EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE NO. 58615 City of Blanco RN101614386 Docket No. 2019-1675-MWD-E

Order Type: Agreed Order

Media: MWD

Small Business:

No

Location(s) Where Violation(s) Occurred: 1015 Fulcher Street, Blanco, Blanco County

Type of Operation:

water treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: None Past-Due Penalties: None Past-Due Fees: None Other: None Interested Third-Parties: None

Texas Register Publication Date: December 23, 2022

Comments Received: None

Penalty Information

Total Penalty Assessed: \$97,313

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$0

Supplemental Environmental Project

("SEP") Conditional Offset: \$97,313

Name of SEP: Backwash Clarifier Improvements

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - High

Major Source: No Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014 and September 2022

Investigation Information

Complaint Date(s): N/A

Date(s) of Investigation: September 12, 2019

Date(s) of NOV(s): N/A

Date(s) of NOE(s): October 25, 2019

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 58615 City of Blanco RN101614386 Docket No. 2019-1675-MWD-E

Violation Information

- 1. Failed to provide an effluent flow measuring device to measure flow five times per week [30 Tex. ADMIN. CODE §§ 305.125(1) and (5), and 319.5(b), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010549003, Effluent Limitations and Monitoring Requirements No. 1 and Operational Requirements No. 5].
- 2. Failed to obtain authorization before beginning any change in the permitted facility that may result in noncompliance with any permit requirements [30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010549003, Permit Conditions No. 2.e.].
- 3. Failed to collect and analyze effluent samples at the intervals specified in the permit [30 Tex. ADMIN. CODE §§ 305.125(1) and 319.5(b), and TPDES Permit No. WQ0010549003, Effluent Limitations and Monitoring Requirements Nos. 1 and 2].
- 4. Failed to submit monitoring results at intervals specified in the permit [30 Tex. Admin. Code §§ 305.125(1) and (17) and 319.7(d), and TPDES Permit No. WQ0010549003, Monitoring and Reporting Requirements No. 1 and Other Requirements No. 3].
- 5. Failed to prevent an unauthorized discharge of 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 (5), and TPDES Permit No. WQ0010549003, Permit Conditions No. 2.g.].
- 6. Failed to submit a Notice of Completion Form 20007 to the TCEQ at least forty-five days prior to plant startup or anticipated discharge [30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010549003, Other Requirements No. 4].
- 7. Failed to apply for an amendment or renewal at least 180 days prior to expiration of the existing permit [30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010549003, Permit Conditions No. 4.c.].
- 8. Failed to maintain authorization to discharge wastewater into or adjacent to any water in the state [Tex. Water Code § 26.121(a)(1) and 30 Tex. Admin. Code § 305.65].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

- 1. Submitted a permit application and obtained authorization to discharge under TPDES Permit No. WQ0010549003 by September 12, 2017.
- 2. Applied to renew its authorization to discharge under TPDES Permit No. WQ0010549003 by November 12, 2019.

Technical Requirements:

- 1. Within 30 days:
 - a. Install, calibrate, and put into service a wastewater effluent flow measuring device at the Facility;
 - b. Develop and implement procedures and conduct employee training to ensure samples are collected and analyzed;
 - c. Submit the DMRs for the months of September 2017 through August 2019 for the Facility;
 - d. Cease the discharge from the Facility's process turbidity metering equipment;
 - e. Submit a closure plan for the sludge lagoon system at the Facility; and
 - f. Submit Notice of Completion Form TCEQ-20007.
- 2. Within 45 days, submit written certification of compliance with Technical Requirement Nos. 1.a. through 1.f.

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE No. 58615 City of Blanco RN101614386 Docket No. 2019-1675-MWD-E

3. Within 210 days:

- a. Install and operate a backwash clarifier and a discharge pipe directly from the Facility to the Blanco River; and
- b. Properly close the sludge lagoon system.
- 4. Within 225 days, submit written certification of compliance with Technical Requirement Nos. 3.a. and 3.b.

Litigation Information

Settlement Date: December 1, 2022

Contact Information

TCEQ Attorneys: Misty James, Litigation Division, (512) 239-3400

Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

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

TCEQ Enforcement Coordinator: Alex Laje, Enforcement Division, (512) 239-5717 **TCEQ Regional Contact:** Shawn Stewart, Austin Regional Office, (512) 339-2929

Respondent Contact: Rachel Lumpee, Mayor, City of Blanco, P.O. Box 750, Blanco, Texas 78606-0750

Respondent's Attorney: N/A



						PCW 1
		Pe	nalty Calculation	n Worksheet (F	PCW)	
	Policy Revision 4 (Ap		marcy Carcaracic	m worksmeet (r	•	Revision March 26, 2014
TCEQ	, , ,					
DATES	Assigned		40.11.0040		_	
	PCW	1-Feb-2021	Screening 12-Nov-2019	EPA Due		
RESPO	NDENT/FACILI	TY INFORMATI	ON			
_	Respondent					
	g. Ent. Ref. No. ty/Site Region			Major/Minor Sour	so Minor	
Facili	ty/ Site Region	11-Austin		Major/Millor Source	ce Millor	
CASE I	NFORMATION					
En	f./Case ID No.			No. of Violation		
Mos	Docket No. lia Program(s)	2019-1675-MWI	D-E	Order Typ Government/Non-Pro		
Mec	Multi-Media	Water Quality			or Steven Van La	ndingham
	· · · · · · · · · · · · · · · · · · ·				m Enforcement T	
Adr	min. Penalty \$ L	imit Minimum.	\$0 Maximum	\$25,000		
			- II O I I	6		
			Penalty Calcula	ation Section		
TOTA	L BASE PENA	LTY (Sum of	violation base pena	lties)	Subtotal 1	\$100,000
ADILI	STMENTS (+	/_) TO SUBT	OTAL 1			
ADJU.			g the Total Base Penalty (Subtotal	1) by the indicated percentage.		
	Compliance His	story	0.0%	Adjustment Sub	totals 2, 3, & 7	\$0
	Natas		No adjustment for Compli	ance History		
	Notes		No adjustment for Complia	ance history.		
	C	NI -	0.004			40
	Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
	Notes	The Re	espondent does not meet th	e culpability criteria.		
	L		•	· · · ·		
	Good Eaith Eff	ort to Comply T	otal Adjustments		Subtotal 5	-\$7,937
	GOOG FAICH EIN	ore to comply	otal Aujustilielits		Subtotal 5	-\$7,937
	Economic Bene	efit Total EB Amounts		Enhancement* ed at the Total EB \$ Amount	Subtotal 6	\$0
	Estimated	Cost of Compliance		ed at the rotal LD & Amount		
CUNA	OF CURTOTA	617				+02.052
SUM (OF SUBTOTAL	LS 1-/			Final Subtotal	\$92,063
OTHE	R FACTORS 4	S JUSTICE N	1AY REQUIRE	0.0%	Adjustment	\$0
	or enhances the Final			010 /0		40

Final Penalty Amount

Final Assessed Penalty

Reduction

Adjustment

0.0%

Deferral not offered for non-expedited settlement.

\$92,063

\$92,063

\$92,063

\$0

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

Docket No. 2019-1675-MWD-E

PCW

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

Respondent City of Blanco **Case ID No.** 58615

Reg. Ent. Reference No. RN101614386

Media Water Quality

Enf. Coordinator Steven Van Landingham

	Compliance History Worksheet		
Compliance His	story Site Enhancement (Subtotal 2)	Number	Adjust.
	Written notices of violation ("NOVs") with same or similar violations as those in		
NOVs	the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	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 Consen	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
0 0.10.	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%
Popost Violato	Adjustment Per	centage (Sub	ototal 2) 0%
Repeat Violato	O Adjustment Per	contago (Sub	ototal 3) 0%
	story Person Classification (Subtotal 7)	centage (Sul	10tai 3) 070
Satisfactory	<u>Performer Adjustment Performer P</u>	centage (Sub	ototal 7) 0%
Compliance His	story Summary		
Compliance History Notes	No adjustment for Compliance History.		
	Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7) 0%
Final Complianc	e History Adjustment		
	Final Adjustment Percenta	age *capped	at 100% 0%

	Scre	ening Date	12-Nov-2019	Docket	No. 2019-1675-MWD-E		PCW
	R	espondent	City of Blanco			Policy	Revision 4 (April 2014)
_		ase ID No.				PCW R	Revision March 26, 2014
Reg.	Ent. Ref		RN101614386 Water Quality				
	Enf. C		Steven Van Landingham	1			
		tion Number					
		Rule Cite(s)	30 Tex. Admin. Cod	e §§ 305.125(1) and (5	5), 319.5(b), and Texas Pol	lutant	
		Rule Cite(s)	Discharge Ellithination		mit No. WQ0010549003, E		
			Limitations and Monitol	ring Requirements No. 1 5	L and Operational Requiren	nents No.	
	Violatio	n Description	Failed to provide an eff	luent flow measuring de	evice to measure flow five	times per	
				week.			
					Base	e Penalty	\$25,000
>> En	vironmei	ntal, Proper	rty and Human Hea	alth Matrix			
		Release	Harı Major Moder				
OR		Actual		ate Millor			
		Potential	X		Percent 5.0%		
>>Pro	aramma	tic Matrix					
F10	gramma	Falsification	Major Moder	ate Minor			
					Percent 0.0%		
		Human haal	th or the environment w	ill ar could be evened t	re cignificant amounts of no	llutanta	
	Matrix				o significant amounts of po alth or environmental rece		
	Notes			result of the violation.			
					Adjustment	\$23,750	•
					Aujustinent	Ψ23,730	
							\$1,250
Violati	on Event	:s					
		Number of \	Violation Events 1		1 Number of violation	dava	
		Number of V	Violation Events 1	6	Number of violation	uays	
			daily				
			weekly				
			monthly quarterly x		Violation Base	e Penalty	\$1,250
			semiannual			- 1	
			annual single event				
			Single event				
		One guarte	rly event is recommende	d from the September :	12, 2019 investigation date	e to the	
		·		per 12, 2019 screening			
			_				
Good F	aith Effo	orts to Com	ply 0 Before NOE	.0% /NOV NOE/NOV to EDPRP/S		Reduction	\$0
			Extraordinary	net mezinet te zana je			
			Ordinary				
			N/A x		·		
			Notes The Res	-	the good faith criteria for		
				this violat	ion.		
					Violation	Subtotal	\$1,250
						•	\$1,230
Econor	nic Bene	fit (EB) for	this violation		Statutory Limit	Test	
		Estimate	ed EB Amount	\$36	Violation Final Pena	alty Total	\$1,250
			This	violation Final Asses	sed Penalty (adjusted f	or limits)	\$1,250
			715				+-,200

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Blanco						
Case ID No.							
Reg. Ent. Reference No.							
							V
	Water Quality					Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
5.1.16.1							
Delayed Costs	+500	1 12 2 22 22	22.0	1 4 00	1 +2	+24	+26
Equipment	\$500	12-Sep-2019	22-Sep-2020	1.03	\$2	\$34	\$36
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 Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs						astewater effluent fl the estimated date	
Avoided Costs	ANNU	ALIZE avoided co	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$500		_	TOTAL		\$36

			12-Nov-2019		Dog	ket No. 2019-1675-MWD-E		PCW
	R	espondent	City of Blanco				Policy	Revision 4 (April 2014)
	C	ase ID No.	58615				PCW Re	evision March 26, 2014
Reg.	Ent. Refe		RN101614386					
			Water Quality					
			Steven Van Lar	ndingham				
	Viola	tion Number	2					
		Rule Cite(s)	30 Tex. Admir	n. Code § 305	.125(1) and TF	DES Permit No. WQ0010549003	3, Permit	
				_	Condition	s No. 2.e		
						ning any change in the permitte	,	
						ny permit requirements. Specification in the second in the		
	Violation	Description				in the permit but were not prese		
						ne Facility discharged into a slud		
			system, but t	he January 20		lication reflected that the lagoon	system	
					was abar	ndoned.		
						Base	Penalty	\$25,000
F		tal Drane	what a med Llaure	an Haalth	Matrix			
// CIIV	vii oiiiileii	itai, Propei	rty and Hum	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential		Х		Percent 5.0%		
_								
>>Pro	grammat	ic Matrix	Madan	Mardanaka	Mina			
	F	Falsification	Major	Moderate	Minor	Percent 0.0%		
	L					Percent 0.0%		
		Human haalth	or the environm	mont will or co	ould be expece	d to significant amounts of pollut	ante that	
						Ith or environmental receptors a		
	Notes	Would Hot CAC	cea levels that t		f the violation.	ich of chimeline receptors a	o a result	
	L							
						Adjustment	\$23,750	
							_	
								+4 252
							L	\$1,250
Violati	on Event	s					L	\$1,250
Violati	on Event	5						\$1,250
Violati	on Event		/iolation Events	9		791 Number of violation o	lays	\$1,250
Violati	on Event			9] [791 Number of violation o	days	\$1,250
Violati	on Event		daily	9] [791 Number of violation o	days	\$1,250
Violati	on Event		daily weekly	9		791 Number of violation o	days	\$1,250
Violati	on Event		daily weekly monthly				_	
Violati	on Event		daily weekly monthly quarterly	9 x		791 Number of violation of Violation of Violation Base	_	\$1,250 \$11,250
Violati	on Event		daily weekly monthly quarterly semiannual				_	
Violati	on Event		daily weekly monthly quarterly				_	
Violati	on Event		daily weekly monthly quarterly semiannual annual				_	
Violati	ſ	Number of \	daily weekly monthly quarterly semiannual annual single event	X] [Violation Base	Penalty	
Violati	ſ	Number of \	daily weekly monthly quarterly semiannual annual single event	x ommended fro	om the Septem	Violation Base ber 12, 2017 permit issuance da	Penalty	
Violati	ſ	Number of \	daily weekly monthly quarterly semiannual annual single event	x ommended fro	•	Violation Base ber 12, 2017 permit issuance da	Penalty	
		Number of N	daily weekly monthly quarterly semiannual annual single event	x mmended from November 1	12, 2019 scree	Violation Base ber 12, 2017 permit issuance da ning date.	Penalty	\$11,250
		Number of \	daily weekly monthly quarterly semiannual annual single event	x ommended fro	12, 2019 scree	Violation Base ber 12, 2017 permit issuance da ning date.	Penalty	
		Number of N	daily weekly monthly quarterly semiannual annual single event	x x	12, 2019 scree	Violation Base ber 12, 2017 permit issuance da ning date.	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event	x x	12, 2019 scree	Violation Base ber 12, 2017 permit issuance da ning date.	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event	x x	12, 2019 scree	Violation Base ber 12, 2017 permit issuance da ning date.	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 2 0.0% defore NOE/NOV	12, 2019 scree	ber 12, 2017 permit issuance daning date. PRP/Settlement Offer	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 2 0.0% defore NOE/NOV	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer neet the good faith criteria for	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 2 0.0% defore NOE/NOV	NOE/NOV to EDI	ber 12, 2017 permit issuance daning date. PRP/Settlement Offer	Penalty	\$11,250
		Number of N	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 2 0.0% defore NOE/NOV	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer meet the good faith criteria for iolation.	e Penalty ate to the Reduction	\$11,250 \$0
		Number of N	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 2 0.0% defore NOE/NOV	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer neet the good faith criteria for	e Penalty ate to the Reduction	\$11,250
Good F	aith Effo	Number of \ Nine quarterly rts to Com	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 3 0.0% defore NOE/NOV x The Respondent	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer meet the good faith criteria for iolation.	Penalty ate to the Reduction	\$11,250 \$0
Good F	aith Effo	Number of \ Nine quarterly rts to Com	daily weekly monthly quarterly semiannual annual single event events are reco exply Extraordinary Ordinary N/A Notes	x commended from November 3 0.0% sefore NOE/NOV x The Respond	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer meet the good faith criteria for itolation. Violation Statutory Limit	Penalty ate to the Reduction Subtotal	\$11,250 \$0 \$11,250
Good F	aith Effo	Number of \ Nine quarterly rts to Com	daily weekly monthly quarterly semiannual annual single event events are reco	x commended from November 3 0.0% sefore NOE/NOV x The Respond	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer meet the good faith criteria for iolation. Violation	Penalty ate to the Reduction Subtotal	\$11,250 \$0
Good F	aith Effo	Number of \ Nine quarterly rts to Com	daily weekly monthly quarterly semiannual annual single event events are reco exply Extraordinary Ordinary N/A Notes	x commended fro November : 0.0% Sefore NOE/NOV x The Respond	NOE/NOV to EDI	Violation Base ber 12, 2017 permit issuance daning date. PRP/Settlement Offer meet the good faith criteria for itolation. Violation Statutory Limit	Penalty ate to the Reduction Subtotal Test	\$11,250 \$0 \$11,250

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No.	58615						
Reg. Ent. Reference No. Media Violation No.	Water Quality					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				,			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	1000000			0.00	\$0	\$0	\$0
Engineering/Construction	\$300,000	12-Sep-2017	21-Mar-2021	3.52	\$3,523	\$70,466	\$73,989
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	+2.500	12.0 2017	22.0 2020	0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	12-Sep-2017	22-Sep-2020	3.03	\$379	n/a	\$379
Notes for DELAYED costs	,	permit issuance ost to submit a clo	date and the Fi	nal Date	e is the estimated	system. The Date I date of compliance. The Date Required e of compliance.	•
Avoided Costs	ANNU	LIZE avoided c	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal	_			0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$302,500			TOTAL		\$74,368

	Screening Date Respondent			Do	cket No. 2019-1675-MWD-E		PCW Revision 4 (April 2014)
	Case ID No.	58615					Revision March 26, 2014
Reg.	Ent. Reference No.						
	Media Enf. Coordinator	Water Quality	ndingham				
	Violation Number		lanignam				
	Rule Cite(s)	JU TEX. A			and 319.5(b), and TPDES Pern d Monitoring Requirements Nos		
	Violation Description	Specifically, tl	he Responde ed solids and	nt was not colle pH for the mor	les at the intervals specified in ecting and analyzing effluent sa nths of November 2017 throug hrough August 2019.	amples for	
					Ва	se Penalty	\$25,000
>> Env	ironmental, Prope	rty and Hum		Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual				B 5.00	7	
	Potential		Х		Percent 5.0%	<u>1</u>	
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate	Minor	Percent 0.0%	J	
					0.0 /	1	,
					ed to significant amounts of pol		
	Notes would not exc	eed levels that a		e of human hea of the violation.	alth or environmental receptors	as a result	
					Adjustment	\$23,750	
							\$1,250
Violatio	on Events						
Violati		T		=7 ==			
	Number of \	Violation Events	18		Number of violation	ı days	
		daily		Ī			
		weekly					
		monthly quarterly			Violation Ba	se Penalty	\$22,500
		semiannual			Tiolation ba	se i charty	Ψ22/300
		annual					
		single event	X	_			
	Eighteen sin	gle events are re		l, one event for and analyzed.	r each month samples were no	: collected	
Good F	aith Efforts to Com	ply	0.0%	<u> </u>		Reduction	\$0
		В	efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer		
		Extraordinary Ordinary					
		N/A	Х				
		·	The Respon	dent does not i	meet the good faith criteria for	1	
		Notes			violation.		
					Violatio	n Subtotal	\$22,500
Econor	nic Benefit (EB) for	this violation	on		Statutory Lim	it Test	
		ed EB Amount		\$486	Violation Final Pe		\$22,500
	250.11140		 .	•		-	
			This vi	olation Final A	Assessed Penalty (adjusted	for limits)	\$22,500

	E/	conomic	Benefit	Wo	rksheet		
Respondent	City of Blanco			_			
Case ID No.							
Reg. Ent. Reference No.							
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation ivo.	3					F 0	
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	12-Sep-2019	22-Sep-2020	1.03	\$13	n/a	\$13
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs		es are collected a	nd analyzed in a	ccorda	nce with permit re	and conduct emplo quirements. The Da date of compliance	ate Required is
Avoided Costs	ANNU	ALIZE avoided o	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
				0.00	\$0	\$0	
ONE-TIME avoided costs			10.11 0010			1 4 4 4	\$0
Other (as needed)	\$468	31-Aug-2019	12-Nov-2019	0.20	\$5	\$468	\$473
	Estimated av	oided cost to colle	ect and analyze	0.20 total su	spended solids an	\$468 d pH (\$25 per mont ne Final Date is the	\$473 h plus accrued

		ening Date			Do	ocket No. 2	2019-1675-MWD-E		PCW
		espondent						Policy	Revision 4 (April 2014)
D		ase ID No.						PCW R	evision March 26, 2014
Reg.	Ent. Kei	erence No.	Water Quality						
	Enf. C		Steven Van Lar	ndinaham					
		ation Number	4						
		Rule Cite(s)	30 Tex. Admin	. Code §§ 305	5.125(1) and	(17) and 319	0.7(d), and TPDES F	Permit No.	
							ements No. 1 and		
					Requirem	nents No. 3			
							ed in the permit. Sp		
	Violatio	n Description					mber 2017 through		
			2019	were not subi	ilitted by the	: Zutii day ui t	the following month		
							Bas	e Penalty	\$25,000
>> Fnv	vironme	ntal Proper	ty and Hum	an Health	Matrix				
L		_	_	Harm					
OR		Release	Major	Moderate	Minor	Ī			
OK		Actual Potential					Percent 0.0%		
		roterician				•	0.070		
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor		Percent 5.0%	Ī	
			Х			•	5.0%		
	Matrix Notes		100	0% of the rule	requirement	ts were not m	et.		
	Notes								
						Δdiı	ıstment	\$23,750	
						Auju		Ψ23/130	
									\$1,250
Violatio	on Event	ts							
			I						
		Number of \	iolation Events	24		679 N	Number of violation	aays	
			daily						
			weekly						
			monthly	Х			Wieletien Des	- DI	#30.000
			quarterly semiannual				Violation Bas	e Penaity	\$30,000
			annual						
			single event						
		Twenty-fou	r monthly event	s are recomm	•	event for the e	each month DMRs v	vere not	
					submitted.				
Good F	aith Fff	orts to Com	nlv	0.0%				Reduction	\$0
Good I	aitii Liit	orts to com		efore NOE/NOV	NOE/NOV to E	DPRP/Settlement	t Offer	Reduction	40
			Extraordinary						
			Ordinary						
			N/A	X				1	
			Notes	The Respond			od faith criteria for		
					this	violation.			
			•				Violation	Subtotal	\$30,000
								_	φ30,000
Econon	nic Bene	fit (EB) for	this violation	on		9	Statutory Limi	t Test	
		Estimate	ed EB Amount		\$88	Vi	iolation Final Pen	alty Total	\$30,000
				This via	lation Final	Assessed Da	enalty (adjusted 1	or limite)	\$30,000
				iiiis vio	iacion Final	ASSESSEU PE	anaity (aujusted i	or minus)	\$J0,000

	E	conomic	Benefit	Wo	rksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No.							_
	Water Quality					Percent Interest	Years of
Violation No.	4					i ci cont interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
****** B		Date Required	i illai Date	113	Interest Saveu	Costs Saveu	LD Alliount
Item Description							
Deleve d Conte							
Delayed Costs		1		0.00	+0	+0	+ 0
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 \$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0 \$0
Permit Costs Other (as needed)	\$600	20-Oct-2017	22-Sep-2020	2.93	\$88	n/a n/a	\$0 \$88
Notes for DELAYED costs					date and the Fina	7 through August 20 I Date is the estima	\ '
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$600			TOTAL		\$88

	Screening I	Date 12-Nov-2019	Docket No. 2019-1675-MWD-E	PCW
	•	dent City of Blanco		Revision 4 (April 2014)
Reg.		No. 58615 No. RN101614386	PCW Re	evision March 26, 2014
	M	edia Water Quality		
	Enf. Coordin Violation Nu	ator Steven Van Lar	າdingham រ	
	Rule Ci		Code S 205 125(1) and (5) Tay Water Code S 26 121(a)(1) and	
	Kule Ci		n. Code § 305.125(1) and (5), Tex. Water Code § 26.121(a)(1), and DES Permit No. WQ0010549003, Permit Conditions No. 2.g	
		Failed to prev	ent an unauthorized discharge of wastewater into or adjacent to any	
	Violation Descri		ne state. Specifically, water discharged from the Facility's process etering equipment, across the property, and into the Blanco River.	
		car braity 111	stering equipment, deross the property, and into the states raver.	
			Base Penalty	\$25,000
>> Env	ironmental, Pr	operty and Hum	nan Health Matrix Harm	
	Re	lease Major	Moderate Minor	
OR		Actual	X Parant 5 00	
	Pot	ential	Percent 5.0%	
>>Pro	grammatic Mat		Madagata	
	Falsifica	ation Major	Moderate Minor Percent 0.0%	
		"		
	Matrix not exce		ment has been exposed to insignificant amounts of pollutants that do btective of human health or environmental receptors as a result of the	
	Notes	P	violation.	
			Adjustment \$23,750	
				\$1,250
				\$1,230
Violati	on Events			
	Numb	er of Violation Events	1 61 Number of violation days	
		daily		
		weekly		
		monthly guarterly	X Violation Base Penalty	\$1,250
		semiannual	,	7-7-53
		annual single event		
		omigie evene		
	One	quarterly event is rec	ommended from the September 12, 2019 investigation date to the	
			November 12, 2019 screening date.	
Good F	aith Efforts to	Comply	0.0% Reduction	\$0
			sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
		Ordinary		
		N/A		
		Notes	The Respondent does not meet the good faith criteria for	
		.,5103	this violation.	
			Violation Subtotal	\$1,250
Econor	nic Benefit (FR) for this violation	on Statutory Limit Test	
		_		¢1 250
	ESI	timated EB Amount		\$1,250
			This violation Final Assessed Penalty (adjusted for limits)	\$1,250

Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	anco 4386	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	Percent Interest 5.0 Costs Saved \$0 \$0 \$0 \$0	Years of Depreciation 15 EB Amount
Case ID No. 58615 Reg. Ent. Reference No. Media Violation No. 5 Item Control Item Control Item Control Item Description Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	4386 ality	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	Depreciation 15 EB Amount
Reg. Ent. Reference No. Media Water Quality Violation No. 5 Item Control Item Control Item Control Item Description Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs All Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ality	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	Depreciation 15 EB Amount
Media Violation No. 5 Item Control Item Control Item Description Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ality	iired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	Depreciation 15 EB Amount
Violation No. 5 Item Control Item Description Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	·	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	Depreciation 15 EB Amount
Item Description Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ost Date Requi	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	EB Amount
Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ost Date Requi	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0	EB Amount
Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ost Date Requi	uired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0	EB Amount
Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ost Date Requi	ired Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0	\$0
Delayed Costs Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00 0.00 0.00	\$0 \$0	\$0	
Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00 0.00 0.00	\$0 \$0	\$0	
Equipment Buildings Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00 0.00 0.00	\$0 \$0	\$0	
Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00 0.00 0.00	\$0 \$0	\$0	
Other (as needed) Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0		40
Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00		4∩	
Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				40		\$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				\$0	\$0	\$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	n/a	\$0
Permit Costs Other (as needed) Solution Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	n/a	\$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	12.0	019 22-Sep-202	0.00	\$0	n/a	\$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	12-3ep-20	019 22-3ep-202	0 1.03	\$26	n/a	\$26
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs					pment. The Date R	equired is the
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	investigati	tion date and the F	inal Date is	s the estimated da	ate of compliance.	
Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	NNUALIZE avoid	ded costs before	entering i	item (except for	one-time avoide	d costs)
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	\$0	\$0
Supplies/Equipment Financial Assurance ONE-TIME avoided costs			0.00	\$0	\$0	\$0
Financial Assurance ONE-TIME avoided costs			0.00	\$0	\$0	\$0
ONE-TIME avoided costs			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
Notes for AVOIDED costs						
Approx. Cost of Compliance				TOTAL		\$26

	Screening Date			Docket No	2019-1675-MWD-E		PCW
	Respondent Case ID No.						Revision 4 (April 2014)
Reg.	Ent. Reference No.					PCW R	evision March 26, 2014
	Media	Water Quality					
	Enf. Coordinator		dingham				
	Violation Number Rule Cite(s)						
	Rule Cite(s)	30 Tex. Admin	i. Code § 30	5.125(1) and TPDES Per Requirements No. 4		03, Other	
	Violation Description	Failed to subm		f Completion Form 20007 to plant startup or anticip		: forty-five	
					Bas	e Penalty	\$25,000
>> En	vironmental, Prope	ty and Hum		n Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual					•	
	Potential				Percent 0.0%		
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate	Minor	_	T	
		Х			Percent 5.0%		
	Matrix Notes	100	% of the rul	e requirements were not	met.		
				A	djustment	\$23,750	
						Ī	\$1,250
						ı	Ψ1,230
Violati	on Events						
	Number of \	Violation Events	1	786	Number of violation	days	
				<u></u>			
		daily weekly					
		monthly					
		quarterly			Violation Bas	se Penalty	\$1,250
		semiannual annual					
		single event	Х				
			One single	e event is recommended.			
Good F	aith Efforts to Com	nly	0.0%	,		Reduction	\$0
Good I	aith Enorts to com		efore NOE/NOV		nent Offer	Reduction	Ψ°
		Extraordinary					
		Ordinary					
		N/A	X			Ī	
		Notes	The Respon	dent does not meet the quantity this violation.	good faith criteria for		
						1	
					Violatio	n Subtotal	\$1,250
Econo	mic Benefit (EB) for	this violatio	n		Statutory Limi	t Test	
	Estimate	ed EB Amount		\$8	Violation Final Per	alty Total	\$1,250
			This'			-	
			i nis vid	olation Final Assessed	renaity (adjusted	ior iimits)	\$1,250

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Blanco						
Case ID No.							
Reg. Ent. Reference No.							
	Water Quality					Percent Interest	Years of
Violation No.	6						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Thoma Donomination	Item Cost	Dute Required	i iliai Date	5	Interest Savea	COSIS Suvcu	LD Amount
Item Description							
Delayed Costs							
Delayed Costs Equipment		1		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$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	\$50	17-Sep-2017	22-Sep-2020	3.02	\$8	n/a	\$8
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs		notification was	due and the Fir	nal Date	e is the estimated	EQ. The Date Requidate of compliance.	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering		one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$50			TOTAL		\$8

	Screening Date Respondent Case ID No.	City of Blanco	Do	cket No. 2019-1675-MWD-	Policy	PCW Revision 4 (April 2014)
Reg.	Ent. Reference No. Media	RN101614386 Water Quality			PCW F	Revision March 26, 2014
	Enf. Coordinator	Steven Van Landingh	am			
	Violation Number	7				a
	Rule Cite(s)	30 Tex. Admin. Cod		PDES Permit No. WQ00105490 ns No. 4.c)03, Permit	
	Violation Description		Specifically, the Resp	wal at least 180 days prior to e condent did not apply for a ren st 5, 2019 due date.		
		_		Ва	se Penalty	\$25,000
>> Env	ironmental, Proper					
	Release		arm Jorato Minor			
OR	Actual		lerate Minor			
OK	Potential			Percent 0.0%	7	
	Fotential			reiteit 0.07	<u>oı</u>	
>>Pro	grammatic Matrix					
, ,	Falsification	Major Mod	lerate Minor			
		Х		Percent 5.0%	6	
					-	
	Matrix Notes	100% of	the rule requirements	s were not met.		
				Adjustment	\$23,750	I
				Aujustillelit	\$23,730	
					ļ.	\$1,250
Violati	on Events					
	Number of \	/iolation Events	1	99 Number of violatio	n days	
		daily				
		weekly				
		monthly				1.050
		quarterly		Violation Ba	ise Penalty	\$1,250
		semiannual				
		annual single event	v			
		single event	X			
		One	e single event is recor	nmended.		
_						-
Good F	aith Efforts to Com		10.0% NOF (NOV to FF	DDDD/Cattlemant Office	Reduction	\$125
		Before N Extraordinary	OE/NOV NOE/NOV to EL	PRP/Settlement Offer		
			V			
		Ordinary	Х			
		N/A			1	
		Notes The		l compliance by November 12, 2019.		
		I L		Violatio	on Subtotal	\$1,125
Econor	nic Benefit (EB) for	this violation		Statutory Lim	it Test	
				-		
	Estimate	ed EB Amount	\$203	Violation Final Pe	nalty Total	\$1,125
		-	his violation Final	Assessed Penalty (adjusted	for limite)	\$1,125
			ins violation Final	maaeaaeu renany (adjusted	ioi iimits)	\$1,125

	E	conomic	Benefit	Wo	rksheet		
Respondent							
Case ID No.							
Reg. Ent. Reference No.							_
	Water Quality					Percent Interest	Years of
Violation No.	7					r creent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Thomas Barandadan	Item Cost	Date Required	i illai Date	113	Interest Saveu	Costs Saveu	LD Alliount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs	\$15,000	5-Aug-2019	12-Nov-2019	0.00	\$203	n/a	\$0 \$203
Other (as needed)	\$15,000	5-Aug-2019	12-1100-2019	0.27	\$203	n/a	\$203 \$0
Notes for DELAYED costs	Estimated co				n. The Date Requires the compliance of	red is the date the a date.	pplication was
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$15,000			TOTAL		\$203

	Screening Date	12-Nov-2019	Docket No. 2019-1675-MWD-E	PCW
	Respondent			Policy Revision 4 (April 2014)
	Case ID No			PCW Revision March 26, 2014
Reg.	Ent. Reference No			
		Water Quality		
		Steven Van Landingham		
	Violation Number			
	Rule Cite(s)	30 Tex. Admin. Co	ode § 305.65 and Tex. Water Code § 26.121(a)(1)	
			orization to discharge wastewater into or adjacent to an	,
	Violation Description		ecifically, TPDES Permit No. WQ0010549001 expired or I the Respondent continued to operate the wastewater	
			ittle Respondent continued to operate the wastewater in items in the state of the s	
			,	
			Page Daw	alty \$25,000
			Base Pena	\$25,000
>> En	vironmental, Prope	rty and Human Healt	th Matrix	
	Release	Harm • Major Moderate	e Minor	
OR	Actua		- Fillion	
	Potentia	I	Percent 0.0%	
_				
>>Pro	grammatic Matrix Falsification	Major Moderate	Minor	
	Taisincation	X Moderate	Percent 5.0%	
		<u> </u>	310.70	
	Matrix			
	Matrix Notes	100% of the ru	ule requirements were not met.	
			Adjustment \$23,	750
			, a justine it	
				\$1,250
Violati	on Events			
	Number of	Violation Events 25	2,203 Number of violation days	
		daily	_	
		weekly		
		monthly		
		quarterly x	Violation Base Pena	alty \$31,250
		semiannual		
		annual single event		
		Single event	<u> </u>	
	Twenty-fi	ve quarterly events are reco	ommended from the September 1, 2011 Penalty Policy	
	Twelley II		the September 12, 2017 compliance date.	
Good F	aith Efforts to Con	1ply 25.0°	% Reduct	tion \$7,812
		Before NOE/NO	NOE/NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary x N/A		
		Notes The Respo	ondent achieved compliance on September 12, 2017.	
			2017.	
			Violation Subto	otal \$23,438
Econor	mic Benefit (EB) fo	r this violation	Statutory Limit Test	
	Estima	ted EB Amount	\$1,509 Violation Final Penalty To	otal \$23,438
		This	riolation Final Assessed Penalty (adjusted for lim	its) \$23,438
		THIS V	nonacion i mai Assesseu Femalty (dujusteu 10f IIM	\$23,430

	F	conomic	Renefit	Wo	rksheet		
Daanandant		COMO	Denenie	110	RSHEEL		
Respondent							
Case ID No.							
Reg. Ent. Reference No.	RN101614386						
Media	Water Quality					Percent Interest	Years of
Violation No.	8					Percent Interest	Depreciation
						5.0	15
	Thom Cook	Data Bassisad	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
	Item Cost	Date Required	rinai Date	TIS	Interest Saveu	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	15.000			0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$5,000	1-Sep-2011	12-Sep-2017	6.04 0.00	\$1,509 \$0	n/a n/a	\$1,509 \$0
Notes for DELAYED costs		•	ired is the Pena	lty Poli	• •	ain authorization to n date and the Final	-
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$5,000			TOTAL		\$1,509



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES Assigned 28-Oct-2019
PCW 1-Feb-2021

Screening 12-Nov-2019 EPA Due

RESPONDENT/FACILI	TY INFORMATION		
Respondent	City of Blanco		
Reg. Ent. Ref. No.	RN101614386		
Facility/Site Region	11-Austin	Major/Minor Source Minor	

CASE INFORMATION					
Enf./Case ID No.	58615		No.	of Violations	1
Docket No.	2019-1675-MWD-E			Order Type	1660
Media Program(s)	Water Quality			t/Non-Profit	
Multi-Media			Enf.	Coordinator	Steven Van Landingham
			•	EC's Team	Enforcement Team 3
Admin. Penalty \$ I	Limit Minimum \$0 Maxi	imum	\$10,000	•	_

			Popalty Calcu	lation Costi			
TOTA	I DACE DENA	NTV (Sum of	Penalty Calcu f violation base pen			-4-14	\$7,000
IUIA	L DASE PENA	ALIT (Suill O	i violation base pen	aities)	Subto	otai 1	\$7,000
ADJU	STMENTS (+			-1 1) h., the indicated			
	Compliance Hi		g the Total Base Penalty (Subtota 0.0		Subtotals 2, 3	3, & 7	\$0
	Notes	-	No adjustment for Comp	liance History.	·		
	Culpability	No	0.0	% Enhancement	Subto	otal 4	\$0
	Notes	The Re	espondent does not meet t	the culpability crite	eria.		
	Good Faith Eff	ort to Comply 1	Total Adjustments		Subto	otal 5	-\$1,750
		. ,	•				' '
	Economic Ben	efit	0.0	% Enhancement*	Subto	otal 6	\$0
	Estimated	Total EB Amounts I Cost of Compliance	4555	oped at the Total EB \$.	Amount		
SUM (OF SUBTOTA	LS 1-7			Final Sub	ototal	\$5,250
OTHE	D EACTORS	AC ILICTICE I	MAY DECLITE	0.00%	ه ماشد مه		\$0
	or enhances the Fina		MAY REQUIRE icated percentage.	0.0%	Adjust	ment	ŞU
	Notes						
					Final Penalty Am	nount	\$5,250
STAT	UTORY LIMIT	T ADJUSTME	NT		Final Assessed Pe	nalty	\$5,250
DEFE	RRAL			0.0%	Reduction Adjust	ment	\$0
Reduces	the Final Assessed Pe	enalty by the indicate	ed percentage.		71		<u> </u>
	Notes	Defe	erral not offered for non-ex	xpedited settlemer	nt.		
PAYA	BLE PENALT	Y					\$5,250

Docket No. 2019-1675-MWD-E

PCW

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent City of Blanco
Case ID No. 58615

Reg. Ent. Reference No. RN101614386

Media Water Quality

Enf. Coordinator Steven Van Landingham

		Compliance History Worksheet		
> Co	mpliance Histo Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Orders	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	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
	Convictions	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Other	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 Pero	centage (Sub	total 2)
> Re	epeat Violator ((Subtotal 3)		
	No	Adjustment Pero	centage (Sub	total 3)
> Co	mpliance Histo	ory Person Classification (Subtotal 7)		
	Satisfactory I	Performer Adjustment Pero	centage (Sub	total 7)
> Co	mpliance Histo	ory Summary		
	Compliance History Notes	No adjustment for Compliance History.		
		Total Adjustment Percentage (S		3, & 7)

		ening Date			Doc	ket No. 2019-1675-MWD-	·E	PCW
		espondent						on 2 (September 2002)
Pen		ase ID No.	58615 RN101614386				PCW Rev	vision October 30, 2008
iteg.	Liit. Kei		Water Quality					
		oordinator	Steven Van Landin	gham				
	Viola	tion Number	1					
		Rule Cite(s)	30 Tex. Ad	min. Code	§ 305.65 and	Tex. Water Code § 26.121(a)(1)	
	Violation	n Description	water in the sta Permit No. WQ0	te. Specifi 01054900	ically, Texas P 1 expired on F	orge wastewater into or adjace ollutant Discharge Eliminatic February 1, 2010, and the Repartment facility without auth	on System espondent	
						В	ase Penalty	\$10,000
>> Env	vironmer	ntal, Proper	ty and Human		Matrix			
		Release		Harm loderate	Minor			
OR		Actual	Hajor II	loucrute	MINO			
		Potential				Percent 0°	%	
>>Pro	gramma	tic Matrix						
77110	gramma	Falsification	Major M	1oderate	Minor		_	
			Х			Percent 10°	%	
	Matrix Notes		100% c	of the rule	requirements	were not met.		
						A -11 t t	±0.000	
						Adjustment	\$9,000	
								\$1,000
Violati	on Event	S						
					· I=			
		Number of \	/iolation Events	7	. L	Number of violation	on days	
			daily weekly monthly					
			quarterly	Х		Violation B	ase Penalty	\$7,000
			semiannual					
			annual single event					
	6	'			•			
		Seven quarte				ruary 1, 2010 permit expirat Revision 2 end date.	ion date to	
Good F	aith Effo	rts to Com	ply	25.0%			Reduction	\$1,750
			Į.	Before NOV	NOV to EDPRP/S	Settlement Offer		
			Extraordinary Ordinary	×				
			N/A	^				
			Notes	e Respondo		compliance on September 12 017.	<u>.</u> ,	
						Violati	on Subtotal	\$5,250
Econor	nic Bene	fit (EB) for	this violation			Statutory Lin	nit Test	
			ed EB Amount		\$395	Violation Final Pe	_	\$5,250
		LStillidte						
				This viola	tion Final A	ssessed Penalty (adjusted	l for limits)	\$5,250

	E	conomic	Benefit	Wo	rksheet		
Respondent							
Case ID No.	•						
Reg. Ent. Reference No.							_
	Water Quality					Percent Interest	Years of
Violation No.	1					i ci cont interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
****** B	Item Cost	Date Required	i illai Date	113	Interest Saveu	Costs Saveu	LD Alliount
Item Description							
Delayed Costs		1		0.00	+0	+0	+ 0
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 \$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs	\$5,000	1-Feb-2010	31-Aug-2011	1.58	\$395	n/a	\$395
Other (as needed)	\$3,000	1-160-2010	31-Aug-2011	0.00	\$0	n/a	\$0
Notes for DELAYED costs		•	ed is the date th	ne previ	• •	ain authorization to I and the Final Date	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
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		\$5,000			TOTAL		\$395

The TCEQ is committed to accessibility.

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



Compliance History Report

Compliance History Report for CN600663728, RN101614386, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Classification: SATISFACTORY Rating: 2.76 Customer, Respondent, CN600663728, City of Blanco

or Owner/Operator:

Regulated Entity: RN101614386, City of Blanco WTP Classification: HIGH Rating: 0.00

Complexity Points: Repeat Violator: NO

CH Group: 14 - Other

Location: 1015 Fulcher Street in Blanco, Blanco County, Texas

TCEQ Region: REGION 11 - AUSTIN

ID Number(s):

WASTEWATER PERMIT WQ0010549003 **WASTEWATER EPA ID TX0137545**

WASTEWATER LICENSING LICENSE WQ0010549001

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

Date Compliance History Report Prepared: September 21, 2020 Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 21, 2015 to September 21, 2020

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:

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

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

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:

N/A

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

I. Participation in a voluntary pollution reduction program:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 9/21/2015 and 9/21/2020

N/A For Informational Purposes Only

Appendix B

All Investigations Conducted During Component Period September 21, 2015 and September 21, 2020

(1599341)

Item 1 October 25, 2019** 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
CITY OF BLANCO;
RN101614386

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2019-1675-MWD-E I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality
("Commission" or "T	CEQ") considered this agreement of the parties, resolving an enforcement
action regarding City	of Blanco ("Respondent") under the authority of Tex. WATER CODE chs. 7 and
26. The Executive Di	rector of the TCEQ, represented by the Litigation Division, and Respondent
together stipulate th	at:

- 1. Respondent owns and operates a water treatment facility located at 1015 Fulcher Street in Blanco, Blanco County, Texas (the "Facility"). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in Tex. Water Code § 26.001(5).
- 2. The Executive Director and Respondent agree that TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code §§ 7.002, 7.051, and 7.073, and that Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 because it alleges violations of Tex. Water Code ch. 26 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of ninety-seven thousand three hundred thirteen dollars (\$97,313.00) is assessed by the Commission in settlement of the violations alleged in Section II. Pursuant to Tex. Water Code § 7.067, ninety-seven thousand three hundred thirteen dollars (\$97,313.00) of the penalty shall be conditionally offset by Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment A" incorporated herein by reference). 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 any payment schedule and the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.
- 5. The Executive Director and Respondent agree on a settlement of the matters addressed in this Order, subject to final approval in accordance with 30 Tex. Admin. Code § 70.10(a). Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions contained in this Order.
- 7. 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.
- 8. This Order shall terminate five years from its effective date or upon full compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Executive Director recognizes that Respondent submitted a permit application and obtained authorization to discharge under Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010549003 by September 12, 2017 (Allegation No. 1.h.).
- 10. The Executive Director further recognizes that Respondent applied to renew its authorization to discharge under TPDES Permit No. WQ0010549003 by November 12, 2019 (Allegation No. 1.g.).

II. ALLEGATIONS

- 1. During an investigation conducted on September 12, 2019, an investigator documented that Respondent:
 - a. Failed to provide an effluent flow measuring device to measure flow five times per week, in violation of 30 Tex. Admin. Code §§ 305.125(1) and (5), and 319.5(b), and TPDES Permit No. WQ0010549003, Effluent Limitations and Monitoring Requirements No. 1 and Operational Requirements No. 5.
 - b. Failed to obtain authorization before beginning any change in the permitted facility that may result in noncompliance with any permit requirements, in violation of 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010549003, Permit Conditions No. 2.e. Specifically, a backwash clarifier as the final treatment unit and a discharge pipe directly from the Facility to the Blanco River were identified in the permit but were not present at the Facility. Also, wastes from other parts of the Facility discharged into a sludge lagoon system, but the January 2017 permit application reflected that the lagoon system was abandoned.
 - c. Failed to collect and analyze effluent samples at the intervals specified in the permit, in violation of 30 Tex. Admin. Code §§ 305.125(1) and 319.5(b), and TPDES Permit No. WQ0010549003, Effluent Limitations and Monitoring Requirements Nos. 1 and 2. Specifically, Respondent was not collecting and analyzing effluent samples for total suspended solids and pH for the months of November 2017 through February 2018 and July 2018 through August 2019.
 - d. Failed to submit monitoring results at intervals specified in the permit, in violation of 30 Tex. Admin. Code §§ 305.125(1) and (17) and 319.7(d), and TPDES Permit No. WQ0010549003, Monitoring and Reporting Requirements No. 1 and Other Requirements No. 3. Specifically, the discharge monitoring reports ("DMRs") for September 2017 through August 2019 were not submitted by the 20th day of the following month.
 - e. Failed to prevent an unauthorized discharge of 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 (5), and TPDES Permit No. WQ0010549003, Permit Conditions No. 2.g. Specifically, wastewater discharged from the Facility's process turbidity metering equipment, across the property, and into the Blanco River.
 - f. Failed to submit a Notice of Completion Form 20007 to the TCEQ at least forty-five days prior to plant startup or anticipated discharge, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010549003, Other Requirements No. 4.
 - g. Failed to apply for an amendment or renewal at least 180 days prior to expiration of the existing permit, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES

- Permit No. WQ0010549003, Permit Conditions No. 4.c. Specifically, Respondent did not apply for a renewal of the permit by the August 5, 2019 due date.
- h. Failed to maintain authorization to discharge wastewater into or adjacent to any water in the state, in violation of Tex. Water Code § 26.121(a)(1) and 30 Tex. Admin. Code § 305.65. Specifically, TPDES Permit No. WQ0010549001 expired on February 1, 2010, and Respondent continued to operate the wastewater treatment facility without authorization.

III. DENIALS

Respondent generally denies each Allegation in Section II.

IV. ORDERING PROVISIONS

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

- 1. Respondent is assessed an administrative penalty as set forth in Section I, Paragraph 4. The payment of this penalty and Respondent's compliance with all of the requirements set forth in this Order resolve only the Allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
- 2. Respondent shall implement and complete a SEP as set forth in Section I, Paragraph 4. The amount of ninety-seven thousand three hundred thirteen dollars (\$97,313.00) of the assessed administrative penalty is conditionally offset based on Respondent's implementation and completion of a SEP pursuant to the terms and conditions contained in 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Blanco, Docket No. 2019-1675-MWD-E" to:

Financial Administration Division Revenue Operations Section Texas Commission on Environmental Quality Attention: Cashier's Office, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

- 3. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order:
 - i. Install, calibrate, and put into service a wastewater effluent flow measuring device at the Facility (Allegation No. 1.a.);
 - ii. Develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements for the Facility (Allegation No. 1.c.);
 - iii. Submit the DMRs for the months of September 2017 through August 2019 for the Facility (Allegation No. 1.d.);
 - iv. Cease the discharge from the Facility's process turbidity metering equipment (Allegation No. 1.e.); and
 - v. Submit a closure plan for the sludge lagoon system at the Facility to (Allegation No. 1.b.);

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

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the closure plan within 30 days after the date of such requests or by any other deadline specified in writing.

vi. Submit Notice of Completion Form TCEQ-20007 to (Allegation No. 1.f.):

Applications Review and Processing Team Water Quality Division, MC 148 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- b. Within 45 days after the effective date of this Order, submit written certification of compliance with Ordering Provisions Nos. 3.a.i. through 3.a.vi., in accordance with Ordering Provision No. 3.e.
- c. Within 210 days after the effective date of this Order:
 - i. Install and operate a backwash clarifier and a discharge pipe directly from the Facility to the Blanco River, in accordance with the Facility's TPDES permit (Allegation No. 1.b.); and
 - ii. Properly close the sludge lagoon system, in accordance with the approved closure plan (Allegation No. 1.b.).
- d. Within 225 days after the effective date of this Order, submit written certification of compliance with Ordering Provisions Nos. 3.c.i. and 3.c.ii., in accordance with Ordering Provision No. 3.e.
- e. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by 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 fine and imprisonment for knowing violations."

The written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

City of Blanco Docket No. 2019-1675-MWD-E Page 5

> Water Section Manager Austin Regional Office Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

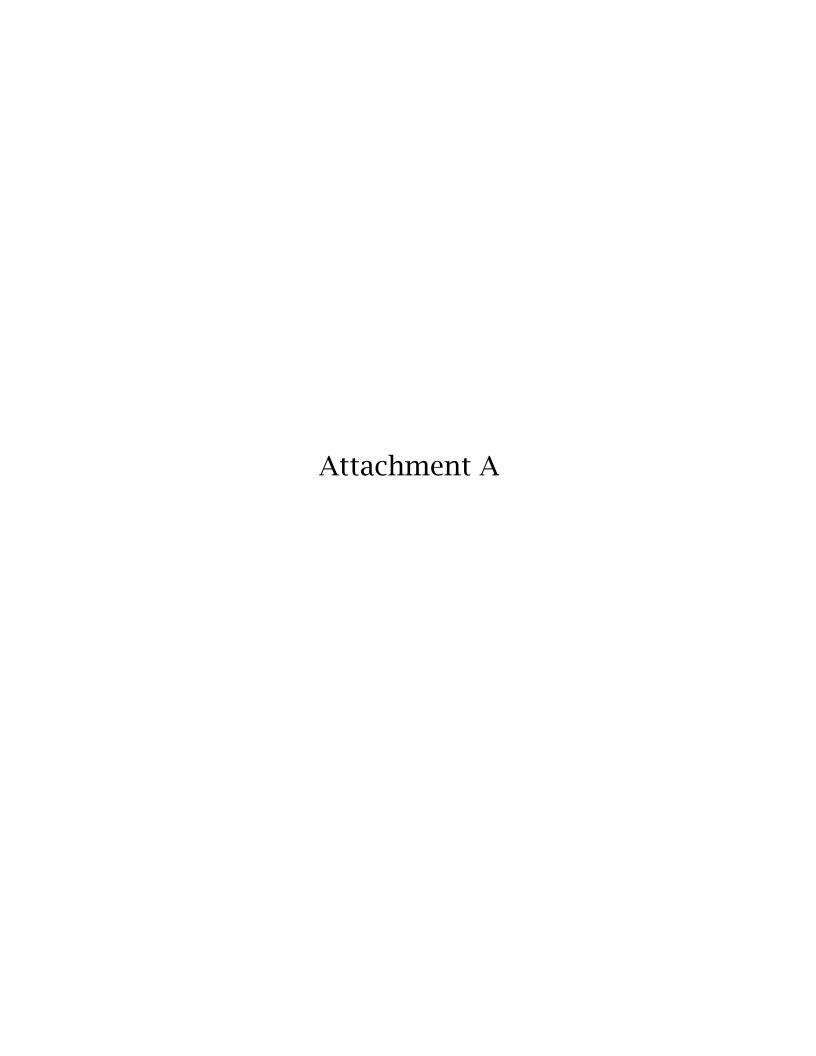
- 4. All relief not expressly granted in this Order is denied.
- 5. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 7. If 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, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 8. This Order, issued by the Commission, shall not be admissible against 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 TCEQ's jurisdiction or of a rule adopted or an order or permit issued by the TCEQ under such a statute.
- 9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

City of Blanco Docket No. 2019-1675-MWD-E Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Charmain Oberten	1/9/23
For the Executive Director	Date
attached Order, and I do agree to the te	erstand the attached Order. I am authorized to agree to the erms and conditions specified therein. I further acknowledge or the penalty amount, is materially relying on such
I also understand that failure to comply timely pay the penalty amount may res	y with the Ordering Provisions in this Order and/or failure to ult in:
 A negative impact on compliance h 	nistory;
 Greater scrutiny of any permit app 	lications;
 Referral of this case to the Attorne penalties, and/or attorney fees, or 	ey General's office for contempt, injunctive relief, additional to a collection agency;
 Increased penalties in any future e 	nforcement actions;
 Automatic referral to the Attorney 	General's office of any future enforcement actions; and
 TCEQ seeking other relief as autho 	rized by law.
In addition, I understand that any falsist criminal prosecution.	fication of any compliance documents may result in
Rachel Jumpe Signature - Mayor Rachel Lumpee City of Blanco P.O. Box 750 Blanco, Texas 78606-0750	
□ If mailing address has changed, ple	ease check this box and provide the new address below:



Attachment A

Docket Number: 2019-1675-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Blanco
Penalty Amount:	Ninety-Seven Thousand Three Hundred Thirteen Dollars (\$97,313.00)
SEP Offset Amount:	Ninety-Seven Thousand Three Hundred Thirteen Dollars (\$97,313.00)
Type of SEP:	Compliance
Project Name:	Backwash Clarifier Improvements
Location of SEP:	Blanco 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 water treatment facility (the "Facility") which are described in this Agreed Order. This Agreed Order cites violations at Respondent's Facility.

1. Project Description

A. Project

Respondent shall hire a contractor to convert the existing concrete tank into an improved backwash clarifier at the Facility. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for the purchase and installation of clarifier equipment, 24 feet in diameter, in the existing concrete tank (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 improving the quality of effluent being released into the environment. Inadequately treated effluent 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-

City of Blanco Docket No. 2019-1675-MWD-E Attachment A

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	Total
Backwash Clarifier Improvements (Lump Sum Including Labor)	1	\$253,000.00
Total		\$253,000.00

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 225 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 225-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ in 90-day increments 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
225	Notice of SEP completion

City of Blanco Docket No. 2019-1675-MWD-E Attachment A

B. Final Report

Within 225 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. Copies of all engineering plans related to work performed pursuant to 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

City of Blanco Docket No. 2019-1675-MWD-E Attachment A

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.