Executive Summary – Enforcement Matter – Case No. 57158
Victoria County Water Control and Improvement District No. 2
RN101612331
Docket No. 2019-0261-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:
No
Location(s) Where Violation(s) Occurred:
Placedo WWTP, located approximately 3,000 feet north-northeast of the intersection of Grand Street and Preston Street, Victoria County
Type of Operation:
Wastewater treatment facility
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: January 23, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $56,400
Amount Deferred for Financial Inability to Pay: $56,400
Confidential information, which may include financial or medical information, has been provided to the Commission for their consideration.
Total Paid to General Revenue: $0
Total Due to General Revenue: $0
Payment Plan: N/A
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major 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: November 6, 2018
Date(s) of NOE(s): January 4, 2019

Violation Information

1. Failed to maintain complete and accurate records of monitoring activities [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(c) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012743001, Monitoring and Reporting Requirements No. 3.b].

2. Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (4), and TPDES Permit No. WQ0012743001, Permit Conditions No. 2.d].

3. Failed to provide 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of any change planned in the sewage sludge disposal practice [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0012743001, Sludge Provisions, Section I.A.3].

4. Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0012743001, Operational Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. On November 18, 2020, the skimmer on Clarifier No. 1 was repaired; and

b. On June 16, 2020, the sludge and grease balls in the unnamed ditch were removed and properly disposed of.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

i. Implement and maintain logs for the standards check for total chlorine residual analysis, the time sampled for dissolved oxygen, and the time sampled and analyzed for pH; and

ii. Provide notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of the change in sewage sludge disposal practice.

b. Within 45 days, submit written certification demonstrating compliance with a.

c. Within 60 days, develop and implement a solids management plan and schedule which includes the regular examination of wastewater solids within the Facility, process control testing, and the regular removal of solids to prevent the discharge of sludge and grease.

d. Within 75 days, submit written certification demonstrating compliance with c.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Bethany Batchelor, Enforcement Division, Backlog Team, MC 219, (512) 239-2520; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: Jesse M. Garcia, President, Victoria County Water Control and Improvement District No. 2, P.O. Box 238, Placedo, Texas 77977
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES						
	Assigned	7-Jan-2019				
	PCW	28-Mar-2019	**Screening**	16-Jan-2019	**EPA Due**	

RESPONDENT/FACILITY INFORMATION

Respondent	Victoria County Water Control and Improvement District No. 2		
Reg. Ent. Ref. No.	RN101612331		
Facility/Site Region	14-Corpus Christi	**Major/Minor Source**	Minor

CASE INFORMATION

Enf./Case ID No.	57158	**No. of Violations**	4
Docket No.	2019-0261-MWD-E	**Order Type**	Findings
Media Program(s)	Water Quality	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Had Darling
		EC's Team	Enforcement Team 1

Admin. Penalty $ Limit Minimum $0 Maximum $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$35,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **60.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$21,150**

Notes: Enhancement for three months of self-reported effluent violations, one NOV with same/similar violations, and two orders containing a denial of liability.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **$0**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $1,584
Estimated Cost of Compliance $10,625

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$56,400**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$56,400**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$56,400**

DEFERRAL **0.0%** Reduction — ***Adjustment*** **$0**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$56,400**

Screening Date	16-Jan-2019	**Docket No.**	2019-0261-MWD-E	**PCW**
Respondent	Victoria County Water Control and Improvement District No. 2			*Policy Revision 4 (April 2014)*
Case ID No.	57158			*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN101612331			
Media	Water Quality			
Enf. Coordinator	Had Darling			

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
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%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 60%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations, one NOV with same/similar violations, and two orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 60%

Screening Date 16-Jan-2019 **Docket No.** 2019-0261-MWD-E **PCW**

Respondent Victoria County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 57158

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101612331

Media Water Quality

Enf. Coordinator Had Darling

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 305.125(1) and 319.7(c) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012743001, Monitoring and Reporting Requirements No. 3.b

Violation Description Failed to maintain complete and accurate records of monitoring activities. Specifically, the Respondent was not maintaining records of the standards check for total chlorine residual analysis, the time sampled for dissolved oxygen, and the time sampled and analyzed for pH.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual			
	Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: At least 70% of the rule requirements were met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 1 — 71 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $250

Economic Benefit (EB) for this violation

Estimated EB Amount $41

Statutory Limit Test

Violation Final Penalty Total $400

This violation Final Assessed Penalty (adjusted for limits) $400

Economic Benefit Worksheet

Respondent Victoria County Water Control and Improvement District No. 2
Case ID No. 57158
Reg. Ent. Reference No. RN101612331
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	$100	21-Feb-2018	1-Jun-2026	8.28	$41	n/a	$41
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: Estimated cost to implement and maintain logs for the standards check for total chlorine residual analysis, the time sampled for dissolved oxygen, and the time sampled and analyzed for pH. Date required is the date the violation was originally documented. Final date is the estimated date of compliance.

Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $100

TOTAL $41

Screening Date 16-Jan-2019 **Docket No.** 2019-0261-MWD-E **PCW**

Respondent Victoria County Water Control and Improvement District No. 2

Policy Revision 4 (April 2014)

Case ID No. 57158

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101612331

Media Water Quality

Enf. Coordinator Had Darling

Violation Number 2

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1) and (4), and TPDES Permit No. WQ0012743001, Permit Conditions No. 2.d

Violation Description Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, approximately 12 to 16 inches of sludge, grease balls, and the presence of bloodworms were observed in the unnamed ditch immediately downstream of Outfall No. 001.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 30.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $17,500

$7,500

Violation Events

Number of Violation Events: 3

71 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $22,500

Three monthly events are recommended from the investigation date (November 6, 2018) to the screening date (January 16, 2019).

Good Faith Efforts to Comply

0.0% Reduction $0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $22,500

Economic Benefit (EB) for this violation

Estimated EB Amount $1,248

Statutory Limit Test

Violation Final Penalty Total $36,000

This violation Final Assessed Penalty (adjusted for limits) $36,000

Economic Benefit Worksheet

Respondent Victoria County Water Control and Improvement District No. 2
Case ID No. 57158
Reg. Ent. Reference No. RN101612331
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	$1,000	6-Nov-2018	1-Jun-2026	7.57	$379	n/a	$379
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$7,500	21-Feb-2018	16-Jun-2020	2.32	$869	n/a	$869

Notes for DELAYED costs

The training/sampling cost is the estimated cost to develop and implement a solids management plan and schedule at the Facility. Date required is the investigation date. Final date is the estimated date of compliance.

Estimated cost to remove and properly dispose of the sludge and grease balls from the unnamed ditch. Date required is the date the violation was originally documented. Final date is the date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $8,500

TOTAL $1,248

Screening Date	16-Jan-2019	**Docket No.** 2019-0261-MWD-E	**PCW**
Respondent	Victoria County Water Control and Improvement District No. 2		*Policy Revision 4 (April 2014)*
Case ID No.	57158		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN101612331		
Media	Water Quality		
Enf. Coordinator	Had Darling		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0012743001, Sludge Provisions, Section I.A.3

Violation Description Failed to provide 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of any change planned in the sewage sludge disposal practice. Specifically, the Respondent was sending sewage sludge to the Don Tol Compost Facility in Bolin, Texas for further processing and/or disposal; however, the permit application specifies Victoria Landfill in Victoria, Texas as the sludge disposal site.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes: 100% of the permit requirement was not met.

Adjustment $23,750

$1,250

Violation Events

Number of Violation Events: 1 — 71 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,250

One single event is recommended.

Good Faith Efforts to Comply

0.0% (Before NOE/NOV)

Reduction $0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $1,250

Economic Benefit (EB) for this violation

Estimated EB Amount $10

Statutory Limit Test

Violation Final Penalty Total $2,000

This violation Final Assessed Penalty (adjusted for limits) $2,000

Economic Benefit Worksheet

Respondent Victoria County Water Control and Improvement District No. 2
Case ID No. 57158
Reg. Ent. Reference No. RN101612331
Media Water Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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)	$25	21-Feb-2018	1-Jun-2026	8.28	$10	n/a	$10
Notes for DELAYED costs	Estimated cost to provide notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of the change in sewage sludge disposal practice. Date required is the date the violation was originally documented. Final date is the estimated date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$25	TOTAL	$10

Screening Date	16-Jan-2019	**Docket No.** 2019-0261-MWD-E	**PCW**
Respondent	Victoria County Water Control and Improvement District No. 2		*Policy Revision 4 (April 2014)*
Case ID No.	57158		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN101612331		
Media	Water Quality		
Enf. Coordinator	Had Darling		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0012743001, Operational Requirements No. 1

Violation Description Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, Clarifier No. 1 was inoperable due to the skimmer coming off the track.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $21,250

$3,750

Violation Events

Number of Violation Events: 3 — 71 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $11,250

Three monthly events are recommended from the investigation date (November 6, 2018) to the screening date (January 16, 2019).

Good Faith Efforts to Comply

0.0% Reduction $0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $11,250

Economic Benefit (EB) for this violation

Estimated EB Amount $285

Statutory Limit Test

Violation Final Penalty Total $18,000

This violation Final Assessed Penalty (adjusted for limits) $18,000

Economic Benefit Worksheet

Respondent Victoria County Water Control and Improvement District No. 2
Case ID No. 57158
Reg. Ent. Reference No. RN101612331
Media Water Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment	$2,000	6-Nov-2018	18-Nov-2020	2.04	$14	$271	$285
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	Estimated cost to repair the skimmer on Clarifier No. 1. Date required is the investigation date. Final date is the date of compliance.						
Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$2,000	TOTAL	$285

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

Compliance History Report

Compliance History Report for CN601582513, RN101612331, Rating Year 2018 which includes Compliance History (CH) components from September 1, 2013, through August 31, 2018.

Customer, Respondent, or Owner/Operator: CN601582513, Victoria County Water Control and Improvement District No. 2 **Classification:** SATISFACTORY **Rating:** 7.75

Regulated Entity: RN101612331, PLACEDO WASTEWATER PLANT **Classification:** SATISFACTORY **Rating:** 7.75

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: Approximately 3,000 feet north-northeast of the intersection of Grand Street and Preston Street in Victoria County, Texas

TCEQ Region: REGION 14 - CORPUS CHRISTI

ID Number(s):

WASTEWATER PERMIT WQ0012743001 **WASTEWATER** EPA ID TX0093360

WASTEWATER LICENSING LICENSE WQ0012743001

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

Date Compliance History Report Prepared: July 17, 2019

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 17, 2014 to July 17, 2019

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

Name: Herbert Darling **Phone:** (512) 239-2520

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

1 Effective Date: 06/26/2018 ADMINORDER 2016-0388-MWD-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Operational Requirements No. 4 PERMIT

Description: Failed to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures.

2 Effective Date: 02/26/2019 ADMINORDER 2017-1457-MWD-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Eff. Lim. & Mon. Req. No. 1 PERMIT

Description: Failed to comply with permitted effluent limitations

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
30 TAC Chapter 319, SubChapter A 319.7(d)

Rqmt Prov: Mon. & Rep. Req. No. 1 PERMIT

Description: Failed to submit discharge monitoring reports ("DMRs") at the intervals specified in the permit

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Rqmt Prov: Sludge Provisions PERMIT

Description: Failure to submit sludge monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 21, 2014	(1194396)
Item 2	August 19, 2014	(1200600)
Item 3	September 22, 2014	(1207147)
Item 4	October 20, 2014	(1213553)
Item 5	November 21, 2014	(1219809)
Item 6	December 19, 2014	(1225608)
Item 7	January 21, 2015	(1232610)
Item 8	February 18, 2015	(1243608)
Item 9	March 18, 2015	(1249980)
Item 10	May 20, 2015	(1263635)
Item 11	October 20, 2015	(1291601)
Item 12	October 30, 2016	(1373588)
Item 13	June 22, 2018	(1501907)
Item 14	March 18, 2019	(1563595)
Item 15	March 20, 2019	(1563586)
Item 16	May 24, 2019	(1569488)

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 Date: 09/12/2018 (1513600)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Description: Failed to maintain the required alarm system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)

Description: Failed to properly analyze effluent samples.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(c)
Monitoring & Reporting; No. 3(b); Pg.6 PERMIT
Monitoring and Reporting; No.3(c); Pg.6 PERMIT

Description: Failed to maintain records of the monitoring activities required by the permit.

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Effluent Limitations; No. 4, Pg. 2 PERMIT

Description: Failed to prevent the discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Sludge Provisions; A(3), Pg. 17 PERMIT

Description: Failed to give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC
148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

2 Date: 12/31/2018 (1563607)

Self Report? YES Classification: Moderate

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: 01/31/2019 (1563587)
Self Report? YES Classification: Moderate
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

4 Date: 02/28/2019 (1563589)
Self Report? YES Classification: Moderate
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

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Component Appendices

Appendix A
All NOVs Issued During Component Period 7/17/2014 and 7/17/2019

1 Date: 02/03/2015 (1197339)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(11)(B)
Sludge Provisions Section III(G), Pg. 22 PERMIT
Description: Failure to report annually to the TCEQ Regional Office (MC Region 14) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 1 of each year items 1-9 listed in TPDES Permit 12743-001 page 22.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Effluent Limitations and Mon. RQMTs PERMIT
Description: Failed to maintain compliance with the permitted effluent limitations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Mon. and Reporting RQMTs No. 7(c) PERMIT
Description: Failed to provide notification of any effluent violation which deviates from the permitted effluent limitation by more than 40% to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Operational Requirements No. 4 PERMIT
Description: Failed to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Operational Requirements No. 1 PERMIT
Description: Failed to at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Sludge Provisions I(A)(3) PERMIT
Description: Failed to give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)
Monitoring and Reporting RQMTs No. 2 PERMIT
Description: Failure to analyze effluents according to test methods specified in 40 CFR Part 136 or more recent editions of Standard Methods for the Examination of Water and Wastewater than those cited in Part 136.

2 Date: 03/31/2015 (1256873)

Self Report? YES Classification: Moderate
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: 05/31/2015 (1270742)

Self Report? YES Classification: Moderate
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

4 Date: 06/30/2015 (1278297)

Self Report? YES Classification: Moderate
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

5 Date: 03/31/2016 (1373590)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

For Informational Purposes Only

Description: Failure to meet the limit for one or more permit parameter

6 Date: 04/30/2016 (1373591)

Self Report? YES Classification: Moderate

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

7 Date: 05/31/2016 (1373592)

Self Report? YES Classification: Moderate

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

8* Date: 04/20/2018 (1472138)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Operational Requirements; No. 1, Pg. 13 PERMIT

Description: Failed to ensure at all times that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Description: Failed to maintain the required alarm system.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.11(d)

Description: Failed to install the flow measurement device in accordance with the Water Measurement Manual, United States Department of the Interior, Bureau of Reclamation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)

Description: Failed to properly analyze effluent samples.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Standard Permit Conditions; 2(e); Pg. 4 PERMIT

Description: Failed to accurately accomplish in a representative manner measurements, tests, and calculations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(c)
Monitoring & Reporting; No. 3(b); Pg.6 PERMIT
Monitoring and Reporting; No.3(c); Pg.6 PERMIT

Description: Failed to maintain records of the monitoring activities required by the permit.

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Effluent Limitations; No. 4, Pg. 2 PERMIT

Description: Failed to prevent the discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Sludge Provisions; A(3), Pg. 17 PERMIT

Description: Failed to give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC
148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

9 Date: 09/12/2018 (1513600)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Description: Failed to maintain the required alarm system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)

Description: Failed to properly analyze effluent samples.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(c)
Monitoring & Reporting; No. 3(b); Pg.6 PERMIT

For Informational Purposes Only

Monitoring and Reporting; No.3(c); Pg.6 PERMIT

Description: Failed to maintain records of the monitoring activities required by the permit.

Self Report? NO Classification: Major

For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Effluent Limitations; No. 4, Pg. 2 PERMIT

Description: Failed to prevent the discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

Self Report? NO Classification: Minor

For Informational Purposes Only

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Sludge Provisions; A(3), Pg. 17 PERMIT

Description: Failed to give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC
148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

10 Date: 12/31/2018 (1563607)

Self Report? YES Classification: Moderate

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

11 Date: 01/31/2019 (1563587)

Self Report? YES Classification: Moderate

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

12 Date: 02/28/2019 (1563589)

Self Report? YES Classification: Moderate

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

* NOVs applicable for the Compliance History rating period 9/1/2013 to 8/31/2018

Appendix B
All Investigations Conducted During Component Period July 17, 2014 and July 17, 2019

Item 1*	July 21, 2014**	(1194396)
Item 2*	August 19, 2014**	(1200600)
Item 3*	September 22, 2014**	(1207147)
Item 4*	October 20, 2014**	(1213553)
Item 5*	November 21, 2014**	(1219809)
Item 6*	December 19, 2014**	(1225608)
Item 7*	January 21, 2015**	(1232610)
Item 8	February 03, 2015**	(1197339)
Item 9*	February 18, 2015**	(1243608)
Item 10*	March 18, 2015**	(1249980)
Item 11	April 20, 2015**	(1256873)
Item 12*	May 20, 2015**	(1263635)
Item 13	June 19, 2015**	(1270742)
Item 14	July 22, 2015**	(1278297)
Item 15*	October 20, 2015**	(1291601)
Item 16*	October 30, 2016**	(1373588)
Item 17	February 10, 2017**	(1387634)
Item 18*	June 22, 2018**	(1501907)
Item 19	September 12, 2018	(1513600)
Item 20	January 04, 2019	(1526434)
Item 21	March 18, 2019	(1563587)
Item 22*	March 20, 2019	(1563586)
Item 23*	May 24, 2019	(1569488)

For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2013 and 08/31/2018.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	
VICTORIA COUNTY WATER	**§**	**TEXAS COMMISSION ON**
CONTROL AND IMPROVEMENT	**§**	
DISTRICT NO. 2	**§**	
RN101612331	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2019-0261-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Victoria County Water Control and Improvement District No. 2 (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 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 owns and operates a wastewater treatment facility located approximately 3,000 feet north-northeast of the intersection of Grand Street and Preston Street in Victoria 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 November 6, 2018, an investigator documented that:

   a. The Respondent was not maintaining records of the standards check for total chlorine residual analysis, the time sampled for dissolved oxygen, and the time sampled and analyzed for pH.

   b. Approximately 12 to 16 inches of sludge, grease balls, and the presence of bloodworms were observed in the unnamed ditch immediately downstream of Outfall No. 001.

c. The Respondent was sending sewage sludge to the Don Tol Compost Facility in Bolin, Texas for further processing and/or disposal; however, the permit application specifies Victoria Landfill in Victoria, Texas as the sludge disposal site.

d. Clarifier No. 1 was inoperable due to the skimmer coming off the track.

3. The Executive Director recognizes that the respondent implemented the following corrective measures at the Placedo WWTP:

a. On November 18, 2020, the skimmer on Clarifier No. 1 was repaired; and

b. On June 16, 2020, the sludge and grease balls in the unnamed ditch were removed and properly disposed of.

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 Finding of Fact No. 2.a, the Respondent failed to maintain complete and accurate records of monitoring activities, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(c) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012743001, Monitoring and Reporting Requirements No. 3.b.

3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (4), and TPDES Permit No. WQ0012743001, Permit Conditions No. 2.d.

4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to provide 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of any change planned in the sewage sludge disposal practice, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0012743001, Sludge Provisions, Section I.A.3.

5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0012743001, Operational Requirements No. 1.

6. 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.

7. An administrative penalty in the amount of $56,400 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 and qualifies for a deferral of all or part of the penalty under TEX. WATER CODE § 7.034. Therefore, $56,400 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 the Executive Director may require the Respondent to pay 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. 7 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. All required records and documentation demonstrating compliance shall be sent with the notation "Re: Victoria County Water Control and Improvement District No. 2, Docket No. 2019-0261-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. The Respondent shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Order:

      i. Implement and maintain logs for the standards check for total chlorine residual analysis, the time sampled for dissolved oxygen, and the time sampled and analyzed for pH, in accordance with TPDES Permit No. WQ0012743001, Monitoring and Reporting Requirements No. 3.b; and

      ii. Provide notice to the Executive Director in care of the Wastewater Permitting Section of the Water Quality Division of the change in sewage sludge disposal practice, in accordance with TPDES Permit No. WQ0012743001, Sludge Provisions, Section I.A.3, to:

Wastewater Permitting Section, MC 148
Water Quality Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

b. Within 45 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 2.a.i and 2.a.ii, in accordance with Ordering Provision No. 2.e below.

c. Within 60 days after the effective date of this Order, develop and implement a solids management plan and schedule which includes the regular examination of wastewater solids within the Facility, process control testing, and the regular removal of solids to prevent the discharge of sludge and grease; and

d. Within 75 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 2.c. in accordance with Ordering Provision No. 2.e below.

e. The certifications required by Ordering Provision Nos. 2.b and 2.d shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondent and shall include the following certification language:

> "I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412-5839

3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. 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. Extension requests shall be sent to the Enforcement Division at the address listed above.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.

7. 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.

8. 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.

9. 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.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____	_____
For the Commission	Date
Kristie Mello-Jurack	02/15/2026
For the Executive Director	Date

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

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

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

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

Jesse M Garcia	12-22-25
Signature	Date
Jesse M Garcia	President
Name (Printed or typed)	Title

Authorized Representative of
Victoria County Water Control and Improvement District No. 2

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

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.