Date: 09/01/2021
Date Compliance History	y Report Prepared:	February 09, 202	22	
Agency Decision Requiri	ing Compliance Histo	ry: Enforceme	nt	
Component Period Selec	ted: February 09, 201	7 to February 09	, 2022	
TCEQ Staff Member to C	ontact for Additional	Information I	Regarding This Compliance	e History.
Name: Alejandro Laje	Name: Alejandro Laje Phone: (512) 239-2547			
Site and Owner/Oper	ator History:			
1) Has the site been in existence and/or operation for the full five-year compliance period? YES				YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES			YES	
3) Who is the current owner/c	•	L, Inc. OWNER si OW, RAY A. OWN	nce 8/8/2013 ER since 5/21/2020	
4) Who was/were the prior ow	ner(s)/operator(s)?	Moffett Twin 0 5/20/2020	Daks Mobile Home Property Trus	st, OWNER, 11/17/1987 to
<u>Components (Multime</u>	edia) for the Site A	re Listed in S	Sections A - J	
A. Final Orders, court judgments, and consent decrees: N/A				

- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events:

N/A

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

Item 1	May 23, 2017	(1425858)
Item 2	December 21, 2017	(1468473)
Item 3	January 23, 2018	(1475169)
Item 4	August 23, 2019	(1600125)
Item 5	September 24, 2019	(1613873)
Item 6	November 22, 2019	(1619685)
Item 7	January 27, 2020	(1634679)
Item 8	April 07, 2020	(1654157)

Item 9	April 20, 2020	(1654158)
Item 10	July 23, 2020	(1674203)
Item 11	September 24, 2020	(1687547)
Item 12	October 26, 2020	(1693893)
Item 13	December 02, 2020	(1714346)
Item 14	April 26, 2021	(1727411)
Item 15	June 01, 2021	(1747918)
Item 16	July 29, 2021	(1757769)
Item 17	August 25, 2021	(1766976)
Item 18	September 28, 2021	(1772559)

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.

1		2/28/2021 (1727410)	
	Self Report?	YES Classification: Mod	erate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)	
		30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description:	Failure to meet the limit for one or more permit parameter	
2	Date: 05	5/31/2021 (1747919)	
	Self Report?	YES Classification: Mod	erate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)	
		30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description:	Failure to meet the limit for one or more permit parameter	
3	Date: 06	6/14/2021 (1744853)	
5	Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	ciute
	Citation.	30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
		30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?	NO Classification: Mod	erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
		30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description	30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE	
	Description: Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	erate
	Citation	30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
		30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?	NO Classification: Mod	erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
		30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	
	Self Report?		erate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description	30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description:	NON-RPT VIOS FOR MONIT PER OR PIPE	

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$

- H. Voluntary on-site compliance assessment dates: $_{\mbox{N/A}}$
- I. Participation in a voluntary pollution reduction program: \$N/A\$
- J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendi All NOV		Component Period 2/9/2017	and 2/9/2022
1	Date: 01/31/	/2017 (1404676)	
	Self Report? YE Citation: 2	For Informationa D TWC Chapter 26, SubChapter A 26.	
	3	30 TAC Chapter 305, SubChapter F 305 Failure to meet the limit for one or mor	5.125(1)
2	Date: 02/28/	2017 (1411767)	Classification: Moderate
	3	2D TWC Chapter 26, SubChapter A 26. 30 TAC Chapter 305, SubChapter F 305	121(a) 5.125(1)
3	Description: F Date: 03/31/	Failure to meet the limit for one or mor (2017 (1431907)	e permit parameter
5	Self Report? YE Citation:		121(a) 5.125(1)
4	Date: 05/31/	/2017 (1431908)	Classification: Moderate
		2D TWC Chapter 26, SubChapter A 26. 30 TAC Chapter 305, SubChapter F 305	al Purposes Only 121(a) 5.125(1)
	Description: F	Failure to meet the limit for one or mor	e permit parameter
5	Date: 06/30/		Classification: Moderate
	3	ES For Informationa 2D TWC Chapter 26, SubChapter A 26. 30 TAC Chapter 305, SubChapter F 305 Failure to meet the limit for one or mor	121(a) 5.125(1)
6	Date: 07/31/		
		2D TWC Chapter 26, SubChapter A 26.	121(a)
		30 TAC Chapter 305, SubChapter F 305 Failure to meet the limit for one or mor	
7	Date: 08/31/	/2017 (1450761)	Classification: Moderate
	3	2D TWC Chapter 26, SubChapter A 26. 30 TAC Chapter 305, SubChapter F 305	121(a) 5.125(1)
0		Failure to meet the limit for one or mor	e permit parameter
8	Date: 09/30/		Classification: Moderate
	3	2D TWC Chapter 26, SubChapter A 26. 30 TAC Chapter 305, SubChapter F 305	121(a) 5.125(1)
2	·	Failure to meet the limit for one or mor	re permit parameter
9	Date: 07/31/	/2018 (1520729)	Classification: Moderate

	Self Report? Citation: Description:	30 TAC C	For Informational Chapter 26, SubChapter A 26.12 Chapter 305, SubChapter F 305. To meet the limit for one or more	21(a) 125(1)	
10	Date: 09,	/30/2019	(1613874)		
				Classification:	Moderate
	Self Report? Citation:	30 TAC C	For Informational Chapter 26, SubChapter A 26.12 Chapter 305, SubChapter F 305.	21(a) 125(1)	
	Description:	Failure to	o meet the limit for one or more	permit paramete	r
11	Date: 11	/30/2019	(1627050)		
				Classification:	Moderate
	Self Report?	YES	For Informational	Purposes	Only
	Citation:		Chapter 26, SubChapter A 26.12		
	D		30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to	meet the limit for one or more	permit paramete	r
12	Date: 01	/31/2020	(1641292)		
				Classification:	Moderate
	Self Report?	YES	For Informational	Purposes	Only
	Citation:		Chapter 26, SubChapter A 26.12		
30 TAC Chapter 305, SubChapter F 305.125(1) Description: Failure to meet the limit for one or more permit param					r
13	Date: 04	/30/2020	(1667254)		
				Classification:	Moderate
	Self Report?	YES	For Informational	Purposes	Only
	Citation:		Chapter 26, SubChapter A 26.12 Chapter 305, SubChapter F 305.2		
	Description:		meet the limit for one or more		r
14	Date: 05	/31/2020	(1674202)		
14	Date. 05,	/51/2020	(1074202)	Classification:	Moderate
	Self Report?	YES	For Informational	Purposes	Only
	Citation:		Chapter 26, SubChapter A 26.12		0)
	Description:	30 TAC Chapter 305, SubChapter F 305.125(1) Failure to meet the limit for one or more permit parameter			r
15	Date: 06	/17/2020	(1663193)		
15	Date: 00,	/1//2020	(1003193)	Classification:	Moderate
	Self Report?	NO	For Informational	Purposes	Only
	Citation:		Chapter 305, SubChapter F 305.		0)
		30 TAC C	Chapter 305, SubChapter F 305.		
	Description:	NON-RPT	VIOS FOR MONIT PER OR PIPE	Classification:	Moderate
	Calf Danaut2	NO	For Informational		
	Self Report? Citation:	NO 30 TAC C	Chapter 305, SubChapter F 305.		Only
	Citation		Chapter 305, SubChapter F 305.		
	Description:	NON-RPT	VIOS FOR MONIT PER OR PIPE	Classification:	Moderate
	Calf D IT	NC	For Informational		
	Self Report? Citation:	NO 30 TAC C	For Informational Chapter 305, SubChapter F 305.		Uniy
	Citation		Chapter 305, SubChapter F 305.		
	Description:		VIOS FOR MONIT PER OR PIPE		
			Len Information	Classification:	Moderate
	Self Report?	NO	For Informational		Uniy
	Citation:		Chapter 305, SubChapter F 305. Chapter 305, SubChapter F 305.		
	Description:		VIOS FOR MONIT PER OR PIPE		

Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE Classification: Moderate For Informational Purposes Only Self Report? NO Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only NO Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes NO nlv Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only NO Self Report? Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE Classification: Moderate For Informational Purposes NO nlv Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate

For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only NO Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) Citation: NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Self Report? NO Only 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Self Report? NO niv 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE Classification: Moderate For Informational Purposes Only NO Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only NO Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Moderate Classification: For Informational Purposes nlv Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only NO Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: 30 TAC Chapter 305, SubChapter F 305.125(17) NON-RPT VIOS FOR MONIT PER OR PIPE Description: Classification: Moderate For Informational Purposes Only Self Report? NO Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

	30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
	30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
16	Date: 07/31/2020 (1680975)	
10	Classification: Moderate	
	Self Report? YES For Informational Purposes Only	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)	
	30 TAC Chapter 305, SubChapter F 305.125(1) Description: Failure to meet the limit for one or more permit parameter	
	Description. Failure to meet the limit for one of more permit parameter	
17*	Date: 02/28/2021 (1727410)	
	Classification: Moderate	
	Self Report? YES For Informational Purposes Only Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)	
	30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
18*	Date: 05/31/2021 (1747919)	
	Classification: Moderate	
	Self Report? YES For Informational Purposes Only	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
19*	Date: 06/14/2021 (1744853)	
19	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
	30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
	30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE	
	Classification: Moderate	
	Self Report? NO For Informational Purposes Only Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
	30 TAC Chapter 305, SubChapter F 305.125(17)	
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE Classification: Moderate	

Self Report?	NO For Informational Purposes Only			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
	Classification: Moderate			
Self Report?	NO For Informational Purposes Only			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
	Classification: Moderate			
Self Report?	NO For Informational Purposes Only			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			

* NOVs applicable for the Compliance History rating period 9/1/2016 to 8/31/2021

Appendix B All Investigations Conducted During Component Period February 09, 2017 and February 09, 2022

		(1404676)
Item 1	February 21, 2017**	For Informational Purposes Only
Item 2	March 24, 2017**	(1396013) For Informational Purposes Only
Item 3	April 20, 2017**	(1431907) For Informational Purposes Only
		(1425858)
Item 4*	May 23, 2017**	For Informational Purposes Only
Item 5	June 26, 2017**	(1431908) For Informational Purposes Only
Item 6	July 25, 2017**	⁽¹⁴⁴⁰⁴⁷⁸⁾ For Informational Purposes Only
		(1444161)
Item 7	August 23, 2017**	For Informational Purposes Only (1450761)
Item 8	September 18, 2017*	For Informational Purposes Only
Item 9	October 21, 2017**	(1468472) For Informational Purposes Only
		(1468473)
Item 10*	December 21, 2017**	* For Informational Purposes Only
Item 11*	January 23, 2018**	(1475169) For Informational Purposes Only
Item 12	August 11, 2018**	(1520729) For Informational Purposes Only
The res 10	Cartanitar 10, 2010*	(1511604) For Informational Purposes Only
Item 13	September 10, 2018*	
Item 14	November 28, 2018**	(1531685) * For Informational Purposes Only
		(1600125)
Item 15*	August 23, 2019**	For Informational Purposes Only
Item 16*	September 24, 2019*	(1613873) For Informational Purposes Only
Item 17	October 16, 2019**	(1613874) For Informational Purposes Only
		(1619685)
Item 18*	November 22, 2019**	 For Informational Purposes Only
Item 19	January 09, 2020**	(1627050) For Informational Purposes Only
		(1634679) For Informational Purposes Only
Item 20*	January 27, 2020**	For Informational Purposes Only
		(1641292)

Item 21	February 26, 2020**	For Informational Purposes Only
Item 22*	April 07, 2020**	⁽¹⁶⁵⁴¹⁵⁷⁾ For Informational Purposes Only
Item 23*	April 20, 2020**	(1654158) For Informational Purposes Only
Item 24	June 01, 2020**	(1667254) For Informational Purposes Only
Item 25	June 17, 2020**	⁽¹⁶⁶³¹⁹³⁾ For Informational Purposes Only
Item 26	July 10, 2020**	(1674202) For Informational Purposes Only
Item 27*	July 23, 2020**	⁽¹⁶⁷⁴²⁰³⁾ For Informational Purposes Only
Item 28	August 25, 2020**	(1680975) For Informational Purposes Only
Item 29*	September 24, 2020*	(1687547) *For Informational Purposes Only
Item 30*	October 26, 2020**	(1693893) For Informational Purposes Only
Item 31*	December 02, 2020**	(1714346) For Informational Purposes Only
Item 32	March 31, 2021**	(1727410) For Informational Purposes Only
Item 33*	April 26, 2021**	(1727411) For Informational Purposes Only
Item 34*	June 01, 2021**	(1747918) For Informational Purposes Only
Item 35	June 14, 2021**	(1744853) For Informational Purposes Only
Item 36	June 24, 2021**	(1747919) For Informational Purposes Only
Item 37*	July 29, 2021**	(1757769) For Informational Purposes Only
Item 38*	August 25, 2021**	(1766976) For Informational Purposes Only
Item 39*	September 28, 2021	(1772559) For Informational Purposes Only
Item 40	November 03, 2021	(1762511) For Informational Purposes Only
	100000000, 2021	. e. thermadonal raposes only

* No violations documented during this investigation **Investigation applicable for the Compliance History Rating period between 09/01/2016 and 08/31/2021.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING OREAL, INC. RN101519064 BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2018-1377-MWD-E

<u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u>

§

On _______, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding OREAL, Inc. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, represented by Mr. Timothy J. Karczewski of the law firm of Skelton Slusher Barnhill Watkins Wells PLLC, presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that 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. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

- 1. The Respondent owned and operated a wastewater treatment facility located on the west bank of Willis Creek, approximately one mile south of the Willis Creek crossing of Farm-to-Market Road 842 and approximately two miles northeast of the intersection of Farm-to-Market Road 842 and State Highway 103E near the City of Lufkin in Angelina County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in Tex. WATER CODE § 26.001(5).
- 2. During an investigation conducted on July 12, 2018, an investigator documented that:
 - a. The Respondent did not submit complete monitoring results on the discharge monitoring report ("DMR") for the following months: January 2016 (daily average and daily maximum flow); October 2016 (total suspended solids ("TSS") daily average and single grab concentrations); March 2017 (biochemical oxygen demand five-day ("BOD5") daily average concentration and TSS daily average concentration); April 2017 (chlorine monthly minimum and maximum concentrations, dissolved oxygen monthly minimum concentration, and pH minimum); May 2017 (daily average and daily maximum flow; BOD5 daily

average concentration, single grab concentration, and daily average loading); August 2017 (TSS daily average concentration and single grab concentration, dissolved oxygen monthly minimum concentration, and pH minimum and maximum concentrations).

- b. The sludge depth was five feet in the chlorine contact chamber, and the aerated digester had complete surface coverage of dry, caked solids.
- c. The bucket used to store bar screenings was not covered.
- d. Lift Station No. 1 had greater than 50% coverage of grease accumulation in the wet well, and the lid of the wet well was not secured. Lift Station No. 2 did not have an operational audio/visual alarm, and the wet well was severely corroded. The lid of the wet well was not secured, and the control panel was not functioning properly as the pumps could not be manually turned on.
- e. The Respondent did not comply with permitted effluent limitations, as shown in the effluent violation table below:

	Total Residual	Dissolved	Total	Escherichia			
	Chlorine	Oxygen	Suspended	coli			
Month /	Monthly	Monthly	Solids	Single Grab			
Month/ Year	Minimum	Minimum	Daily Average	Concentration			
	Concentration	Concentration	Concentration	Limit =			
	Limit =	Limit =	Limit =	399			
	1.0 mg/L	4.0 mg/L	15 mg/L	MPN/100mL			
September 2017	С	3.9	С	**			
July 2018	С	3.4	19.8	N/A			
July 12, 2018*	0.02*	1.87*	N/A	>240,000*			

Effluent Violation Table

mg/L = milligrams per liter

MPN/100mL = most probable number per 100 milliliters

* = grab sample taken at the time of the investigation by the TCEQ Regional Office

** = results not submitted for review

N/A = not applicable

c = compliant

- f. The Respondent did not submit the annual sludge report for the monitoring periods ending July 31, 2016 and July 31, 2017 to the TCEQ Enforcement Division and the Beaumont Regional Office by September 30, 2016 and September 30, 2017, respectively.
- g. The Respondent did not submit DMRs for the monitoring periods ending October 31, 2017 and January 31, 2018 through June 30, 2018; and *Escherichia coli* monitoring results for the quarterly monitoring periods ending February 29, 2016 through June 30, 2018.

- h. The daily operator logs prior to May 2018, pH calibration log, dissolved oxygen calibration log, colorimeter accuracy check log, and DMRs were not available for review.
- i. The Respondent did not submit noncompliance notifications for the exceedances for the monitoring periods ending August 31, 2016, January 31, 2017, March 31, 2017, and June 30, 2017.
- j. There were no records to document that the reduced-pressure backflow prevention assembly ("RPBA") for the potable water line at the Facility was tested.
- k. Splashing was noted outside the aeration basin at the clarifier return line; debris was on the cement around the clarifier, and screenings were noted on the ground around the headworks.
- 3. The Executive Director recognizes that on September 23, 2019, the Respondent transferred ownership of the Facility.

II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
- 2. As evidenced by Findings of Fact No. 2.a, the Respondent failed to submit complete monitoring results on the DMR, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 1.
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1.
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1.
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal, in violation of 30 Tex. ADMIN. CODE §§ 305.125(1) and (5), 317.3(e)(5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1.
- 6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to comply with permitted effluent limitations, in violation of Tex. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0011588001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 6.

- 7. As evidenced by Finding of Fact No. 2.f, the Respondent failed to submit the annual sludge report to the TCEQ Enforcement Division and the Beaumont Regional Office, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and (17) and TPDES Permit No. WQ0011588001, Sludge Provisions.
- 8. As evidenced by Finding of Fact No. 2.g, the Respondent failed to submit monitoring results at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 1.
- 9. As evidenced by Finding of Fact No. 2.h, the Respondent failed to ensure all records of monitoring information required by the permit are retained at the Facility and made readily available for review at the Facility, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (11)(B) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 3.b.
- 10. As evidenced by Finding of Fact No. 2.i, the Respondent failed to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ Beaumont Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0011588001, Monitoring and Reporting Requirements No. 7.c.
- 11. As evidenced by Finding of Fact No. 2.j, the Respondent failed to retain the annual RPBA test and maintenance report forms for a minimum of three years, in violation of 30 TEX. ADMIN. CODE § 317.4(a)(8).
- 12. As evidenced by Finding of Fact No. 2.k, the Respondent failed to properly operate and maintain the Facility and all of its systems of collection, treatment, and disposal, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0011588001, Operational Requirements No. 1.
- 13. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 14. An administrative penalty in the amount of \$97,802 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Revenue Operations Section of TCEQ's Financial Administration Division reviewed financial documentation submitted by the Respondent and determined that the Respondent is unable to pay all or part of the penalty. Therefore, \$94,202 of the penalty is deferred contingent upon the Respondent's compliance with all the terms of this Order and shall be waived only upon full compliance with all of the terms and conditions in this Order. If the Respondent fails to comply with any requirement of this Order, including any payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The Respondent paid \$100 of the undeferred penalty. The remaining amount of \$3,500

of the undeferred penalty shall be paid in 35 monthly payments of \$100 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 14 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: OREAL, Inc., Docket No. 2018-1377-MWD-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.
- 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. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

- 6. 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.
- 7. 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 in this Order.
- 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. 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.
- 10. 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.
- 11. 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 OUALITY

For the Commission

Date

For the Executive Director

8/31/2022

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

Name (Printed or typed) Authorized Representative of OREAL, Inc.

<u>8-4-2022</u> Date Prosident

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