

Executive Summary – Enforcement Matter – Case No. 57954
North Texas Municipal Water District
RN102095585, RN102315579, RN102342144, and RN102097177
Docket No. 2019-1212-MLM-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:

MLM – WQ and MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Wilson Creek WWTP, 3020 Orr Road, partially in Lucas, Collin County ("Facility No. 1");
North Texas MWD Rowlett Creek, 1600 Los Rios Boulevard, Plano, Collin County
("Facility No. 2");

Floyd Branch Regional Plant WWTP, 111 East Buckingham Road, Richardson, Dallas
County ("Facility No. 3");

North Texas MWD, 810 North Highway 78, Wylie, Collin County ("Site")

Type of Operation:

Wastewater treatment facilities and a distribution line for a water treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

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

Texas Register Publication Date: June 17, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$136,350

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$0

Supplemental Environmental Project ("SEP") Conditional Offset: \$136,350

Name of SEP: Dewatering Optimization (Compliance)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory and N/A

Major Source:

Facilities: Yes

Site: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Executive Summary – Enforcement Matter – Case No. 57954
North Texas Municipal Water District
RN102095585, RN102315579, RN102342144, and RN102097177
Docket No. 2019-1212-MLM-E

Investigation Information

Complaint Date(s): December 26, 2018

Complaint Information: Alleged an ongoing sewage discharge into a lake.

Date(s) of Investigation: January 7, 2019, November 6, 2019, November 20, 2019, and June 18, 2020

Date(s) of NOE(s): June 24, 2019, December 5, 2019, January 6, 2020, and August 11, 2020

Violation Information

1. Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012446001, Permit Conditions No. 2.g].
2. Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0010363001, Permit Conditions No. 2.g].
3. Failed to prevent an unauthorized discharge of potable water into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(2)].
4. Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0010257001, Permit Conditions No. 2.g].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

1. The Executive Director recognizes that the Respondent has implemented corrective actions at the Facilities, as noted in Unauthorized Discharge Table Nos. 1, 2, and 3.
2. The Executive Director recognizes that the Respondent implemented the following corrective actions at the Site by September 7, 2018:
 - a. Removed and repaired the damaged water main line;
 - b. Conducted field measurements/monitoring; and
 - c. Collected and properly disposed of the fish.

Technical Requirements:

Executive Summary – Enforcement Matter – Case No. 57954
North Texas Municipal Water District
RN102095585, RN102315579, RN102342144, and RN102097177
Docket No. 2019-1212-MLM-E

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
 - a. Within 180 days, make modifications to the Facility No. 1’s supervisory control and data acquisition system as it relates to the Advanced Treatment and Headworks Improvements capital improvement project, and complete the construction for this project which includes the addition of a BioActiflo process for advanced treatment and peak flow capacity increase, and expansion of the existing headworks along with associated improvements.
 - b. Within 195 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Katy Montgomery, Enforcement Division, Enforcement Team 1, MC 219, (210) 403-4016; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

TCEQ SEP Coordinator: Betty Sanders, SEP Coordinator, Litigation Division, MC 175, (512) 239-3992

Respondent: Jennifer P. Covington, Executive Director, North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098-2408

Respondent's Attorney: Sara Thornton, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	1-Jul-2019			
	PCW	23-Mar-2021	Screening	9-Jul-2019	EPA Due

RESPONDENT/FACILITY INFORMATION	
Respondent	North Texas Municipal Water District (PCW No. 1)
Reg. Ent. Ref. No.	RN102095585
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	57954	No. of Violations	2
Docket No.	2019-1212-MLM-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Steven Van Landingham
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$52,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	36.0%	Adjustment	Subtotals 2, 3, & 7	\$18,900
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Notes: Enhancement for one NOV with same/similar violations, two months of self-reported effluent violations, and one order without a denial of liability. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$16,709,692
 Estimated Cost of Compliance: \$98,074,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$71,400
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$71,400
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$71,400
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$71,400
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Screening Date 9-Jul-2019

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 1)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102095585

Media Water Quality

Enf. Coordinator Steven Van Landingham

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	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>)	1	-2%
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) 36%

>> 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 one NOV with same/similar violations, two months of self-reported effluent violations, and one order without a denial of liability. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 36%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 36%

Screening Date 9-Jul-2019

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 1)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102095585

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012446001, Permit Conditions No. 2.g

Violation Description Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 1.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		30.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

Human health or the environment has been exposed to significant amounts of pollutants as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 5 Number of violation days 6

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$37,500

Five single events are recommended for the unauthorized discharges that occurred on November 6, 2018, November 17, 2018, December 26 through 27, 2018, January 10, 2019, and February 14, 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 \$37,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$16,709,692

Violation Final Penalty Total \$51,000

This violation Final Assessed Penalty (adjusted for limits) \$51,000

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 1)
Case ID No. 57954
Reg. Ent. Reference No. RN102095585
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
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Delayed Costs

Equipment	\$12,500	28-Feb-2019	28-Feb-2019	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	26-Dec-2018	16-Jan-2019	0.06	\$0	\$6	\$6
Engineering/Construction	\$98,000,000	26-Dec-2018	2-Jun-2021	2.44	\$795,635	\$15,912,694	\$16,708,329
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Removal				0.00	\$0	n/a	\$0
Remediation/Disposal	\$50,000	6-Nov-2018	21-May-2019	0.54	\$1,342	n/a	\$1,342
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	28-Dec-2018	8-Jan-2019	0.03	\$15	n/a	\$15

Notes for DELAYED costs

Estimated Equipment cost to install a level indicator to the supervisory control and data acquisition ("SCADA") system. The Date Required is the February 28, 2019 unauthorized discharge and the Final Date is the date the level indicator was installed.

Estimated Other cost to replace an electrical switch, reboot the SCADA system, reconfigure programming to restore full plant operations, monitor the lake, and conduct remediation including removal of floating solids. The Date Required is the start date of the December 26, 2018 unauthorized discharge and the Final Date is the date of compliance.

Estimated Engineering/Construction cost to make modifications to the Facility No. 1's SCADA system as it relates to the Advanced Treatment and Headworks Improvements capital improvement project, and complete the construction for this project which includes the addition of a BioActiflo process for advanced treatment and peak flow capacity increase, and expansion of the existing headworks along with associated improvements. The Date Required is the start date of the December 26, 2018 unauthorized discharge and the Final Date is the estimated date of compliance.

Estimated Remediation/Disposal cost to cease the discharges that occurred during the record review period and complete corrective actions as identified in Unauthorized Discharge Table No. 1. The Date Required is the date of the first unauthorized discharge and the Final Date is the date the last of the corrective actions for eight of the nine discharges was completed.

Estimated Other cost to repair the Bio Contact Basin No. 1 gate. The Date Required is the date of the unauthorized discharge and the Final Date is the date the Bio Contact Basin No. 1 gate was repaired.

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 \$98,074,000

TOTAL \$16,709,692

Screening Date 9-Jul-2019 **Docket No.** 2019-1212-MLM-E
Respondent North Texas Municipal Water District (PCW No. 1)
Case ID No. 57954
Reg. Ent. Reference No. RN102095585
Media Water Quality
Enf. Coordinator Steven Van Landingham

PCW

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

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0012446001, Permit Conditions No. 2.g

Violation Description Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 1.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="15.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Four single events are recommended for the unauthorized discharges that occurred on November 8, 2018, December 28, 2018, January 18, 2019, and February 28, 2019.

Good Faith Efforts to Comply

Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

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

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 1)
Case ID No. 57954
Reg. Ent. Reference No. RN102095585
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
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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

Economic Benefit included in Violation No. 1.

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

\$0

TOTAL

\$0



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	6-Jan-2020	Screening	31-Jan-2020	EPA Due	
	PCW	23-Mar-2021				

RESPONDENT/FACILITY INFORMATION

Respondent	North Texas Municipal Water District (PCW No. 2)	
Reg. Ent. Ref. No.	RN102342144	
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No.	57954	No. of Violations	2
Docket No.	2019-1212-MLM-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Steven Van Landingham
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$26,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	29.0% Adjustment	Subtotals 2, 3, & 7	\$7,612
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Notes: Enhancement for one month of self-reported effluent violations and one order without a denial of liability. Reduction for one notice of intent to conduct an audit.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$6,562
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$4,208
 Estimated Cost of Compliance \$60,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$27,300
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$27,300
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$27,300
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DEFERRAL	0.0% Reduction Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$27,300
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Screening Date 31-Jan-2020**Docket No.** 2019-1212-MLM-E**PCW****Respondent** North Texas Municipal Water District (PCW No. 2)**Case ID No.** 57954

Policy Revision 4 (April 2014)

Reg. Ent. Reference No. RN102342144

PCW Revision March 26, 2014

Media Water Quality**Enf. Coordinator** Steven Van Landingham**Compliance History Worksheet****>> Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 29%**>> 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 one month of self-reported effluent violations and one order without a denial of liability. Reduction for one notice of intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 29%**>> Final Compliance History Adjustment****Final Adjustment Percentage *capped at 100%** 29%

Screening Date 31-Jan-2020

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 2)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102342144

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010363001, Permit Conditions No. 2.g

Violation Description Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 2.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		30.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Human health or the environment has been exposed to significant amounts of pollutants as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$7,500

One single event is recommended for the unauthorized discharge that occurred on April 11, 2018.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

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

Notes The Respondent achieved compliance by April 30, 2019.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4,208

Violation Final Penalty Total \$7,800

This violation Final Assessed Penalty (adjusted for limits) \$7,800

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 2)
Case ID No. 57954
Reg. Ent. Reference No. RN102342144
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
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$50,000	11-Apr-2018	30-Apr-2019	1.05	\$175	\$3,507	\$3,682
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	\$10,000	11-Apr-2018	30-Apr-2019	1.05	\$526	n/a	\$526
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Engineering/Construction cost to repair the influent junction box bypass, feeder pipe, manhole and to replace the bar screen brushes. The Date Required is the date the first unauthorized discharge occurred and the Final Date is the date of compliance.

Estimated Remediation/Disposal cost to cease the discharges that occurred during the record review period and complete corrective actions as identified in Unauthorized Discharge Table No. 2. The Date Required is the date of the first unauthorized discharge and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$60,000

TOTAL

\$4,208

Screening Date 31-Jan-2020

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 2)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102342144

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 2

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0010363001, Permit Conditions No. 2.g

Violation Description

Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 2.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 5

6 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$18,750

Five single events are recommended for the unauthorized discharges that occurred on May 1, 2018, May 23, 2018, September 25, 2018, April 11, 2019, and April 24 through 25, 2019.

Good Faith Efforts to Comply

25.0%

Reduction \$4,687

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

Extraordinary	
Ordinary	X
N/A	

Notes The Respondent achieved compliance by April 30, 2019.

Violation Subtotal \$14,063

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$19,501

This violation Final Assessed Penalty (adjusted for limits) \$19,501

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 2)
Case ID No. 57954
Reg. Ent. Reference No. RN102342144
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
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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

Economic Benefit included in Violation No. 1.

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

\$0

TOTAL

\$0



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	2-Dec-2019	Screening	17-Dec-2019	EPA Due	
	PCW	18-May-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	North Texas Municipal Water District (PCW No. 3)
Reg. Ent. Ref. No.	RN102315579
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	57954	No. of Violations	1
Docket No.	2019-1212-MLM-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Steven Van Landingham
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	49.0%	Adjustment	Subtotals 2, 3, & 7	\$3,675
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Notes: Enhancement for two orders without a denial of liability. Reduction for one notice of intent to conduct an audit.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,875
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$22
 Estimated Cost of Compliance: \$20,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$9,300
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$9,300
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$9,300
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$9,300
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Screening Date 17-Dec-2019**Docket No.** 2019-1212-MLM-E**PCW****Respondent** North Texas Municipal Water District (PCW No. 3)**Case ID No.** 57954

Policy Revision 4 (April 2014)

Reg. Ent. Reference No. RN102315579

PCW Revision March 26, 2014

Media Water Quality**Enf. Coordinator** Steven Van Landingham**Compliance History Worksheet****>> Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 49%**>> Repeat Violator (Subtotal 3)**

N/A

Adjustment Percentage (Subtotal 3) 0%**>> Compliance History Person Classification (Subtotal 7)**

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%**>> Compliance History Summary****Compliance History Notes**

Enhancement for two orders without a denial of liability. Reduction for one notice of intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 49%**>> Final Compliance History Adjustment****Final Adjustment Percentage *capped at 100%** 49%

Screening Date 17-Dec-2019

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 3)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102315579

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(2)

Violation Description Failed to prevent an unauthorized discharge of potable water into or adjacent to any water in the state. Specifically, on August 30, 2018, a 72-inch potable water main break occurred at the 4500 block of Crystal Mountain Drive in Richardson, Texas causing a discharge of approximately 22.3 million gallons of potable water into three tributaries, North Star Branch, Beck Branch, and Rowlett Creek, killing approximately 490 fish.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (30.0%). Includes 'OR' label.

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and 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 1 Number of violation days 8

Table with columns: Frequency (daily, weekly, monthly, quarterly, semiannual, annual, single event) and checkboxes.

Violation Base Penalty \$7,500

One monthly event is recommended from the August 30, 2018 unauthorized discharge date to the September 7, 2018 compliance date.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

Table with columns: Before NOE/NOV, NOE/NOV to EDPRP/Settlement Offer and rows: Extraordinary, Ordinary, N/A.

Notes The Respondent achieved compliance by September 7, 2018.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$22

Violation Final Penalty Total \$9,300

This violation Final Assessed Penalty (adjusted for limits) \$9,300

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 3)
Case ID No. 57954
Reg. Ent. Reference No. RN102315579
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
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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	\$20,000	30-Aug-2018	7-Sep-2018	0.02	\$22	n/a	\$22
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Remediation/Disposal cost to remove and repair the damaged water main line, conduct field measurements/monitoring, and collect and properly dispose of the fish. The Date Required is the date the unauthorized discharge began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20,000

TOTAL

\$22



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	17-Aug-2020	Screening	19-Aug-2020	EPA Due	
	PCW	23-Mar-2021				

RESPONDENT/FACILITY INFORMATION

Respondent	North Texas Municipal Water District (PCW No. 4)	
Reg. Ent. Ref. No.	RN102097177	
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No.	57954	No. of Violations	2
Docket No.	2019-1212-MLM-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Steven Van Landingham
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$33,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **9.0%** Adjustment **Subtotals 2, 3, & 7** **\$3,037**

Notes	Enhancement for two months of self-reported effluent violations. Reduction for one notice of intent to conduct an audit.
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Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments **Subtotal 5** **-\$8,437**

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

Total EB Amounts	\$653	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$10,000	

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$28,350**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount **\$28,350**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$28,350**

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

Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.
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PAYABLE PENALTY **\$28,350**

Screening Date 19-Aug-2020

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 4)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102097177

Media Water Quality

Enf. Coordinator Steven Van Landingham

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 9%

>> 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 two months of self-reported effluent violations. Reduction for one notice of intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 9%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 9%

Screening Date 19-Aug-2020

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 4)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102097177

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010257001, Permit Conditions No. 2.g

Violation Description Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 3.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual			x		30.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Human health or the environment has been exposed to significant amounts of pollutants as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 4 Number of violation days 4

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$30,000

Four single events are recommended for the unauthorized discharges that occurred on September 22, 2018, October 13, 2018, June 9, 2019, and October 21, 2019.

Good Faith Efforts to Comply

25.0%

Reduction \$7,500

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

Notes The Respondent achieved compliance by January 12, 2020.

Violation Subtotal \$22,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$653

Violation Final Penalty Total \$25,200

This violation Final Assessed Penalty (adjusted for limits) \$25,200

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 4)
Case ID No. 57954
Reg. Ent. Reference No. RN102097177
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				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$10,000	22-Sep-2018	12-Jan-2020	1.31	\$653	n/a	\$653
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Remediation/Disposal cost to cease the discharges that occurred during the record review period and complete corrective actions as identified in Unauthorized Discharge Table No. 3. The Date Required is the date of the first unauthorized discharge and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$10,000

TOTAL \$653

Screening Date 19-Aug-2020

Docket No. 2019-1212-MLM-E

PCW

Respondent North Texas Municipal Water District (PCW No. 4)

Policy Revision 4 (April 2014)

Case ID No. 57954

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102097177

Media Water Quality

Enf. Coordinator Steven Van Landingham

Violation Number 2

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0010257001, Permit Conditions No. 2.g

Violation Description Failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the attached Unauthorized Discharge Table No. 3.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$3,750

One single event is recommended for the unauthorized discharge that occurred on January 12, 2020.

Good Faith Efforts to Comply

25.0%

Reduction \$937

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

Extraordinary	
Ordinary	X
N/A	

Notes The Respondent achieved compliance by January 12, 2020.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,151

This violation Final Assessed Penalty (adjusted for limits) \$3,151

Economic Benefit Worksheet

Respondent North Texas Municipal Water District (PCW No. 4)
Case ID No. 57954
Reg. Ent. Reference No. RN102097177
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				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

Economic Benefit included in Violation No. 1.

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

\$0

TOTAL

\$0

North Texas Municipal Water District
Wilson Creek Regional Wastewater Treatment Plant ("WWTP")
TPDES Permit No. WQ0012446001
Docket No. 2019-1212-MLM-E
Unauthorized Discharge Table No. 1

Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
November 6, 2018	13,951	Damaged 18-inch filter wash water pipe at the WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected. Discharge was pumped back into the head of the WWTP.	November 7, 2018
November 8, 2018	55	Leaking construction joint was discovered during construction at the WWTP.	Construction joint was repaired.	November 24, 2018
November 17, 2018	18,450	Clogged Return Activated Sludge ("RAS") pump from the Clarifier.	Flow to the Clarifier was shut off to install a new disc filter. Discharge was pumped back into the head of the WWTP. The area was cleaned and disinfected.	November 17, 2018
December 26, 2018 - December 27, 2018	27,900	Severe weather caused power outages and caused discharges at the Primary Distribution Box, Secondary Clarifier at Plant No. 1, and Bio Contact Basin.	An electrical switch was replaced, the supervisory control and data acquisition ("SCADA") system was rebooted, and programming was reconfigured to restore full plant operations. Monitored lake and conducted remediation including removal of floating solids.	January 16, 2019
			Ongoing construction and modifications to the SCADA system are projected to be completed.	Ongoing
December 28, 2018	560	Leaking gate on the Bio Contact Basin No. 1.	Repairs were made on the Bio Contact Basin No. 1 gate.	January 8, 2019
January 10, 2019	18,270	Equipment malfunction during the startup of the Bio Contact Basin.	Repairs were made to the Bio Contact Basin. The area was cleaned and disinfected. Ongoing construction and modifications to the SCADA system are projected to be completed.	Ongoing
January 18, 2019	144	Leak in a 2-inch hose to pump out the primary pump station at the WWTP.	Building a crossing to prevent this from happening again, and the area was cleaned and disinfected.	January 18, 2019
February 14, 2019	25,000	Damaged RAS pipe at Plant No. 2.	Flow to the damaged pipe stopped and the pipe was repaired. The area was cleaned and disinfected.	February 14, 2019
February 28, 2019	1,744	Power outage at the Basin Drain Pump Station caused discharges from two manholes at the WWTP.	A level controller was added to SCADA system. Wastewater was contained and pumped out. The area was cleaned and disinfected.	May 21, 2019

North Texas Municipal Water District
 Rowlett Creek Regional Wastewater Treatment Plant ("WWTP")
 TPDES Permit No. WQ0010363001
 Docket No. 2019-1212-MLM-E

Unauthorized Discharge Table No. 2

Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
April 11, 2018	17,500	Damaged influent junction box bypass discharge hose at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	April 11, 2018
May 1, 2018	296	Pipe was punctured at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	May 1, 2018
May 23, 2018	813	Damaged feeder pipe at Rowlett Creek WWTP.	Repaired feeder pipe. The area was cleaned and disinfected.	May 24, 2018
September 25, 2018	144	Bar screen brushes failed at Rowlett Creek WWTP.	Replaced bar screen brushes. The area was cleaned and disinfected.	September 25, 2018
April 11, 2019	100	Damaged pipe at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	April 11, 2019
April 24, 2019 - April 25, 2019	988	Damaged pipe and manhole at Rowlett Creek WWTP.	Damaged pipe and manhole were repaired. The area was cleaned and disinfected.	April 30, 2019

North Texas Municipal Water District
 Floyd Branch Regional Wastewater Treatment Plant ("WWTP")
 TPDES Permit No. WQ0010257001
 Docket No. 2019-1212-MLM-E

Unauthorized Discharge Table No. 3

Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
September 22, 2018	14,085	Manhole overflow at influent pipe due to significant rain event.	The area was cleaned and disinfected.	September 22, 2018
October 13, 2018	21,128	Manhole overflow at influent pipe due to significant rain event.	The debris was removed and the area was cleaned and disinfected.	October 13, 2018
June 9, 2019	26,029	Manhole overflow at 3 locations within WWTP due to power outage during significant rain event.	The area was cleaned and disinfected.	June 9, 2019
October 21, 2019	5,000	Manhole overflow at influent pipe due to power outage during significant rain event.	The area was cleaned and disinfected.	October 21, 2019
January 12, 2020	163	Manhole overflow at influent pipe due to influent raw pumps not having power.	The area was cleaned and disinfected.	January 12, 2020

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Compliance History Report

Compliance History Report for CN601365448, RN102095585, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN601365448, North Texas Municipal Water District
Classification: SATISFACTORY **Rating:** 3.46

Regulated Entity: RN102095585, Wilson Creek Wastewater Treatment Plant
Classification: SATISFACTORY **Rating:** 13.21

Complexity Points: 10 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 3020 Orr Road, partially in the City of Lucas and fully in Collin County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

WASTEWATER PERMIT WQ0012446001 **WASTEWATER EPA ID** TX0088633
WASTEWATER AUTHORIZATION R12446001 **PRETREATMENT PERMIT** WQ0012446001
PRETREATMENT EPA ID TX0088633000 **WASTEWATER LICENSING LICENSE** WQ0012446001
STORMWATER PERMIT TXR05U123 **PETROLEUM STORAGE TANK REGISTRATION** 89950
AIR NEW SOURCE PERMITS REGISTRATION 160763

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: March 01, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 01, 2016 to March 01, 2021

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

Name: Steven Van Landingham

Phone: (512) 239-5717

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: 01/31/2018 ADMINORDER 2016-1955-MWD-E (Findings Order-Agreed Order Without 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: WQ0012446001 PERMIT

Description: failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state. Specifically, approximately 144,000 gallons of wastewater discharged from a manhole south of the Indian Creek Lift Station located at 7103 McKamy Trail due to a pump failure. The discharge entered into Indian Creek resulting in a fish kill, killing approximately 769 fish.

Classification: Major

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

Rqmt Prov: Permit Conditions, No. 2 Compliance PERMIT

Description: Failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state. Approximately 180,240 gallons of untreated wastewater discharged from a manhole located at the Rowlett Cottonwood transfer sewer when a plug being used to isolate the line for inspection failed. The discharge traveled 599 yards downstream of the intersection of Forest Grove Road and Elisabeth Way entering a nearby pond resulting in a fish kill, killing approximately 122 fish.

Classification: Minor

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

Rqmt Prov: Effluent Limit and Monitoring Req No. 1 PERMIT

Description: Failed to comply with permitted effluent limitations.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	March 22, 2016	(1332988)	Item 17	August 12, 2018	(1503932)
Item 2	May 24, 2016	(1346938)	Item 18	August 30, 2018	(1512404)
Item 3	June 20, 2016	(1353366)	Item 19	December 17, 2018	(1546398)
Item 4	August 18, 2016	(1356374)	Item 20	January 17, 2019	(1563272)
Item 5	August 30, 2016	(1366774)	Item 21	March 14, 2019	(1573021)
Item 6	September 19, 2016	(1373475)	Item 22	August 07, 2019	(1581530)
Item 7	February 14, 2017	(1389765)	Item 23	November 13, 2019	(1620246)
Item 8	March 16, 2017	(1412327)	Item 24	December 12, 2019	(1627595)
Item 9	May 16, 2017	(1426488)	Item 25	February 18, 2020	(1641841)
Item 10	September 15, 2017	(1451312)	Item 26	March 12, 2020	(1648355)
Item 11	December 14, 2017	(1469037)	Item 27	May 15, 2020	(1661273)
Item 12	January 15, 2018	(1475742)	Item 28	June 16, 2020	(1667800)
Item 13	May 16, 2018	(1501807)	Item 29	September 15, 2020	(1688096)
Item 15	July 17, 2018	(1515232)	Item 30	October 15, 2020	(1694452)
Item 16	July 18, 2018	(1503934)			

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: 04/23/2020 (1631004)
 Self Report? NO Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Permit Conditions, 2.g. PERMIT
 Description: Failure to prevent the unauthorized discharge of wastewater into or adjacent to waters in the state. Specifically, during the review period of March 2019 to January 2020, the regulated entity experienced eight unauthorized discharges at the Wilson Creek WWTP totaling 10,409 gallons. The unauthorized discharges were attributed to an equipment failure, human error, line blockage, and power outage. There shall be no unauthorized discharge of wastewater.
- 2 Date: 06/30/2020 (1674748)
 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: 07/31/2020 (1681518)
 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:

Notice of Intent Date: 04/27/2016 (1329835)

No DOV Associated

Notice of Intent Date: 01/25/2018 (1467511)

Disclosure Date: 07/27/2018

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter H 335.261

Description: Failed to properly store and manage spent lead acid batteries and florescent bulbs as universal waste.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter R 335.504

Description: Failed to conduct waste determinations for various waste streams.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.1

Rqmt Prov: PERMIT Page 2.a.

Description: Failed to collect daily E. coli samples from chlorine contact basins in accordance with TPDES Permit No. WQ0012446001.

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

- 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
- 8 Date: 01/31/2017 (1405252) 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
- 9 Date: 03/31/2017 (1418830) 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
- 10 Date: 05/31/2017 (1432487) 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
- 11 Date: 06/30/2017 (1441044) 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
- 12 Date: 07/31/2017 (1444722) 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
- 13 Date: 10/31/2017 (1462633) 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
- 14 Date: 01/31/2018 (1487917) 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
- 15 Date: 02/28/2018 (1491604) 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

- 16 Date: 03/31/2018 (1494854) 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
- 17 Date: 05/31/2018 (1508911) 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: 07/31/2018 (1521281) 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: 08/30/2018 (1504103) Classification: Moderate
 Self Report? NO For Informational Purposes Only
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 WQ0012446-001 PERMIT
 Description: Failure to prevent the unauthorized discharge of wastewater.
- 20 Date: 08/31/2018 (1528464) 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
- 21 Date: 09/30/2018 (1534802) 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
- 22 Date: 10/31/2018 (1542655) 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
- 23 Date: 01/31/2019 (1563270) 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
- 24 Date: 02/28/2019 (1563271) 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
 25 Date: 04/30/2019 (1585644) 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
 26 Date: 05/31/2019 (1585645) 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
 27 Date: 06/30/2019 (1594379) 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
 28 Date: 07/31/2019 (1600673) 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
 29 Date: 08/31/2019 (1607585) 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
 30* Date: 09/30/2019 (1614457) 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
 31* Date: 12/31/2019 (1635226) 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
 32* Date: 04/23/2020 (1631004) Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)
Permit Conditions, 2.g. PERMIT

Description: Failure to prevent the unauthorized discharge of wastewater into or adjacent to waters in the state. Specifically, during the review period of March 2019 to January 2020, the regulated entity experienced eight unauthorized discharges at the Wilson Creek WWTP totaling 10,409 gallons. The unauthorized discharges were attributed to an equipment failure, human error, line blockage, and power outage. There shall be no unauthorized discharge of wastewater.

33* Date: 06/30/2020 (1674748) 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

34* Date: 07/31/2020 (1681518) 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

* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B

All Investigations Conducted During Component Period March 01, 2016 and March 01, 2021

Item 1*	March 22, 2016**	(1332988) For Informational Purposes Only
Item 2	April 20, 2016**	(1340124) For Informational Purposes Only
Item 3*	May 24, 2016**	(1346938) For Informational Purposes Only
Item 4	May 31, 2016**	(1331491) For Informational Purposes Only
Item 5*	June 20, 2016**	(1353366) For Informational Purposes Only
Item 6	July 29, 2016**	(1335984) For Informational Purposes Only
Item 7*	August 18, 2016**	(1356374) For Informational Purposes Only
Item 8*	August 30, 2016**	(1366774) For Informational Purposes Only
Item 9*	September 19, 2016**	(1373475) For Informational Purposes Only
Item 10	September 23, 2016**	(1362754) For Informational Purposes Only
Item 11	October 18, 2016**	(1379648) For Informational Purposes Only
Item 12	November 16, 2016**	(1385595) For Informational Purposes Only

		(1391726)
Item 13	December 16, 2016**	For Informational Purposes Only
		(1382485)
Item 14	December 30, 2016**	For Informational Purposes Only
		(1398350)
Item 15	January 12, 2017**	For Informational Purposes Only
		(1384146)
Item 16	January 19, 2017**	For Informational Purposes Only
		(1389765)
Item 17*	February 14, 2017**	For Informational Purposes Only
		(1405252)
Item 18	February 15, 2017**	For Informational Purposes Only
		(1412327)
Item 19*	March 16, 2017**	For Informational Purposes Only
		(1418830)
Item 20	April 19, 2017**	For Informational Purposes Only
		(1426488)
Item 21*	May 16, 2017**	For Informational Purposes Only
		(1432487)
Item 22	June 20, 2017**	For Informational Purposes Only
		(1444722)
Item 23	September 15, 2017**	For Informational Purposes Only
		(1462633)
Item 24	November 13, 2017**	For Informational Purposes Only
		(1469037)
Item 25*	December 14, 2017**	For Informational Purposes Only
		(1475742)
Item 26*	January 15, 2018**	For Informational Purposes Only
		(1487917)
Item 27	February 13, 2018**	For Informational Purposes Only
		(1491604)
Item 28	March 16, 2018**	For Informational Purposes Only
		(1501807)
Item 29*	May 16, 2018**	For Informational Purposes Only
		(1508911)
Item 30	June 14, 2018**	For Informational Purposes Only
		(1515232)
Item 31*	July 17, 2018**	For Informational Purposes Only
		(1503934)
Item 32*	July 18, 2018**	For Informational Purposes Only
		(1503932)
Item 33*	August 12, 2018**	For Informational Purposes Only

		(1504103)	
Item 34	August 28, 2018**	For Informational Purposes Only	
		(1512404)	
Item 35*	August 30, 2018**	For Informational Purposes Only	
		(1521281)	
Item 36	September 05, 2018**	For Informational Purposes Only	
		(1528464)	
Item 37	September 13, 2018**	For Informational Purposes Only	
		(1534802)	
Item 38	October 15, 2018**	For Informational Purposes Only	
		(1542655)	
Item 39	November 14, 2018**	For Informational Purposes Only	
		(1546398)	
Item 40*	December 17, 2018**	For Informational Purposes Only	
		(1563272)	
Item 41*	January 17, 2019**	For Informational Purposes Only	
		(1563270)	
Item 42	February 18, 2019**	For Informational Purposes Only	
		(1563271)	
Item 43	March 11, 2019**	For Informational Purposes Only	
		(1573021)	
Item 44*	March 14, 2019**	For Informational Purposes Only	
		(1585644)	
Item 45	May 15, 2019**	For Informational Purposes Only	
		(1585645)	
Item 46	June 13, 2019**	For Informational Purposes Only	
		(1581530)	
Item 47*	August 07, 2019**	For Informational Purposes Only	
		(1635226)	
Item 48	August 13, 2019**	For Informational Purposes Only	
		(1600673)	
Item 49	September 10, 2019**	For Informational Purposes Only	
		(1607585)	
Item 50	September 13, 2019**	For Informational Purposes Only	
		(1614457)	
Item 51	October 15, 2019**	For Informational Purposes Only	
		(1620246)	
Item 52*	November 13, 2019**	For Informational Purposes Only	
		(1627595)	
Item 53*	December 12, 2019**	For Informational Purposes Only	
		(1641841)	
Item 54*	February 18, 2020**	For Informational Purposes Only	

Item 55*	March 12, 2020**	(1648355) For Informational Purposes Only
Item 56	April 12, 2020**	(1631004) For Informational Purposes Only
Item 57*	May 15, 2020**	(1661273) For Informational Purposes Only
Item 58*	June 16, 2020**	(1667800) For Informational Purposes Only
Item 59	September 01, 2020	(1681518) For Informational Purposes Only
Item 60*	September 15, 2020	(1688096) For Informational Purposes Only
Item 61*	October 15, 2020	(1694452) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

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Compliance History Report

Compliance History Report for CN601365448, RN102342144, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN601365448, North Texas Municipal Water District
Classification: SATISFACTORY **Rating:** 3.46

Regulated Entity: RN102342144, North Texas Municipal Water District Rowlett Creek
Classification: SATISFACTORY **Rating:** 3.80

Complexity Points: 10 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 1600 Los Rios Boulevard, Plano in Collin County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

AIR NEW SOURCE PERMITS ACCOUNT NUMBER CP0045I
WASTEWATER AUTHORIZATION R10363001
PRETREATMENT PERMIT WQ0010363001
STORMWATER PERMIT TXR15538B
WASTEWATER LICENSING LICENSE WQ0010363001

WASTEWATER PERMIT WQ0010363001
WASTEWATER EPA ID TX0047911
PRETREATMENT EPA ID TX0047911000
STORMWATER PERMIT TXR05U122

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: March 01, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 01, 2016 to March 01, 2021

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

Name: Steven Van Landingham

Phone: (512) 239-5717

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: 10/11/2016 ADMINORDER 2016-0067-MWD-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: WQ0010363-001 PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater resulting in a documented serious impact to the environment. On November 10, 2015, a sanitary sewer overflow (SSO) occurred in the 600 block of Executive Dr., Plano, due to a rupture in the sewer main. The discharge entered Spring Creek, resulting in a fish kill totaling 1,741 fish. North Texas Municipal Water District estimated a total discharge of 797,000 gallons of wastewater from the collection system into the creek.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	March 10, 2016	(1300110)	Item 14	August 18, 2017	(1423304)
Item 3	August 30, 2016	(1366146)	Item 15	September 15, 2017	(1444096)
Item 4	September 19, 2016	(1372831)	Item 16	October 16, 2017	(1456557)
Item 5	November 17, 2016	(1371880)	Item 17	November 13, 2017	(1462023)
Item 6	November 22, 2016	(1397723)	Item 18	December 14, 2017	(1468407)
Item 7	December 16, 2016	(1391101)	Item 20	February 13, 2018	(1487322)
Item 8	February 15, 2017	(1404611)	Item 21	May 16, 2018	(1501193)
Item 9	March 16, 2017	(1411703)	Item 22	June 14, 2018	(1508280)
Item 10	April 19, 2017	(1418206)	Item 23	August 16, 2018	(1511100)
Item 11	May 16, 2017	(1425795)	Item 24	September 05, 2018	(1520668)
Item 12	June 20, 2017	(1431838)	Item 25	September 13, 2018	(1527836)
Item 13	July 17, 2017	(1440415)	Item 26	September 28, 2018	(1513613)

Item 27	December 17, 2018	(1545798)	Item 35	November 13, 2019	(1619623)
Item 28	February 18, 2019	(1561396)	Item 36	December 12, 2019	(1626977)
Item 29	March 11, 2019	(1561397)	Item 37	February 18, 2020	(1641231)
Item 30	July 12, 2019	(1593736)	Item 40	April 07, 2020	(1631797)
Item 31	August 13, 2019	(1613812)	Item 41	May 15, 2020	(1660667)
Item 32	September 10, 2019	(1600064)	Item 42	June 16, 2020	(1667187)
Item 33	September 13, 2019	(1606965)	Item 43	August 14, 2020	(1680912)
Item 34	October 15, 2019	(1634616)	Item 44	September 15, 2020	(1687483)

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: 03/31/2020 (1654095)
 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:

Notice of Intent Date: 04/27/2016 (1329836)
 No DOV Associated

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 NOV's Issued During Component Period 3/1/2016 and 3/1/2021

- 1 Date: 02/29/2016 (1332341) 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
- 2 Date: 04/30/2016 (1346307) 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
- 3 Date: 05/31/2016 (1352739) 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
- 4 Date: 09/30/2016 (1379014) 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
- 5 Date: 10/31/2016 (1384969) 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
- 6 Date: 02/28/2018 (1490997) 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
- 7 Date: 03/31/2018 (1494243) 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
- 8 Date: 04/26/2018 (1471450) Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010363-001 PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater.
Classification: Minor

- Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 WQ0010363-01 PERMIT
 Description: Failure to maintain compliance with the permitted effluent limits.
- 9 Date: 09/30/2018 (1534193) 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
- 10 Date: 10/31/2018 (1542027) 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
- 11 Date: 12/31/2018 (1561398) 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
- 12 Date: 04/30/2019 (1584404) 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
- 13 Date: 05/31/2019 (1584405) 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
- 14* Date: 02/29/2020 (1647746) 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
- 15* Date: 03/31/2020 (1654095) 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

* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B
All Investigations Conducted During Component Period March 01, 2016 and March 01, 2021

Item 1*	March 10, 2016**	For Informational Purposes Only (1332341)
Item 2	March 22, 2016**	For Informational Purposes Only (1346307)
Item 3	May 24, 2016**	For Informational Purposes Only (1352739)
Item 4	June 20, 2016**	For Informational Purposes Only (1379014)
Item 5	August 22, 2016**	For Informational Purposes Only (1366146)
Item 6*	August 30, 2016**	For Informational Purposes Only (1372831)
Item 7*	September 19, 2016**	For Informational Purposes Only (1384969)
Item 8	November 16, 2016**	For Informational Purposes Only (1371880)
Item 9*	November 17, 2016**	For Informational Purposes Only (1397723)
Item 10*	November 22, 2016**	For Informational Purposes Only (1391101)
Item 11*	December 16, 2016**	For Informational Purposes Only (1404611)
Item 12*	February 15, 2017**	For Informational Purposes Only (1411703)
Item 13*	March 16, 2017**	For Informational Purposes Only (1418206)
Item 14*	April 19, 2017**	For Informational Purposes Only (1425795)
Item 15*	May 16, 2017**	For Informational Purposes Only (1431838)
Item 16*	June 20, 2017**	For Informational Purposes Only (1440415)
Item 17*	July 17, 2017**	For Informational Purposes Only (1423304)
Item 18*	August 18, 2017**	For Informational Purposes Only (1444096)
Item 19*	September 15, 2017**	For Informational Purposes Only (1456557)
Item 20*	October 16, 2017**	For Informational Purposes Only (1462023)
Item 21*	November 13, 2017**	For Informational Purposes Only (1468407)

Item 22* December 14, 2017** For Informational Purposes Only
(1487322)

Item 23* February 13, 2018** For Informational Purposes Only
(1490997)

Item 24 March 16, 2018** For Informational Purposes Only
(1471450)

Item 25 April 18, 2018** For Informational Purposes Only
(1501193)

Item 26* May 16, 2018** For Informational Purposes Only
(1508280)

Item 27* June 14, 2018** For Informational Purposes Only
(1534193)

Item 28 August 14, 2018** For Informational Purposes Only
(1511100)

Item 29* August 16, 2018** For Informational Purposes Only
(1520668)

Item 30* September 05, 2018** For Informational Purposes Only
(1527836)

Item 31* September 13, 2018** For Informational Purposes Only
(1513613)

Item 32* September 28, 2018** For Informational Purposes Only
(1542027)

Item 33 November 14, 2018** For Informational Purposes Only
(1561398)

Item 34 November 16, 2018** For Informational Purposes Only
(1545798)

Item 35* December 17, 2018** For Informational Purposes Only
(1561396)

Item 36* February 18, 2019** For Informational Purposes Only
(1561397)

Item 37* March 11, 2019** For Informational Purposes Only
(1584404)

Item 38 May 15, 2019** For Informational Purposes Only
(1584405)

Item 39 June 13, 2019** For Informational Purposes Only
(1593736)

Item 40* July 12, 2019** For Informational Purposes Only
(1613812)

Item 41* August 13, 2019** For Informational Purposes Only
(1600064)

Item 42* September 10, 2019** For Informational Purposes Only

Item 43*	September 13, 2019**	(1606965) For Informational Purposes Only
Item 44*	October 15, 2019**	(1634616) For Informational Purposes Only
Item 45*	November 13, 2019**	(1619623) For Informational Purposes Only
Item 46*	December 12, 2019**	(1626977) For Informational Purposes Only
Item 47	December 20, 2019**	(1604498) For Informational Purposes Only
Item 48*	February 18, 2020**	(1641231) For Informational Purposes Only
Item 49	March 12, 2020**	(1647746) For Informational Purposes Only
Item 50*	April 07, 2020**	(1631797) For Informational Purposes Only
Item 51*	May 15, 2020**	(1660667) For Informational Purposes Only
Item 52*	June 16, 2020**	(1667187) For Informational Purposes Only
Item 53*	August 14, 2020**	(1680912) For Informational Purposes Only
Item 54*	September 15, 2020	(1687483) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

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Compliance History Report

Compliance History Report for CN601365448, RN102315579, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN601365448, North Texas Municipal Water District
Classification: SATISFACTORY **Rating:** 1.50
Regulated Entity: RN102315579, North Texas MWD **Classification:** NOT APPLICABLE **Rating:** N/A
Complexity Points: N/A **Repeat Violator:** N/A
CH Group: 14 - Other
Location: 810 North Highway 78, in Wylie, Collin County, Texas
TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION
0430044

WATER QUALITY NON PERMITTED ID NUMBER
R04102315579

AIR QUALITY NON PERMITTED ID NUMBER
R04102315579

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: May 18, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 18, 2016 to March 18, 2021

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

Name: Steven Van Landingham

Phone: (512) 239-1000

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: 03/06/2020 ADMINORDER 2018-1236-WQ-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(2)
Description: Failed to prevent an unauthorized discharge of potable water into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(2).
- 2 Effective Date: 05/25/2020 ADMINORDER 2019-0540-WQ-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(2)
Description: Failed to prevent an unauthorized discharge of potable water into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(2).

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	January 26, 2017	(1377588)	Item 7	September 11, 2018	(1506627)
Item 2	May 02, 2017	(1401252)	Item 8	October 01, 2019	(1597147)
Item 3	August 02, 2017	(1430064)	Item 9	July 08, 2020	(1659266)
Item 4	September 20, 2017	(1429328)			
Item 5	December 22, 2017	(1459002)			

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

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

N/A

F. Environmental audits:

Notice of Intent Date: 01/25/2018 (1467366)

No DOV Associated

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 3/1/2016 and 3/1/2021

1	Date: 09/07/2016 (1336715)	Classification: Moderate
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(B)	
	Description: Failure to measure and record the turbidity level of the combined filter effluent at least once every four hours that the system serves water to the public. EIC C1 MOD(2)(A)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)	
	Description: Failure to maintain the water treatment facilities in a watertight condition. EIC C4 MIN(3)(D)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)	
	Description: Failure to maintain the vent screen at the Shiloh Road Pump Station. EIC C4 MID(3)(D)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)	
	Description: Failure to maintain the 4 million gallon (MG) ground storage tank at the Casa View Pump Station. EIC C4 MIN(3)(D)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)	
	Description: Failure to provide an ownership sign at the Frisco McKinney Pump Station. EIC C7 MIN(3)(D)	
2	Date: 08/30/2019 (1558058)	Classification: Moderate
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(B)	
	Description: Failure to measure and record the turbidity level of the combined filter effluent at least once every four hours that the system serves water to the public. EIC C1 MOD(2)(A)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)	
	Description: Failure to maintain the water treatment facilities in a watertight condition. EIC C4 MIN(3)(D)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)	
	Description: Failure to maintain the 4 million gallon (MG) ground storage tank at the Casa View Pump Station. EIC C4 MIN(3)(D)	
		Classification: Moderate
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)	
	Description: Failure to provide an air gap on the filter-to-waste lines at Plant #3. EIC B17 MOD(2)(G)	
		Classification: Minor
	Self Report? NO	For Informational Purposes Only
	Citation: 30 TAC Chapter 290, SubChapter D 290.41(e)(2)(C)	
	Description: Failure to post signs designating a restricted zone of 200 feet radius from the raw water intake structure. EIC C4 MIN(3)(D)	

Self Report? NO
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)
 Description: Failure to maintain the cover on the overflow of the 3.5 million gallon (MG) ground storage tank with a gap of less than 1/16th inch at the Casa View Pump Station.
 EIC B17 MOD(2)(G)

* NOV's applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B

All Investigations Conducted During Component Period March 01, 2016 and March 01, 2021

		(1336715)	For Informational Purposes Only
Item 1	August 31, 2016**		
		(1377588)	For Informational Purposes Only
Item 2*	January 26, 2017**		
		(1401252)	For Informational Purposes Only
Item 3*	May 02, 2017**		
		(1430064)	For Informational Purposes Only
Item 4*	August 02, 2017**		
		(1429328)	For Informational Purposes Only
Item 5*	September 20, 2017**		
		(1459002)	For Informational Purposes Only
Item 6*	December 22, 2017**		
		(1506627)	For Informational Purposes Only
Item 7*	September 11, 2018**		
		(1550215)	For Informational Purposes Only
Item 8	March 18, 2019**		
		(1558058)	For Informational Purposes Only
Item 9	August 29, 2019**		
		(1597147)	For Informational Purposes Only
Item 10*	October 01, 2019**		
		(1598568)	For Informational Purposes Only
Item 11	November 27, 2019**		
		(1631623)	For Informational Purposes Only
Item 12	February 25, 2020**		
		(1659266)	For Informational Purposes Only
Item 13*	July 08, 2020**		

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

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Compliance History Report

Compliance History Report for CN601365448, RN102097177, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN601365448, North Texas Municipal Water District **Classification:** SATISFACTORY **Rating:** 3.46
Regulated Entity: RN102097177, Floyd Branch Regional Plant WWTP **Classification:** SATISFACTORY **Rating:** 0.50
Complexity Points: 8 **Repeat Violator:** NO
CH Group: 08 - Sewage Treatment Facilities
Location: 111 East Buckingham Road, in Richardson, Dallas County, Texas
TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

WASTEWATER PERMIT WQ0010257001

WASTEWATER EPA ID TX0023931

PRETREATMENT PERMIT WQ0010257001

PRETREATMENT EPA ID TX0023931000

STORMWATER PERMIT TXR05U129

WASTEWATER LICENSING LICENSE WQ0010257001

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: March 01, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 01, 2016 to March 01, 2021

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

Name: Steven Van Landingham

Phone: (512) 239-5717

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:

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	March 22, 2016	(1331990)	Item 23	March 16, 2018	(1490656)
Item 2	April 20, 2016	(1339147)	Item 24	May 16, 2018	(1500841)
Item 3	May 24, 2016	(1345953)	Item 25	June 14, 2018	(1507937)
Item 4	June 20, 2016	(1352391)	Item 26	July 17, 2018	(1514268)
Item 5	August 19, 2016	(1365790)	Item 27	August 16, 2018	(1511101)
Item 6	September 19, 2016	(1372484)	Item 28	September 05, 2018	(1520322)
Item 7	October 18, 2016	(1378660)	Item 29	September 13, 2018	(1527493)
Item 8	November 16, 2016	(1384626)	Item 30	December 17, 2018	(1545457)
Item 9	December 16, 2016	(1390759)	Item 31	March 11, 2019	(1560365)
Item 10	January 12, 2017	(1397374)	Item 32	March 14, 2019	(1572056)
Item 11	February 15, 2017	(1404267)	Item 33	July 12, 2019	(1593387)
Item 12	March 16, 2017	(1411358)	Item 34	August 13, 2019	(1599722)
Item 13	April 19, 2017	(1417859)	Item 35	September 13, 2019	(1606621)
Item 14	May 16, 2017	(1425451)	Item 36	November 13, 2019	(1619283)
Item 15	June 20, 2017	(1431471)	Item 37	December 12, 2019	(1626633)
Item 16	August 14, 2017	(1423299)	Item 38	February 11, 2020	(1623059)
Item 17	September 15, 2017	(1450369)	Item 39	February 18, 2020	(1640892)
Item 18	October 16, 2017	(1456207)	Item 40	February 20, 2020	(1624053)
Item 19	November 13, 2017	(1461675)	Item 41	May 15, 2020	(1660334)
Item 20	December 14, 2017	(1468059)	Item 42	June 16, 2020	(1666843)
Item 21	January 15, 2018	(1474763)	Item 43	August 14, 2020	(1693486)
Item 22	February 13, 2018	(1486984)	Item 44	September 01, 2020	(1680576)

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: 03/31/2020 (1653752)
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
- 2 Date: 06/30/2020 (1673797)
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:

Notice of Intent Date: 04/27/2016 (1329837)

No DOV Associated

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

- 7 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
Date: 12/31/2018 (1560366) 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
- 8 Date: 01/31/2019 (1560364) 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
- 9 Date: 04/30/2019 (1583718) 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
- 10 Date: 05/31/2019 (1583719) 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
- 11* Date: 02/29/2020 (1647413) 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
- 12* Date: 03/31/2020 (1653752) 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
- 13* Date: 06/30/2020 (1673797) 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

* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B

All Investigations Conducted During Component Period March 01, 2016 and March 01, 2021

(1331990)

Item 1* March 22, 2016** For Informational Purposes Only

		(1339147)
Item 2*	April 20, 2016**	For Informational Purposes Only
		(1345953)
Item 3*	May 24, 2016**	For Informational Purposes Only
		(1331270)
Item 4	June 15, 2016**	For Informational Purposes Only
		(1352391)
Item 5*	June 20, 2016**	For Informational Purposes Only
		(1365790)
Item 6*	August 19, 2016**	For Informational Purposes Only
		(1372484)
Item 7*	September 19, 2016**	For Informational Purposes Only
		(1378660)
Item 8*	October 18, 2016**	For Informational Purposes Only
		(1384626)
Item 9*	November 16, 2016**	For Informational Purposes Only
		(1390759)
Item 10*	December 16, 2016**	For Informational Purposes Only
		(1397374)
Item 11*	January 12, 2017**	For Informational Purposes Only
		(1404267)
Item 12*	February 15, 2017**	For Informational Purposes Only
		(1411358)
Item 13*	March 16, 2017**	For Informational Purposes Only
		(1417859)
Item 14*	April 19, 2017**	For Informational Purposes Only
		(1425451)
Item 15*	May 16, 2017**	For Informational Purposes Only
		(1431471)
Item 16*	June 20, 2017**	For Informational Purposes Only
		(1423299)
Item 17*	August 14, 2017**	For Informational Purposes Only
		(1443756)
Item 18	September 15, 2017**	For Informational Purposes Only
		(1456207)
Item 19*	October 16, 2017**	For Informational Purposes Only
		(1461675)
Item 20*	November 13, 2017**	For Informational Purposes Only
		(1468059)
Item 21*	December 14, 2017**	For Informational Purposes Only
		(1474763)
Item 22*	January 15, 2018**	For Informational Purposes Only

		(1486984)
Item 23*	February 13, 2018**	For Informational Purposes Only
		(1490656)
Item 24*	March 16, 2018**	For Informational Purposes Only
		(1500841)
Item 25*	May 16, 2018**	For Informational Purposes Only
		(1482528)
Item 26	June 06, 2018**	For Informational Purposes Only
		(1507937)
Item 27*	June 14, 2018**	For Informational Purposes Only
		(1514268)
Item 28*	July 17, 2018**	For Informational Purposes Only
		(1511101)
Item 29*	August 16, 2018**	For Informational Purposes Only
		(1520322)
Item 30*	September 05, 2018**	For Informational Purposes Only
		(1527493)
Item 31*	September 13, 2018**	For Informational Purposes Only
		(1533850)
Item 32	October 15, 2018**	For Informational Purposes Only
		(1541678)
Item 33	November 14, 2018**	For Informational Purposes Only
		(1560366)
Item 34	November 16, 2018**	For Informational Purposes Only
		(1545457)
Item 35*	December 17, 2018**	For Informational Purposes Only
		(1560364)
Item 36	February 18, 2019**	For Informational Purposes Only
		(1560365)
Item 37*	March 11, 2019**	For Informational Purposes Only
		(1572056)
Item 38*	March 14, 2019**	For Informational Purposes Only
		(1583718)
Item 39	May 15, 2019**	For Informational Purposes Only
		(1583719)
Item 40	June 13, 2019**	For Informational Purposes Only
		(1593387)
Item 41*	July 12, 2019**	For Informational Purposes Only
		(1599722)
Item 42*	August 13, 2019**	For Informational Purposes Only
		(1606621)
Item 43*	September 13, 2019**	For Informational Purposes Only

Item 44*	November 13, 2019**	(1619283) For Informational Purposes Only
Item 45*	December 12, 2019**	(1626633) For Informational Purposes Only
Item 46*	February 11, 2020**	(1623059) For Informational Purposes Only
Item 47*	February 18, 2020**	(1640892) For Informational Purposes Only
Item 48*	February 20, 2020**	(1624053) For Informational Purposes Only
Item 49	March 12, 2020**	(1647413) For Informational Purposes Only
Item 50	April 15, 2020**	(1653752) For Informational Purposes Only
Item 51*	May 15, 2020**	(1660334) For Informational Purposes Only
Item 52*	June 16, 2020**	(1666843) For Informational Purposes Only
Item 53	August 10, 2020**	(1656954) For Informational Purposes Only
Item 54*	August 14, 2020**	(1693486) For Informational Purposes Only
Item 55*	September 01, 2020	(1680576) For Informational Purposes Only
Item 56*	September 15, 2020	(1687142) For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING NORTH TEXAS MUNICIPAL WATER DISTRICT RN102095585, RN102315579, RN102342144, AND RN102097177	§ § § § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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**AGREED ORDER
DOCKET NO. 2019-1212-MLM-E**

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding North Texas Municipal Water District (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 Sara Thornton of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C., 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 the following wastewater treatment facilities (the "Facilities"):
 - a. At 3020 Orr Road, partially in the City of Lucas and fully in Collin County, Texas ("Facility No. 1");
 - b. At 1600 Los Rios Boulevard, Plano in Collin County, Texas ("Facility No. 2"); and
 - c. At 111 East Buckingham Road, in the City of Richardson, Dallas County, Texas ("Facility No. 3").

2. The Respondent owns and operates a water treatment plant located at 810 North Highway 78, in Wylie, Collin County, Texas and an associated distribution line at the 4500 block of Crystal Mountain Drive in Richardson, Texas (the "Site").
3. The Facilities and the Site are near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
4. During an investigation conducted on January 7, 2019 at Facility No. 1, an investigator documented that the Respondent did not prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in the Unauthorized Discharge Table No. 1 below:

Unauthorized Discharge Table No. 1				
Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
November 6, 2018	13,951	Damaged 18-inch filter wash water pipe at the WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected. Discharge was pumped back into the head of the WWTP.	November 7, 2018
November 8, 2018	55	Leaking construction joint was discovered during construction at the WWTP.	Construction joint was repaired.	November 24, 2018
November 17, 2018	18,450	Clogged Return Activated Sludge ("RAS") pump from the Clarifier.	Flow to the Clarifier was shut off to install a new disc filter. Discharge was pumped back into the head of the WWTP. The area was cleaned and disinfected.	November 17, 2018
December 26, 2018 - December 27, 2018	27,900	Severe weather caused power outages and caused discharges at the Primary Distribution Box, Secondary Clarifier at Plant No. 1, and Bio Contact Basin.	An electrical switch was replaced, the supervisory control and data acquisition ("SCADA") system was rebooted, and programming was reconfigured to restore full plant operations. Monitored lake and conducted remediation including removal of floating solids.	January 16, 2019
			Ongoing construction and modifications to the SCADA system are projected to be completed.	Ongoing
December 28, 2018	560	Leaking gate on the Bio Contact Basin No. 1.	Repairs were made on the Bio Contact Basin No. 1 gate.	January 8, 2019
January 10, 2019	18,270	Equipment malfunction during the startup of the Bio Contact Basin.	Repairs were made to the Bio Contact Basin. The area was cleaned and disinfected. Ongoing construction and modifications to the SCADA system are projected to be completed.	Ongoing
January 18, 2019	144	Leak in a 2-inch hose to pump out the primary pump station at the WWTP.	Building a crossing to prevent this from happening again, and the area was cleaned and disinfected.	January 18, 2019
February 14, 2019	25,000	Damaged RAS pipe at Plant No. 2.	Flow to the damaged pipe stopped and the pipe was repaired. The area was cleaned and disinfected.	February 14, 2019
February 28, 2019	1,744	Power outage at the Basin Drain Pump Station caused discharges from two manholes at the WWTP.	A level controller was added to SCADA system. Wastewater was contained and pumped out. The area was cleaned and disinfected.	May 21, 2019

5. During an investigation conducted on November 6, 2019 at Facility No. 2, an investigator documented that the Respondent did not prevent an unauthorized discharge of sewage

wastewater into or adjacent to any water in the state, as shown in Unauthorized Discharge Table No. 2 below:

Unauthorized Discharge Table No. 2				
Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
April 11, 2018	17,500	Damaged influent junction box bypass discharge hose at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	April 11, 2018
May 1, 2018	296	Pipe was punctured at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	May 1, 2018
May 23, 2018	813	Damaged feeder pipe at Rowlett Creek WWTP.	Repaired feeder pipe. The area was cleaned and disinfected.	May 24, 2018
September 25, 2018	144	Bar screen brushes failed at Rowlett Creek WWTP.	Replaced bar screen brushes. The area was cleaned and disinfected.	September 25, 2018
April 11, 2019	100	Damaged pipe at Rowlett Creek WWTP.	Damaged pipe was repaired. The area was cleaned and disinfected.	April 11, 2019
April 24, 2019 - April 25, 2019	988	Damaged pipe and manhole at Rowlett Creek WWTP.	Damaged pipe and manhole were repaired. The area was cleaned and disinfected.	April 30, 2019

6. During a record review conducted on November 20, 2019 for the Site, an investigator documented that on August 30, 2018, a 72-inch potable water main break occurred at the 4500 block of Crystal Mountain Drive in Richardson, Texas causing a discharge of approximately 22.3 million gallons of potable water into three tributaries, North Star Branch, Beck Branch, and Rowlett Creek, killing approximately 490 fish.
7. During an investigation conducted on June 18, 2020 at Facility No. 3, an investigator documented that the Respondent did not prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, as shown in Unauthorized Discharge Table No. 3 below:

Unauthorized Discharge Table No. 3				
Date	Amount Discharged (gallons)	Description	Corrective Action	Date Corrected
September 22, 2018	14,085	Manhole overflow at influent pipe due to significant rain event.	The area was cleaned and disinfected.	September 22, 2018
October 13, 2018	21,128	Manhole overflow at influent pipe due to significant rain event.	The debris was removed and the area was cleaned and disinfected.	October 13, 2018
June 9, 2019	26,029	Manhole overflow at 3 locations within WWTP due to power outage during significant rain event.	The area was cleaned and disinfected.	June 9, 2019
October 21, 2019	5,000	Manhole overflow at influent pipe due to power outage during significant rain event.	The area was cleaned and disinfected.	October 21, 2019
January 12, 2020	163	Manhole overflow at influent pipe due to influent raw pumps not having power.	The area was cleaned and disinfected.	January 12, 2020

8. The Executive Director recognizes that the Respondent has implemented corrective actions at the Facilities, as noted in Unauthorized Discharge Table Nos. 1, 2, and 3.
9. The Executive Director recognizes that the Respondent implemented the following corrective actions at the Site by September 7, 2018:
 - a. Removed and repaired the damaged water main line;
 - b. Conducted field measurements/monitoring; and
 - c. Collected and properly disposed of the fish.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 through 3, 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. 4, the Respondent failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012446001, Permit Conditions No. 2.g.
3. As evidenced by Finding of Fact No. 5, the Respondent failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0010363001, Permit Conditions No. 2.g.
4. As evidenced by Finding of Fact No. 6, the Respondent failed to prevent an unauthorized discharge of potable water into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(2).
5. As evidenced by Finding of Fact No. 7, the Respondent failed to prevent an unauthorized discharge of sewage wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0010257001, Permit Conditions No. 2.g.
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 \$136,350 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Pursuant to TEX. WATER CODE § 7.067, \$136,350 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment

A" - incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: North Texas Municipal Water District, Docket No. 2019-1212-MLM-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 implement and complete an SEP as set forth in Conclusions of Law No. 7. The amount of \$136,350 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 180 days after the effective date of this Order, make modifications to the Facility No. 1's SCADA system as it relates to the Advanced Treatment and Headworks Improvements capital improvement project, and complete the construction for this project which includes the addition of a BioActiflo process for advanced treatment and peak flow capacity increase, and expansion of the existing headworks along with associated improvements.
 - b. Within 195 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. 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:

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

with a copy to:

Water Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

4. All relief not expressly granted in this Order is denied.
5. 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 Facilities and Site operations referenced in this Order.
6. 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.
7. 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 Order Compliance Team at the address listed above.

8. 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.
9. 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.
10. 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.
11. 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.
12. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



For the Executive Director

2/10/2023

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

1/13/2023
Date

Jennafer P. Covington

Executive Director

Name (Printed or typed)

Title

Authorized Representative of

North Texas Municipal Water District

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.

Attachment A

Docket Number: 2019-1212-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	North Texas Municipal Water District
Penalty Amount:	One Hundred Thirty-Six Thousand Three Hundred Fifty Dollars (\$136,350)
SEP Offset Amount:	One Hundred Thirty-Six Thousand Three Hundred Fifty Dollars (\$136,350)
Type of SEP:	Compliance
Project Name:	<i>Dewatering Optimization</i>
Location of SEP:	Dallas County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project (“SEP”). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its wastewater treatment facility (“Facility 3”) which are described in this Agreed Order. This Agreed Order cites violations at Respondent’s Facility 3.

1. Project Description

A. Project

Respondent shall hire a contractor to perform optimization of the dewatering operations’ polymer system at Facility 3. The project consists of replacing the existing polymer pump, tanks, and control system for cationic polymer with a new pump, tanks, and control systems for emulsion polymer. The polymer is used to assist in the thickening and dewatering of the solids collected as part of the treatment processes. The project will reduce negative environmental impacts by generally improving optimization at Facility 3, reduce chemical storage and usage, reduce landfill utilization, and reduce sludge hauling frequency. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for: dewatering optimization (the “Project”). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Subsection C. Minimum Expenditure, Estimated Cost Schedule, below. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent’s signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by preventing wastewater discharges being released into the environment during the collection process.

Wastewater discharges can carry bacteria, viruses, protozoa (parasitic organisms), helminths (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Additional risks include occurrences of low dissolved oxygen, fish kills, algal bloom, and bacterial contamination in waterways.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Estimated Cost Schedule

Item	Quantity	Cost	Units	Total
Remove Pumps, Piping and Electrical	1	\$2,500	Lump Sum	\$2,500
Polymer Pumping Equipment Skids	2	\$25,000	Each	\$50,000
Spare Polymer Pump	1	\$4,500	Each	\$4,500
PVC Piping	200	\$12	Linear Feet	\$2,400
Electrical	1	\$5,000	Lump Sum	\$5,000
SCADA Wiring/Card	1	\$5,000	Lump Sum	\$5,000
Programming/HMI Display Revision Services	1	\$20,000	Lump Sum	\$20,000
Dewatering Control Panel (Material and Labor)	1	\$55,000	Lump Sum	\$55,000
Mobilization	1	\$4,902	Lump Sum	\$4,902
Total				\$149,302

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 195 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 195-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Reporting Schedule

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Actions completed during previous 90-day period
270	Actions completed during previous 90-day period
365	Notice of SEP completion

B. Final Report

Within 195 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

1. Itemized list of expenditures and total cost of the Project;
2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
4. Copies of proof of advertisement of invitation for bids, if applicable;
5. A certified statement of SEP completion and document authentication;
6. Detailed map showing specific location of the project site(s);
7. Equipment logs showing the hours the equipment was utilized on the project, if applicable;
8. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and

9. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.

C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 through 4 above, the Executive Director (“ED”) may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to “Texas Commission on Environmental Quality,” and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

6. Publicity

Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

7. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.