

**Executive Summary – Enforcement Matter – Case No. 60115**

**City of Junction**

**RN101920288**

**Docket No. 2020-1533-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

City of Junction WWTF, located north of and adjacent to Farm-to-Market Road 2169, approximately 0.4 mile northeast of the intersection of Farm-to-Market Road 2169 and IH-10, Junction, Kimble County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** February 28, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$38,868

**Amount Deferred for Expedited Settlement:** \$7,773

**Total Paid to General Revenue:** \$31,095

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014 and January 28, 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** September 22, 2020 and September 29, 2021 through September 30, 2021

**Date(s) of NOE(s):** November 20, 2020 and November 18, 2021

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**City of Junction**

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**Docket No. 2020-1533-MWD-E**

***Violation Information***

1. Failed to ensure all operators at the Facility have the required occupational license. Specifically, the chief operator was operating with a license that expired on April 25, 2020 [30 TEX. ADMIN. CODE §§ 30.350(d) and 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010199001, Other Requirements No. 1].
2. Failed to comply with recommended sampling and testing methods. Specifically, the dissolved oxygen meter was not being calibrated prior to use [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11 and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 2.a].
3. Failed to maintain monitoring and reporting records at the Facility. Specifically, pH meter calibration records, daily operational logs, maintenance logs, and procedural logs were not being maintained [30 TEX. ADMIN. CODE §§ 305.125(1), (11)(C), and 319.7(a), and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b and Operational Requirements No. 1].
4. Failed to properly dispose of bar screenings resulting in a discharge of municipal waste. Specifically, there was a lack of tight-fitting covers to reduce vector access to screenings stored in the containers and screenings on the ground in the surrounding area [30 TEX. ADMIN. CODE §§ 305.125(1) and 317.4(b)(4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010199001, Permit Conditions No. 2.g].
5. Failed to maintain monitoring and reporting records at the Facility. Specifically, the identity of who was conducting flow measurements was not being recorded [30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.c].
6. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal were properly operated and maintained. Specifically, trees were growing on the inside of the embankments of Pond Nos. 1 and 5, which could allow seepage of partially treated wastewater through the liner [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010199001, Other Requirements No. 3].
7. Failed to maintain monitoring and reporting records at the Facility. Specifically, supporting documents for discharge monitoring reports ("DMRs") such as lab reports and chain of custodies were not retained [30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b].
8. Failed to timely submit monitoring results at intervals specified in the permit. Specifically, the DMRs for the monthly monitoring periods of November 2020 and January, April, and August 2021 were not submitted by the 20th day of the following month [30 TEX. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 1].

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9. Failed to maintain monitoring and reporting records at the Facility. Specifically, the influent flow records of flow measurements were not being maintained [30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Other Requirements No. 4].

10. Failed to maintain monitoring and reporting records at the Facility. Specifically, the dissolved oxygen, effluent flow, and dissolved oxygen meter calibration records were not being maintained [30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b].

11. Failed to obtain approval to utilize any chemical disinfection not discussed in 30 TEX. ADMIN. CODE ch. 217. Specifically, pool chlorine tablets were being used for disinfection without prior approval [30 TEX. ADMIN. CODE §§ 217.282 and 217.7(b)(2)].

12. Failed to provide certification by a Texas Licensed Professional Engineer that the completed pond lining meets the appropriate criteria prior to utilization. Specifically, the Respondent failed to provide certifications for all three oxidation ponds [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010199001, Other Requirements No. 3].

13. Failed to provide the required alarm system. Specifically, the lift station adjacent to the Facility did not have an operational audio-visual alarm [30 TEX. ADMIN. CODE § 317.3(e)(5)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

a. By October 30, 2020:

i. Updated procedures and conducted employee training to ensure adequate quality control measures are implemented, including but not limited to calibrating the dissolved oxygen meter prior to use;

ii. Began retaining all supporting documents for DMRs; and

iii. Began recording pH calibration measures.

b. By November 6, 2020, began maintaining daily operational logs, maintenance logs, and procedural logs;

c. By January 27, 2021, renewed the chief operator's occupational license; and

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**City of Junction**

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**Docket No. 2020-1533-MWD-E**

d. By September 21, 2021, submitted the DMRs for the monthly monitoring periods of November 2020 and January, April, and August 2021.

**Technical Requirements:**

The Order will require the Respondent to:

a. Within 30 days:

i. Develop and implement procedures to ensure:

1. Records are maintained in accordance with permit requirements, including but not limited to influent and effluent flow records, dissolved oxygen and dissolved oxygen calibration records, and the identity of the individual taking samples and measurements;

2. Bar screenings are properly disposed of in a covered container; and

3. Proper maintenance of vegetation around the retention ponds.

ii. Clean up the screenings on the ground in the surrounding area;

iii. Remove trees and large vegetation from the embankments of Pond Nos. 1 and 5;

iv. Install an approved disinfection system at the Facility;

v. Conduct an evaluation of the Facility by a Texas Licensed Professional Engineer in order to meet the requirements of the liner certification for the three oxidation ponds; and

vi. Repair/replace the lift station audio-visual alarm adjacent to the Facility.

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

c. Within 180 days, have the liners of Pond Nos. 1 and 5 re-certified by a Texas Licensed Professional Engineer.

d. Within 195 days, submit written certification to demonstrate compliance with c.

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City of Junction  
RN101920288  
Docket No. 2020-1533-MWD-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Harley Hobson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-1337; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** The Honorable Russell Hammonds, Mayor, City of Junction, 730 Main Street, Junction, Texas 76849

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	23-Nov-2020	<b>Screening</b>	30-Nov-2020	<b>EPA Due</b>	
	<b>PCW</b>	1-Dec-2020				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	City of Junction (PCW No. 1 of 2)				
<b>Reg. Ent. Ref. No.</b>	RN101920288				
<b>Facility/Site Region</b>	8-San Angelo	<b>Major/Minor Source</b>	Minor		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	60115	<b>No. of Violations</b>	7
<b>Docket No.</b>	2020-1533-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Harley Hobson
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$18,750</b>
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>24.0%</b>	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$4,500</b>
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<b>Notes</b>	Enhancement for one month of self-reported effluent violations, one NOV with dissimilar violations, and one order with a denial of liability.
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<b>Culpability</b>	No	<b>0.0%</b>	<b>Enhancement</b>	<b>Subtotal 4</b>	<b>\$0</b>
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<b>Notes</b>	The Respondent does not meet the culpability criteria.
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>-\$562</b>
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<b>Economic Benefit</b>	<b>0.0%</b>	<b>Enhancement*</b>	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts	\$2,145
Estimated Cost of Compliance	\$6,672

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$22,688</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
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<b>Final Penalty Amount</b>	<b>\$22,688</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$22,688</b>
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<b>DEFERRAL</b>	<b>20.0%</b>	<b>Reduction</b>	<b>Adjustment</b>	<b>-\$4,537</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.
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<b>PAYABLE PENALTY</b>	<b>\$18,151</b>
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<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)			<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60115			<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			

## 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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	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)** 24%

### >> Repeat Violator (Subtotal 3)

No

**Adjustment Percentage (Subtotal 3)** 0%

### >> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

**Adjustment Percentage (Subtotal 7)** 0%

### >> Compliance History Summary

**Compliance History Notes**

Enhancement for one month of self-reported effluent violations, one NOV with dissimilar violations, and one order with a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 24%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 24%

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 30.350(d) and 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010199001, Other Requirements No. 1			
<b>Violation Description</b>	Failed to ensure all operators at the Facility have the required occupational license. Specifically, the chief operator was operating with a license that expired on April 25, 2020.			
<b>Base Penalty</b>				\$25,000

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual				
	Potential		x		<b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">5.0%</span>

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">0.0%</span>

Matrix Notes: Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$23,750

\$1,250

**Violation Events**

Number of Violation Events	3	Number of violation days	219
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	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				

**Violation Base Penalty** \$3,750

Three quarterly events are recommended, from the April 25, 2020 date the operator's license expired, to the November 30, 2020 screening date.

**Good Faith Efforts to Comply**

	<b>10.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			<b>Reduction</b> <span style="border: 1px solid blue; padding: 0 10px;">\$375</span>
Ordinary		x	
N/A			

Notes: The Respondent achieved compliance on January 27, 2021.

**Violation Subtotal** \$3,375

**Economic Benefit (EB) for this violation**
**Statutory Limit Test**

<b>Estimated EB Amount</b>	\$195	<b>Violation Final Penalty Total</b>	\$4,275
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$4,275	



# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$186	22-Sep-2020	27-Jan-2021	0.35	\$3	n/a	\$3

### Notes for DELAYED costs

Estimated delayed cost to renew the chief operator's occupational license. 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	\$186	25-Apr-2020	30-Nov-2020	0.60	\$6	\$186	\$192
Other (as needed)				0.00	\$0	\$0	\$0

### Notes for AVOIDED costs

Estimated avoided cost to ensure all operators at the Facility have the required occupational license. The Date Required is the chief operator's license expiration date, and the Final Date is the screening date.

Approx. Cost of Compliance

\$372

**TOTAL**

\$195

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>	
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)				Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60115				PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN101920288				
<b>Media</b>	Water Quality				
<b>Enf. Coordinator</b>	Harley Hobson				
<b>Violation Number</b>	2				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and 319.11 and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 2.a				
<b>Violation Description</b>	Failed to comply with recommended sampling and testing methods. Specifically, the dissolved oxygen meter was not being calibrated prior to use.				
		<b>Base Penalty</b>	\$25,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual				
	Potential			x	<b>Percent</b> 3.0%
<b>&gt;&gt;Programmatic Matrix</b>					
	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%
<b>Matrix Notes</b>	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
		<b>Adjustment</b>	\$24,250		
			\$750		
<b>Violation Events</b>					
	Number of Violation Events	1	38	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event		x		<b>Violation Base Penalty</b> \$750
	One single event is recommended.				
<b>Good Faith Efforts to Comply</b>		25.0%		<b>Reduction</b>	\$187
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary	x			
	N/A				
	<b>Notes</b>	The Respondent achieved compliance on October 30, 2020.			
		<b>Violation Subtotal</b>	\$563		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>			
	<b>Estimated EB Amount</b>	\$1	<b>Violation Final Penalty Total</b>	\$743	
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$743		

## Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	22-Sep-2020	30-Oct-2020	0.10	\$1	n/a	\$1
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 Training/Sampling cost to update procedures and conduct employee training to ensure adequate quality control measures are implemented, including but not limited to calibrating the dissolved oxygen meter prior to use. 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

\$250

**TOTAL**

\$1

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>	
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)				<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60115				<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN101920288				
<b>Media</b>	Water Quality				
<b>Enf. Coordinator</b>	Harley Hobson				
<b>Violation Number</b>	3				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1), (11)(C), and 319.7(a), and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b and Operational Requirements No. 1				
<b>Violation Description</b>	Failed to maintain monitoring and reporting records at the Facility. Specifically, pH meter calibration records, daily operational logs, maintenance logs, and procedural logs were not being maintained.				
		<b>Base Penalty</b>	\$25,000		

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
Potential					

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 5.0%
<b>Matrix Notes</b>	100% of the rule requirement was not met.				
					<b>Adjustment</b> \$23,750

\$1,250

**Violation Events**

Number of Violation Events	1		69	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		<b>Violation Base Penalty</b> \$1,250
	semiannual			
	annual			
	single event			
	One quarterly event is recommended, from the September 22, 2020 investigation date to the November 30, 2020 screening date.			

**Good Faith Efforts to Comply**

	<b>0.0%</b>	
	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.	
		<b>Violation Subtotal</b> \$1,250

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$0
<b>Violation Final Penalty Total</b>	\$1,550
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$1,550

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$50	22-Sep-2020	30-Oct-2020	0.10	\$0	n/a	\$0
Record Keeping System	\$50	22-Sep-2020	6-Nov-2020	0.12	\$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 Record Keeping System cost to begin recording pH calibration measures. The Date Required is the investigation date, and the Final Date is the date of the pH calibration measures were recorded.

Estimated Record Keeping System cost to begin maintaining daily operational logs, maintenance logs, and procedural logs. The Date Required is the investigation date, and the Final Date is the date the daily operational logs, maintenance logs, and procedural logs were maintained.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

**TOTAL**

\$0

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>	
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)				<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60115				<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN101920288				
<b>Media</b>	Water Quality				
<b>Enf. Coordinator</b>	Harley Hobson				
<b>Violation Number</b>	4				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and 317.4(b)(4), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010199001, Permit Conditions No. 2.g				
<b>Violation Description</b>	Failed to properly dispose of bar screenings resulting in a discharge of municipal waste. Specifically, there was a lack of tight-fitting covers to reduce vector access to screenings stored in the containers and screenings on the ground in the surrounding area.				
		<b>Base Penalty</b>	\$25,000		

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	
	Potential				
				<b>Percent</b>	5.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes: 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.

**Adjustment** \$23,750

\$1,250

**Violation Events**

Number of Violation Events	1	Number of violation days	69
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	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

**Violation Base Penalty** \$1,250

One quarterly event is recommended, from the September 22, 2020 investigation date to the November 30, 2020 screening date.

**Good Faith Efforts to Comply**

	<b>0.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		

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

**Violation Subtotal** \$1,250

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$58
<b>Violation Final Penalty Total</b>	\$1,550
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$1,550

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	22-Sep-2020	30-Apr-2025	4.61	\$58	n/a	\$58
Notes for DELAYED costs	Estimated delayed cost to develop and implement procedures to ensure bar screenings are properly disposed of in a covered container and clean up the screenings on the ground in the surrounding area. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance \$250

**TOTAL** \$58

Screening Date	30-Nov-2020	
Respondent	City of Junction (PCW No. 1 of 2)	
Case ID No.	60115	
Reg. Ent. Reference No.	RN101920288	
Media	Water Quality	
Enf. Coordinator	Harley Hobson	
Violation Number	<input type="text" value="5"/>	
Rule Cite(s)	30 Tex. Admin. Code §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.c	
Violation Description	Failed to maintain monitoring and reporting records at the Facility. Specifically, the identity of who was conducting flow measurements was not being recorded.	
		<b>Base Penalty</b> <input type="text" value="\$25,000"/>
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>		
<b>OR</b>	<b>Release</b>	<b>Harm</b>
		Major      Moderate      Minor
	Actual	<input type="text"/>
	Potential	<input type="text"/>
		<b>Percent</b> <input type="text" value="0.0%"/>
<b>&gt;&gt; Programmatic Matrix</b>		
	Falsification	Major      Moderate      Minor
	<input type="text"/>	<input type="text" value="x"/>
		<b>Percent</b> <input type="text" value="1.0%"/>
Matrix Notes	<input type="text" value="Less than 30% of the rule requirements were not met."/>	
		<b>Adjustment</b> <input type="text" value="\$24,750"/>
		<input type="text" value="\$250"/>
<b>Violation Events</b>		
Number of Violation Events <input type="text" value="1"/>		<input type="text" value="69"/> Number of violation days
	daily weekly monthly quarterly semiannual annual single event	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text" value="x"/>
		<b>Violation Base Penalty</b> <input type="text" value="\$250"/>
<input type="text" value="One single event is recommended."/>		
<b>Good Faith Efforts to Comply</b>		<b>Reduction</b> <input type="text" value="\$0"/>
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	<input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>	
		<b>Violation Subtotal</b> <input type="text" value="\$250"/>
<b>Economic Benefit (EB) for this violation</b>		
<b>Estimated EB Amount</b> <input type="text" value="\$12"/>		<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b> <input type="text" value="\$310"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$310"/>



## Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$50	22-Sep-2020	30-Apr-2025	4.61	\$12	n/a	\$12
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 Training cost to develop and implement procedures and conduct employee training to ensure the identity of who conducts flow measurements is recorded in accordance with permit requirements. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$50

**TOTAL**

\$12

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>	
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)				<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60115				<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN101920288				
<b>Media</b>	Water Quality				
<b>Enf. Coordinator</b>	Harley Hobson				
<b>Violation Number</b>	6				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010199001, Other Requirements No. 3				
<b>Violation Description</b>	Failed to ensure the Facility and all of its systems of collection, treatment, and disposal were properly operated and maintained. Specifically, trees were growing on the inside of the embankments of Pond Nos. 1 and 5, which could allow seepage of partially treated wastewater through the liner.				
		<b>Base Penalty</b>	\$25,000		

**>> Environmental, Property and Human Health Matrix**

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

**>> Programmatic Matrix**

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

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

**Violation Events**

Number of Violation Events	<input type="text" value="3"/>		Number of violation days	<input type="text" value="69"/>
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	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text" value="x"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

**Violation Base Penalty**

Three monthly events are recommended, from the September 22, 2020 investigation date to the November 30, 2020 screening date.

**Good Faith Efforts to Comply**

	<b>0.0%</b>		
	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"/>	

<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.
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**Violation Subtotal**

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input type="text" value="\$1,879"/>
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	<input type="text" value="\$13,950"/>
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**This violation Final Assessed Penalty (adjusted for limits)**

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	22-Sep-2020	12-Sep-2025	4.98	\$83	\$1,658	\$1,741
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	\$500	22-Sep-2020	30-Apr-2025	4.61	\$115	n/a	\$115
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	22-Sep-2020	30-Apr-2025	4.61	\$23	n/a	\$23

### Notes for DELAYED costs

Estimated Engineering/Construction cost to have the liners of Pond Nos. 1 and 5 re-certified by a Texas Licensed Professional Engineer. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

Estimated Remediation/Disposal cost to remove trees and large vegetation from Pond Nos. 1 and 5. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

Estimated Other cost to develop and implement procedures to ensure proper maintenance of vegetation around the retention ponds. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,600

**TOTAL**

\$1,879

<b>Screening Date</b>	30-Nov-2020	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 1 of 2)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	7			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b			
<b>Violation Description</b>	Failed to maintain monitoring and reporting records at the Facility. Specifically, supporting documents for Discharge Monitoring Reports ("DMRs") such as lab reports and chain of custodies were not retained.			
<b>Base Penalty</b>				\$25,000

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual				
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	<b>Percent</b>	
				x		1.0%
	Less than 30% of the rule requirements were not met.					

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	1	38	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
One single event is recommended.			

**Violation Base Penalty** \$250

**Good Faith Efforts to Comply**

	<b>0.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

**Violation Subtotal** \$250

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$0	\$310

**This violation Final Assessed Penalty (adjusted for limits)** \$310

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 1 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$50	22-Sep-2020	30-Oct-2020	0.10	\$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 Record Keeping System cost to begin retaining all supporting documents for DMRs. The Date Required is the investigation date, and the Final Date is the date that all the supporting documents for the DMRs were retained.						

## 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 \$50

**TOTAL** \$0



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	23-Nov-2021	<b>Screening</b>	30-Nov-2021	<b>EPA Due</b>	
	<b>PCW</b>	30-Nov-2021				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	City of Junction (PCW No. 2 of 2)				
<b>Reg. Ent. Ref. No.</b>	RN101920288				
<b>Facility/Site Region</b>	8-San Angelo		<b>Major/Minor Source</b>	Minor	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	60115	<b>No. of Violations</b>	6
<b>Docket No.</b>	2020-1533-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Harley Hobson
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$13,250
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	24.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$3,180
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Notes: Enhancement for one month of self-reported effluent violations, one NOV with dissimilar violations, and one order with a denial of liability.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$250
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$2,604  
Estimated Cost of Compliance: \$10,500  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$16,180
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$16,180
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$16,180
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$3,236
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$12,944
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<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	60115			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			

## 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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	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)** 24%

### >> Repeat Violator (Subtotal 3)

No

**Adjustment Percentage (Subtotal 3)** 0%

### >> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

**Adjustment Percentage (Subtotal 7)** 0%

### >> Compliance History Summary

**Compliance History Notes**

Enhancement for one month of self-reported effluent violations, one NOV with dissimilar violations, and one order with a denial of liability.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 24%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 24%

<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)	<i>Policy Revision 5 (January 28, 2021)</i>		
<b>Case ID No.</b>	60115	<i>PCW Revision February 11, 2021</i>		
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 1			
<b>Violation Description</b>	Failed to timely submit monitoring results at intervals specified in the permit. Specifically, the discharge monitoring reports ("DMRs") for the monthly monitoring periods of November 2020 and January, April, and August 2021 were not submitted by the 20th day of the following month.			
<b>Base Penalty</b>				\$25,000

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>	
		Major	Moderate	Minor		
	Actual					
	Potential					

**>> Programmatic Matrix**

<b>OR</b>	<b>Falsification</b>	Major	Moderate	Minor	<b>Percent</b>	
				x		
Matrix Notes	Less than 30% of the rule requirement was not met.					
<b>Adjustment</b>						\$24,750

\$250

**Violation Events**

Number of Violation Events	4	122	Number of violation days	
daily				
weekly				
monthly				
quarterly				
semiannual				
annual				
single event	x			
Four single events are recommended, one for each late DMR.				
<b>Violation Base Penalty</b>				\$1,000

**Good Faith Efforts to Comply**

	<b>25.0%</b>		<b>Reduction</b>	\$250
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent achieved compliance by September 21, 2021.			
<b>Violation Subtotal</b>				\$750

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$4	<b>Violation Final Penalty Total</b>
	\$990
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
	\$990



# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	20-Dec-2020	21-Sep-2021	0.75	\$4	n/a	\$4

### Notes for DELAYED costs

Estimated cost to submit the late DMRs (\$25 per report). The Date Required is the first missed DMR due 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

\$100

### TOTAL

\$4

<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Other Requirements No. 4			
<b>Violation Description</b>	Failed to maintain monitoring and reporting records at the Facility. Specifically, the influent flow records of flow measurements were not being maintained.			
		<b>Base Penalty</b>	\$25,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual				
	Potential				
					<b>Percent</b> 0.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
				x	
					<b>Percent</b> 1.0%

Matrix Notes	Less than 30% of the rule requirements were not met.
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**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	1		62	Number of violation days
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daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$250

One single event is recommended.
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**Good Faith Efforts to Comply**

	0.0%			
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary				
N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.			

**Violation Subtotal** \$250

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$27	<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b> \$310
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$310

## Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$150	29-Sep-2021	30-Apr-2025	3.59	\$27	n/a	\$27
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 Training cost to develop and implement procedures and conduct employee training to ensure the influent flow, effluent flow, dissolved oxygen, and dissolved oxygen meter calibration records are maintained accordance with permit requirements. The Date Required is the investigation start date, and the Final Date is the estimated date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$150

**TOTAL**

\$27

<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	3			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b			
<b>Violation Description</b>	Failed to maintain monitoring and reporting records at the Facility. Specifically, the dissolved oxygen, effluent flow, and dissolved oxygen meter calibration records were not being maintained.			
		<b>Base Penalty</b>	\$25,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 10.0%
Matrix Notes	100% of the rule requirement was not met.				
					<b>Adjustment</b> \$22,500

\$2,500

**Violation Events**

Number of Violation Events	1	62	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		
			<b>Violation Base Penalty</b> \$2,500
One quarterly event is recommended, from the September 29, 2021 investigation date to the November 30, 2021 screening date.			

**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.		
			<b>Violation Subtotal</b> \$2,500

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	<b>Violation Final Penalty Total</b>
\$0	\$3,100
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$3,100	

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Training cost is captured in the Economic Benefit No. 2.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$0	<b>TOTAL</b>	\$0
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<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	4			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 217.282 and 217.7(b)(2)			
<b>Violation Description</b>	Failed to obtain approval to utilize any chemical disinfection not discussed in 30 Texas Admin. Code Chapter 217. Specifically, pool chlorine tablets were being used for disinfection without prior approval.			
		<b>Base Penalty</b>	\$25,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b>
	Potential			x	

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>				
	Major	Moderate	Minor		
					<b>Percent</b>
Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
					<b>Adjustment</b>

\$24,250

\$750

**Violation Events**

Number of Violation Events	1	62	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		
<b>Violation Base Penalty</b>			

\$750

One quarterly event is recommended, from the September 29, 2021 investigation date to the November 30, 2021 screening date.

**Good Faith Efforts to Comply**

	<b>0.0%</b>		
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.		
			<b>Violation Subtotal</b>

\$0

\$750

**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$1,255
	<b>Violation Final Penalty Total</b>
	\$930
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$930	

# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	29-Sep-2021	30-Apr-2025	3.59	\$60	\$1,195	\$1,255
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 install an approved disinfection system at the Facility. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

## Avoided Costs

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

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

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$5,000

**TOTAL**

\$1,255

<b>Screening Date</b>	30-Nov-2021	<b>Docket No.</b>	2020-1533-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Junction (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
<b>Case ID No.</b>	60115			
<b>Reg. Ent. Reference No.</b>	RN101920288			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			
<b>Violation Number</b>	5			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010199001, Other Requirements No. 3			
<b>Violation Description</b>	Failed to provide certification by a Texas Licensed Professional Engineer that the completed pond lining meets the appropriate criteria prior to utilization. Specifically, the Respondent failed to provide certifications for all three oxidation ponds.			
		<b>Base Penalty</b>	\$25,000	

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>				
		Major	Moderate	Minor	<b>Percent</b>		
	Actual						0.0%
	Potential						

**>> Programmatic Matrix**

<b>OR</b>		<b>Falsification</b>	Major	Moderate	Minor		
					<b>Percent</b>		
	Actual						10.0%
	Potential						

<b>Matrix Notes</b>	100% of the rule requirement was not met.
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<b>Adjustment</b>	\$22,500
<b>Subtotal</b>	
\$2,500	

**Violation Events**

Number of Violation Events	3		Number of violation days	62														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td>x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event				
daily																		
weekly																		
monthly	x																	
quarterly																		
semiannual																		
annual																		
single event																		
<b>Violation Base Penalty</b>				\$7,500														

Three monthly events are recommended, from the September 29, 2021 investigation date to the November 30, 2021 screening date.
---

**Good Faith Efforts to Comply**

	<b>0.0%</b>		<b>Reduction</b>	\$0
	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer		
Extraordinary				
Ordinary				
N/A	x			
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.			
<b>Violation Subtotal</b>				\$7,500

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$1,255	<b>Statutory Limit Test</b>	
		<b>Violation Final Penalty Total</b>	\$9,300
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$9,300	



# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	29-Sep-2021	30-Apr-2025	3.59	\$60	\$1,195	\$1,255
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 conduct an evaluation of the Facility by a Texas Licensed Professional Engineer in order to meet the requirements of the liner certification. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$1,255

<b>Screening Date</b> 30-Nov-2021 <b>Respondent</b> City of Junction (PCW No. 2 of 2) <b>Case ID No.</b> 60115 <b>Reg. Ent. Reference No.</b> RN101920288 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson	<b>Docket No.</b> 2020-1533-MWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	6	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 317.3(e)(5)
<b>Violation Description</b>	Failed to provide the required alarm system. Specifically, the lift station adjacent to the Facility did not have an operational audio-visual alarm.	

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual				
	Potential		x		
					<b>Percent</b> 5.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$23,750
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	\$1,250
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**Violation Events**

Number of Violation Events	1		62	Number of violation days
----------------------------	---	--	----	--------------------------

	daily				
	weekly				
	monthly				
	quarterly		x		
	semiannual				
	annual				
	single event				

<b>Violation Base Penalty</b>	\$1,250
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One quarterly event is recommended, from the September 29, 2021 investigation date to the November 30, 2021 screening date.	
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**Good Faith Efforts to Comply**

	0.0%	
	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.	

<b>Violation Subtotal</b>	\$1,250
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$63	
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$1,550
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$1,550
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# Economic Benefit Worksheet

**Respondent** City of Junction (PCW No. 2 of 2)  
**Case ID No.** 60115  
**Reg. Ent. Reference No.** RN101920288  
**Media** Water Quality  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment	\$250	29-Sep-2021	30-Apr-2025	3.59	\$3	\$60	\$63
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Equipment cost to repair/replace the lift station audio-visual alarm. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$250	<b>TOTAL</b>	\$63
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# Compliance History Report

Compliance History Report for CN600253058, RN101920288, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

**Customer, Respondent, or Owner/Operator:** CN600253058, City of Junction

**Classification:** SATISFACTORY

**Rating:** 2.30

**Regulated Entity:** RN101920288, CITY OF JUNCTION

**Classification:** SATISFACTORY

**Rating:** 4.28

**Complexity Points:** 7

**Repeat Violator:** NO

**CH Group:** 08 - Sewage Treatment Facilities

**Location:** North of and adjacent to Farm-to-Market Road 2169, approximately 0.4 mile northeast of the intersection of Farm-to-Market Road 2169 and Interstate Highway 10, Junction, Kimble County, Texas

**TCEQ Region:** REGION 08 - SAN ANGELO

**ID Number(s):**

**WASTEWATER PERMIT** WQ0010199001

**WASTEWATER EPA ID** TX0021075

**Compliance History Period:** September 01, 2019 to August 31, 2024

**Rating Year:** 2024

**Rating Date:** 09/01/2024

**Date Compliance History Report Prepared:** November 15, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** November 15, 2019 to November 15, 2024

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

**Name:** Harley Hobson

**Phone:** (512) 239-1337

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

- 1 Effective Date: 09/16/2020 ADMINORDER 2020-0102-MWD-E (1660 Order-Agreed Order With Denial)
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: Effluent Limits PERMIT
- Description: During a record review conducted on November 25, 2019, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE §305.125(1), TEX. WATER CODE §26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010199001, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

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

Item 1	April 28, 2020	(1637266)	Item 10	August 14, 2023	(1933133)
Item 2	June 20, 2020	(1666703)	Item 11	October 17, 2023	(1946121)
Item 3	July 23, 2020	(1673661)	Item 12	November 20, 2023	(1951812)
Item 4	September 20, 2020	(1687004)	Item 13	December 18, 2023	(1961576)
Item 5	October 20, 2020	(1693351)	Item 14	January 25, 2024	(1968170)
Item 6	November 20, 2020	(1712743)	Item 15	February 13, 2024	(1977232)
Item 7	December 22, 2020	(1712744)	Item 16	March 18, 2024	(1983799)
Item 8	April 22, 2021	(1704200)	Item 17	May 16, 2024	(1996785)
Item 9	December 20, 2021	(1775880)	Item 18	June 11, 2024	(2003737)

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

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

- 1

Date: 03/31/2024 (1990328)

Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter
- 2

Date: 06/14/2024 (1988184)

Self Report? NO

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: Failure to prevent an unauthorized discharge into or adjacent to waters of the State.

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(5)

WQ0010199001 PERMIT

Description: Failure to maintain the collection system.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(9)

WQ0010199001 PERMIT

Description: Failure to provide notification of any noncompliance which may endanger human health or safety, or the environment.

**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

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CITY OF JUNCTION  
RN101920288

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2020-1533-MWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Junction (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located north of and adjacent to Farm-to-Market Road 2169, approximately 0.4 mile northeast of the intersection of Farm-to-Market Road 2169 and Interstate Highway 10, Junction, Kimble County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the 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 the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$38,868 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$31,095 of the penalty and \$7,773 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, 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 the Respondent has not complied with one or more of the terms or conditions 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 compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - a. By October 30, 2020:
    - i. Updated procedures and conducted employee training to ensure adequate quality control measures are implemented, including but not limited to calibrating the dissolved oxygen meter prior to use; and
    - ii. Began retaining all supporting documents for discharge monitoring reports ("DMRs"); and
    - iii. Began recording pH calibration measures.
  - b. By November 6, 2020, began maintaining daily operational logs, maintenance logs, and procedural logs;
  - c. By January 27, 2021, renewed the chief operator's occupational license; and
  - d. By September 21, 2021, submitted the DMRs for the monthly monitoring periods of November 2020 and January, April, and August 2021.

## II. ALLEGATIONS

1. During an investigation conducted on September 22, 2020, an investigator documented that the Respondent:
  - a. Failed to ensure all operators at the Facility have the required occupational license, in violation of 30 TEX. ADMIN. CODE §§ 30.350(d) and 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010199001, Other Requirements No. 1. Specifically, the chief operator was operating with a license that expired on April 25, 2020.
  - b. Failed to comply with recommended sampling and testing methods, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11 and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 2.a. Specifically, the dissolved oxygen meter was not being calibrated prior to use.

- c. Failed to maintain monitoring and reporting records at the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1), (11)(C), and 319.7(a), and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b and Operational Requirements No. 1. Specifically, pH meter calibration records, daily operational logs, maintenance logs, and procedural logs were not being maintained.
  - d. Failed to properly dispose of bar screenings resulting in a discharge of municipal waste, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 317.4(b)(4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010199001, Permit Conditions No. 2.g. Specifically, there was a lack of tight-fitting covers to reduce vector access to screenings stored in the containers and screenings on the ground in the surrounding area.
  - e. Failed to maintain monitoring and reporting records at the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.c. Specifically, the identity of who was conducting flow measurements was not being recorded.
  - f. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal were properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010199001, Other Requirements No. 3. Specifically, trees were growing on the inside of the embankments of Pond Nos. 1 and 5, which could allow seepage of partially treated wastewater through the liner.
  - g. Failed to maintain monitoring and reporting records at the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(C) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b. Specifically, supporting documents for DMRs such as lab reports and chain of custodies were not retained.
2. During an investigation conducted from September 29, 2021 through September 30, 2021, an investigator documented that the Respondent:
- a. Failed to timely 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. WQ0010199001, Monitoring and Reporting Requirements No. 1. Specifically, the DMRs for the monthly monitoring periods of November 2020 and January, April, and August 2021 were not submitted by the 20th day of the following month.
  - b. Failed to maintain monitoring and reporting records at the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Other Requirements No. 4. Specifically, the influent flow records of flow measurements were not being maintained.
  - c. Failed to maintain monitoring and reporting records at the Facility, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (11)(B) and 319.7(a) and TPDES Permit No. WQ0010199001, Monitoring and Reporting Requirements No. 3.b.



Specifically, the dissolved oxygen, effluent flow, and dissolved oxygen meter calibration records were not being maintained.

- d. Failed to obtain approval to utilize any chemical disinfection not discussed in 30 TEXAS ADMIN. CODE ch. 217, in violation of 30 TEX. ADMIN. CODE §§ 217.282 and 217.7(b)(2). Specifically, pool chlorine tablets were being used for disinfection without prior approval.
- e. Failed to provide certification by a Texas Licensed Professional Engineer that the completed pond lining meets the appropriate criteria prior to utilization, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010199001, Other Requirements No. 3. Specifically, the Respondent failed to provide certifications for all three oxidation ponds.
- f. Failed to provide the required alarm system, in violation of 30 TEX. ADMIN. CODE § 317.3(e)(5). Specifically, the lift station adjacent to the Facility did not have an operational audio-visual alarm.

### **III. DENIALS**

The Respondent generally denies each allegation in Section II ("Allegations").

### **IV. ORDERING PROVISIONS**

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

- 1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the 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 action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Junction, Docket No. 2020-1533-MWD-E" to:

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

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Develop and implement procedures to ensure:
      - 1. Records are maintained in accordance with permit requirements, including but not limited to influent and effluent flow records, dissolved oxygen and dissolved oxygen calibration records, and the identity of the individual taking samples and measurements;

2. Bar screenings are properly disposed of in a covered container;  
and
  3. Proper maintenance of vegetation around the retention ponds.
- ii. Clean up the screenings on the ground in the surrounding area, in accordance with 30 TEX. ADMIN. CODE § 317.4, TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010199001, Permit Conditions No. 2.g;
  - iii. Remove trees and large vegetation from the embankments of Pond Nos. 1 and 5, in accordance with TPDES Permit No. WQ0010199001, Other Requirements No. 3;
  - iv. Install an approved disinfection system at the Facility, in accordance with 30 TEX. ADMIN. CODE §§ 217.282 and 217.7;
  - v. Conduct an evaluation of the Facility by a Texas Licensed Professional Engineer in order to meet the requirements of the liner certification for the three oxidation ponds, in accordance with TPDES Permit No. WQ0010199001, Other Requirements No. 3; and
  - vi. Repair/replace the lift station audio-visual alarm adjacent to the Facility, in accordance with 30 TEX. ADMIN. CODE § 317.3.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.vi.
  - c. Within 180 days after the effective date of this Order, have the liners of Pond Nos. 1 and 5 re-certified by a Texas Licensed Professional Engineer, in accordance with TPDES Permit No. WQ0010199001, Other Requirements No. 3.
  - d. Within 195 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager  
San Angelo Regional Office  
Texas Commission on Environmental Quality  
622 South Oakes, Suite K  
San Angelo, Texas 76903-7035

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Section at the address listed above.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. 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.

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

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

  
-----  
For the Executive Director

5/9/2025

-----  
Date

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


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

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

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

  
-----  
Signature

12/16/24  
-----  
Date

  
-----  
Name (Printed or typed)  
Authorized Representative of  
City of Junction

  
-----  
Title

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