

Order Type:
Default Order

Media:
WQ

Small Business:
Yes

Location Where Violations Occurred:
1925 Grassy Ridge Lane, Tyler, Smith County

Type of Operation:
residential construction site

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: February 20, 2026

Comments Received: None

Penalty Information

Total Penalty Assessed: \$36,250

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$36,250

Compliance History Classifications:
Person/CN - Unclassified
Site/RN - Unclassified

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date: August 18, 2020

Complaint Information: The complainant contacted the TCEQ Tyler Region Office on August 18, 2020, with concerns regarding sediment discharging from a construction site.

Date of Investigation: September 9, 2020

Date of NOV: N/A

Dates of NOE: October 13, 2020

Violation Information

1. Failed to maintain authorization to discharge stormwater associated with construction activities [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 281.25(a)(4), and 40 C.F.R. § 122.26(c)].
2. Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)].

Corrective Actions/Technical Requirements

Corrective Actions Completed:

Respondent implemented the following corrective measures at the Site:

1. Received authorization to discharge stormwater associated with construction activities on September 11, 2020.
2. Transmitted photographs illustrating remediation of the silt fences, sediment flows, and wooden privacy fence on October 19, 2020.

Technical Requirements:

None

Litigation Information

Date Petition Filed: December 11, 2024
Date of Service: December 17, 2024
Date Answer Filed: N/A

Contact Information

TCEQ Attorneys: David Keagle, 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 Enforcement Coordinator: Madison Travis, Enforcement Division, (512) 239-4687

TCEQ Regional Contact: Ross Morgan, Tyler Regional Office, (903) 535-5100

Respondent Contact: Gerald E. Fackrell Jr., Manager, New Subdivision RTC, LLC, 17521 United States Highway 69, Building II, Tyler, TX 75703

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	12-Oct-2020	Screening	21-Oct-2020	EPA Due	
	PCW	24-Feb-2026				

RESPONDENT/FACILITY INFORMATION

Respondent	New Subdivisions RTC, LLC		
Reg. Ent. Ref. No.	RN109730549		
Facility/Site Region	5-Tyler	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	59989	No. of Violations	2
Docket No.	2020-1390-WQ-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Mabel Travis
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$36,250
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0% Adjustment	Subtotals 2, 3, & 7	\$0
---------------------------	------------------------	--------------------------------	------------

Notes	No adjustment for Compliance History.
-------	---------------------------------------

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
--------------------	----	-------------------------	-------------------	------------

Notes	The Respondent does not meet the culpability criteria.
-------	--

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
--	-------------------	------------

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

Total EB Amounts	\$1,182	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$11,725	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$36,250
-----------------------------	-----------------------	-----------------

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
-------	--

Final Penalty Amount	\$36,250
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$36,250
-----------------------------------	-------------------------------	-----------------

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

Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral not offered for non-expedited settlement.
-------	--

PAYABLE PENALTY	\$36,250
------------------------	-----------------

Screening Date 21-Oct-2020

Docket No. 2020-1390-WQ-E

PCW

Respondent New Subdivisions RTC, LLC

Policy Revision 4 (April 2014)

Case ID No. 59989

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN109730549

Media Water Quality

Enf. Coordinator Mabel Travis

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	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>)	0	0%
	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) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 21-Oct-2020
Respondent New Subdivisions RTC, LLC
Case ID No. 59989
Reg. Ent. Reference No. RN109730549
Media Water Quality
Enf. Coordinator Mabel Travis

Docket No. 2020-1390-WQ-E

PCW

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

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code § 281.25(a)(4), Tex. Water Code § 26.121(a)(1), and 40 Code of Federal Regulations § 122.26(c)
Violation Description Failed to maintain authorization to discharge stormwater associated with construction activities. Specifically, authorization under Texas Pollutant Discharge Elimination System General Permit No. TXR15628B expired on March 5, 2018, and the Respondent continued to operate.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		x			5.0%
100% of the rule requirements were not met.					
Adjustment					\$23,750

\$1,250

Violation Events

Number of Violation Events 28 829 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$35,000

Twenty-Eight monthly events are recommended from the general permit application grace period end date (June 5, 2018) to the compliance date (September 11, 2020).

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 \$35,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,162

Violation Final Penalty Total \$35,000

This violation Final Assessed Penalty (adjusted for limits) \$35,000

Economic Benefit Worksheet

Respondent New Subdivisions RTC, LLC
Case ID No. 59989
Reg. Ent. Reference No. RN109730549
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				0.00	\$0	n/a	\$0
Permit Costs	\$225	5-Jun-2018	11-Sep-2020	2.27	\$26	n/a	\$26
Other (as needed)	\$10,000	5-Jun-2018	11-Sep-2020	2.27	\$1,136	n/a	\$1,136

Notes for DELAYED costs

Actual Permit Cost to submit a Notice of Intent ("NOI") to obtain authorization to discharge stormwater. The Date Required is the permit application grace period end date, and the Final Date is the date of compliance.

Estimated Other cost to develop and implement a stormwater pollution prevention plan, post a site notice, and submit a copy of the NOI to the receiving municipal separate storm sewer system. The Date Required is the permit application grace period end date, 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

\$10,225

TOTAL

\$1,162

Screening Date 21-Oct-2020
Respondent New Subdivisions RTC, LLC
Case ID No. 59989
Reg. Ent. Reference No. RN109730549
Media Water Quality
Enf. Coordinator Mabel Travis

Docket No. 2020-1390-WQ-E

PCW

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

Violation Number

Rule Cite(s)

Violation Description

Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state. Specifically, several rows of silt fencing were in various stages of disrepair along with a partially completed cinder block retaining wall separating the Site from preexisting homes on an adjacent property. Additionally, due to a breach in the sediment controls, the retained sediment deposited against the cinder block wall subsequently overflowed onto an adjacent property. The wood privacy fence on the adjacent property was damaged by the overflow and several inches of discharged sediment had deposited in the backyard. An adjacent property to the south also had sediment deposits in the backyard.

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="5.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
<input type="text" value="Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation."/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

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" value="x"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

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

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 New Subdivisions RTC, LLC
Case ID No. 59989
Reg. Ent. Reference No. RN109730549
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	\$1,500	9-Sep-2020	16-Nov-2020	0.19	\$1	\$19	\$20
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Engineering/Construction cost to remove and properly dispose of the discharged sediment from the adjacent properties, and repair the silt fencing and retaining walls to prevent unauthorized discharges from the Site. The Date Required is the investigation date, 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

\$1,500

TOTAL

\$20



Compliance History Report

Compliance History Report for CN604619726, RN109730549, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN604619726, New Subdivisions RTC, LLC
Classification: NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN109730549, ROCKPOINT ADDITION UNIT III
Classification: NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 09 - Construction

Location: 1925 Grassy Ridge Lane, Tyler, Smith County, Texas

TCEQ Region: REGION 05 - TYLER

ID Number(s):

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

Date Compliance History Report Prepared: February 24, 2026

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 27, 2016 to January 27, 2021

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

Name: Mabel Travis

Phone: (512) 239-4687

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? NO
- 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 February 23, 2018 (1471441)

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):

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 1/27/2016 and 1/27/2021

N/A

Appendix B

All Investigations Conducted During Component Period January 27, 2016 and January 27, 2021

Item 1* February 23, 2018** (1471441)

* 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
NEW SUBDIVISIONS RTC, LLC;
RN109730549**

**§
§
§
§
§**

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

DEFAULT ORDER

DOCKET NO. 2020-1390-WQ-E

On _____, the Texas Commission on Environmental Quality (“Commission” or “TCEQ”) considered the Executive Director’s Preliminary Report and Petition, filed pursuant to TEX. WATER CODE chs. 7, 26, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty on the respondent. The respondent made the subject of this Order is New Subdivisions RTC, LLC (“Respondent”). The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent operates a residential construction site located at 1925 Grassy Ridge Lane near Tyler, Smith County, Texas (the "Site"). The Site is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001.
2. During an investigation conducted on September 9, 2020, an investigator documented that Respondent:
 - a. Failed to maintain authorization to discharge stormwater associated with construction activities. Specifically, authorization under Texas Pollutant Discharge Elimination System General Permit No. TXR15628B expired on March 5, 2018, and Respondent continued to operate; and
 - b. Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state. Specifically, several rows of silt fencing were in various stages of disrepair along with a partially completed cinder block retaining wall separating the Site from preexisting homes on an adjacent property. Additionally, due to a breach in the sediment controls, the retained sediment deposited against the cinder block wall subsequently overflowed onto an adjacent property. The wood privacy fence on the adjacent property was damaged by the overflow and several inches of discharged sediment had deposited in the backyard. An adjacent property to the south also had sediment deposits in the backyard.
3. The Executive Director recognizes that Respondent implemented the following corrective measures at the Site:
 - a. Received authorization to discharge stormwater associated with construction activities on September 11, 2020; and
 - b. Transmitted photographs illustrating remediation of the silt fences, sediment flows, and wooden privacy fence on October 19, 2020.
4. The Executive Director filed the “Executive Director’s Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against new Subdivisions RTC, LLC” (the “EDPRP”) in the TCEQ Chief Clerk’s office on December 11, 2024.

5. By letter dated December 11, 2024, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to the return receipt "green card," Respondent received notice of the EDPRP on December 17, 2024, as evidenced by the signature on the card.
6. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a., Respondent failed to maintain authorization to discharge stormwater associated with construction activities, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 281.25(a)(4), and 40 C.F.R. § 122.26(c).
3. As evidenced by Finding of Fact No. 2.b., Respondent failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a).
4. As evidenced by Findings of Fact Nos. 4 and 5, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(b)(1).
5. As evidenced by Finding of Fact No. 6, Respondent failed to file a timely answer as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within 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 \$36,250 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. WATER CODE § 7.053.
8. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of \$36,250 for violations of state statutes and rules of the TCEQ. The payment of this penalty and 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 which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: New Subdivisions RTC, LLC; Docket No. 2020-1390-WQ-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. All relief not expressly granted in this Order is denied.
4. The provisions of this Order shall apply to and be binding upon Respondent.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by 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.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
7. 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 compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF DAVID C. KEAGLE

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against New Subdivisions RTC, LLC' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on December 11, 2024.

The EDPRP was mailed to Respondent's last known address on December 11, 2024, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDPRP on December 17, 2024, as evidenced by the signature on the card.

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

"My name is David C. Keagle, and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Travis County,
State of Texas,
on the 6th day of November, 2025

A handwritten signature in blue ink that reads "David C. Keagle".

Declarant