

Executive Summary – Enforcement Matter – Case No. 60187
Grand Mission Municipal Utility District No. 1
RN102845823
Docket No. 2020-1595-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Grand Mission MUD 1 WWTP, located approximately 0.9 mile south and 0.5 mile west of the intersection of Farm-to-Market Road 1093 and Grand Mission Boulevard, Fort Bend 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: January 21, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$30,187

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$30,187

Name of SEP: WWTP Improvements (Compliance)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: August 3, 2020

Date(s) of NOE(s): December 9, 2020

Executive Summary – Enforcement Matter – Case No. 60187
Grand Mission Municipal Utility District No. 1
RN102845823
Docket No. 2020-1595-MWD-E

Violation Information

Failed to comply with permitted effluent limitations for *Escherichia coli* [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014231001, Interim Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to, within 260 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0014231001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Ellen Ojeda, Enforcement Division, Enforcement Team 7, MC 219, (512) 239-2581; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

Respondent: Maury Rubin, President, Grand Mission Municipal Utility District No. 1, 9 East Greenway Plaza, Suite 1000, Houston, Texas 77046

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	14-Dec-2020	Screening	14-Dec-2020	EPA Due	
	PCW	17-Aug-2021				

RESPONDENT/FACILITY INFORMATION

Respondent	Grand Mission Municipal Utility District No. 1				
Reg. Ent. Ref. No.	RN102845823				
Facility/Site Region	12-Houston		Major/Minor Source	Major	

CASE INFORMATION

Enf./Case ID No.	60187	No. of Violations	2
Docket No.	2020-1595-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Stephanie Frederick
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$28,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	5.0%	Adjustment	Subtotals 2, 3, & 7	\$1,437
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Notes	Enhancement for one month of self-reported effluent violations.			
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.				
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$4,771	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$44,710	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$30,187
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes		
	Final Penalty Amount	\$30,187

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$30,187
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.			
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PAYABLE PENALTY	\$30,187
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Screening Date	14-Dec-2020	Docket No.	2020-1595-MWD-E	PCW
Respondent	Grand Mission Municipal Utility District No. 1			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	60187			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN102845823			
Media	Water Quality			
Enf. Coordinator	Stephanie Frederick			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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) 5%

>> 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.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 5%

Screening Date	14-Dec-2020	Docket No.	2020-1595-MWD-E	PCW
Respondent	Grand Mission Municipal Utility District No. 1			Policy Revision 4 (April 2014)
Case ID No.	60187			PCW Revision March 26, 2014
Reg. Ent. Reference No.	RN102845823			
Media	Water Quality			
Enf. Coordinator	Stephanie Frederick			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014231001, Interim Effluent Limitations and Monitoring Requirements No. 1			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
Base Penalty			\$25,000	

>> Environmental, Property and Human Health Matrix

OR	Release	Major	Moderate	Minor		
	Actual			x		
	Potential					
					Percent	15.0%

>>Programmatic Matrix

	Falsification	Major	Moderate	Minor		
					Percent	0.0%

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events	1			Number of violation days	31
----------------------------	---	--	--	--------------------------	----

	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

Violation Base Penalty \$3,750

One quarterly event is recommended for the quarter containing the month of December 2019.

Good Faith Efforts to Comply

	0.0%			
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Reduction	\$0
Extraordinary				
Ordinary				
N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.			

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Estimated EB Amount	\$4,771	Statutory Limit Test		
		Violation Final Penalty Total	\$3,938	
This violation Final Assessed Penalty (adjusted for limits)			\$3,938	

Economic Benefit Worksheet

Respondent Grand Mission Municipal Utility District No. 1
Case ID No. 60187
Reg. Ent. Reference No. RN102845823
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)	\$44,710	31-Dec-2019	17-Feb-2022	2.13	\$4,771	n/a	\$4,771

Notes for DELAYED costs

Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, clean and inspect collection system sewer lines, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance 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

\$44,710

TOTAL

\$4,771

Screening Date	14-Dec-2020	Docket No.	2020-1595-MWD-E	PCW
Respondent	Grand Mission Municipal Utility District No. 1	Policy Revision 4 (April 2014)		
Case ID No.	60187	PCW Revision March 26, 2014		
Reg. Ent. Reference No.	RN102845823			
Media	Water Quality			
Enf. Coordinator	Stephanie Frederick			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0014231001, Interim Effluent Limitations and Monitoring Requirements No. 1			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
Base Penalty				\$25,000

>> Environmental, Property and Human Health Matrix

OR		Release	Harm		
			Major Moderate Minor		
	Actual	x			Percent
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent
					0.0%

Matrix Notes	Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.
Adjustment	
\$0	

\$25,000

Violation Events

Number of Violation Events	1		31	Number of violation days
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	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			

One monthly event is recommended for the month of January 2020.

\$25,000

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.	

\$25,000

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$0
	Violation Final Penalty Total
	\$26,250
This violation Final Assessed Penalty (adjusted for limits)	
\$26,250	

Economic Benefit Worksheet

Respondent Grand Mission Municipal Utility District No. 1
Case ID No. 60187
Reg. Ent. Reference No. RN102845823
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Delayed Costs are captured on the Economic Benefit Worksheet for Violation No. 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Grand Mission Municipal Utility District No. 1
TPDES Permit No. WQ0014231001
Docket No. 2020-1595-MWD-E
Case No. 60187

Effluent Violation Table		
Monitoring Period	<i>Escherichia coli</i>	
	Daily Average Concentration	Daily Maximum Concentration
	Limit = 63 CFU/100 ml	Limit = 200 CFU/100 ml
December 2019	80	c
January 2020	c	4,839

c = compliant

CFU/100 ml = colony-forming-units per 100 milliliters

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Compliance History Report

Compliance History Report for CN601364888, RN102845823, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN601364888, Grand Mission Municipal Utility District No. 1 **Classification:** SATISFACTORY **Rating:** 0.46

Regulated Entity: RN102845823, GRAND MISSION MUD 1 WWTP **Classification:** SATISFACTORY **Rating:** 0.87

Complexity Points: 9 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: Approximately 0.9 mile south and 0.5 mile west of the intersection of Farm-to-Market Road 1093 and Grand Mission Boulevard in Fort Bend County, Texas

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

WASTEWATER PERMIT WQ0014231001

WASTEWATER EPA ID TX0123749

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

Date Compliance History Report Prepared: February 22, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 22, 2016 to February 22, 2021

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

Name: Stephanie Frederick

Phone: (512) 239-1001

Site and Owner/Operator History:

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

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	March 15, 2016	(1333705)	Item 13	March 16, 2017	(1413049)
Item 2	April 19, 2016	(1340846)	Item 14	April 13, 2017	(1419536)
Item 3	May 12, 2016	(1347650)	Item 15	May 10, 2017	(1427185)
Item 4	June 17, 2016	(1354043)	Item 16	June 15, 2017	(1433174)
Item 5	July 18, 2016	(1361039)	Item 17	July 19, 2017	(1441749)
Item 6	August 24, 2016	(1367474)	Item 18	September 22, 2017	(1445421)
Item 7	September 14, 2016	(1374224)	Item 19	October 05, 2017	(1457884)
Item 8	October 18, 2016	(1380345)	Item 20	November 17, 2017	(1463314)
Item 9	November 09, 2016	(1386305)	Item 21	December 13, 2017	(1469741)
Item 10	December 13, 2016	(1392440)	Item 22	January 15, 2018	(1476447)
Item 11	January 11, 2017	(1399057)	Item 23	February 12, 2018	(1488616)
Item 12	February 10, 2017	(1405963)	Item 24	March 12, 2018	(1492279)
			Item 25	April 17, 2018	(1495569)

Item 26	May 17, 2018	(1502519)	Item 40	July 19, 2019	(1595062)
Item 27	June 19, 2018	(1509623)	Item 41	August 14, 2019	(1601353)
Item 28	July 17, 2018	(1515941)	Item 42	September 17, 2019	(1608261)
Item 29	September 18, 2018	(1529179)	Item 43	October 16, 2019	(1615132)
Item 30	September 24, 2018	(1521981)	Item 44	November 14, 2019	(1620937)
Item 31	September 27, 2018	(1535488)	Item 45	December 16, 2019	(1628271)
Item 32	November 15, 2018	(1543340)	Item 46	March 16, 2020	(1649021)
Item 33	December 13, 2018	(1547070)	Item 47	April 16, 2020	(1655379)
Item 34	January 11, 2019	(1565383)	Item 48	May 20, 2020	(1661933)
Item 35	February 11, 2019	(1565381)	Item 49	June 15, 2020	(1668473)
Item 36	March 18, 2019	(1565382)	Item 50	July 14, 2020	(1675419)
Item 37	April 17, 2019	(1573714)	Item 51	August 14, 2020	(1682199)
Item 38	May 14, 2019	(1587022)	Item 52	September 15, 2020	(1688761)
Item 39	June 17, 2019	(1587023)			

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

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

1 Date: 09/30/2020 (1695129)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 2/22/2016 and 2/22/2021

1	Date:	06/08/2017	(1403200)	Classification:	Minor			
	Self Report?	NO	For Informational Purposes Only					
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) Effluent Limits & Monit. Req'mnts No. 1. OP						
	Description:	Failed to maintain compliance with the permitted effluent limits.						
2	Date:	07/18/2017	(1423911)	Classification:	Minor			
	Self Report?	NO	For Informational Purposes Only					
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) Effluent Limits & Monit. Req'mnts No. 1. OP						
	Description:	Failed to maintain compliance with the permitted effluent limits.						
3	Date:	08/31/2017	(1452007)	Classification:	Moderate			
	Self Report?	YES	For Informational Purposes Only					
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)						
	Description:	Failure to meet the limit for one or more permit parameter						
4*	Date:	09/16/2019	(1579657)	Classification:	Moderate			
	Self Report?	NO	For Informational Purposes Only					
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)(1) 30 TAC Chapter 305, SubChapter F 305.125(1)						
	Description:	Failed to prevent the unauthorized discharge of wastewater.						
				Classification:	Minor			
	Self Report?	NO	For Informational Purposes Only					
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)						
	Description:	Failed to properly operate and maintain the facility.						
5*	Date:	12/31/2019	(1635897)	Classification:	Moderate			
	Self Report?	YES	For Informational Purposes Only					
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)						
	Description:	Failure to meet the limit for one or more permit parameter						
6*	Date:	01/31/2020	(1642512)	Classification:	Moderate			
	Self Report?	YES	For Informational Purposes Only					
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)						
	Description:	Failure to meet the limit for one or more permit parameter						
7	Date:	09/30/2020	(1695129)	Classification:	Moderate			
	Self Report?	YES	For Informational Purposes Only					
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)						
	Description:	Failure to meet the limit for one or more permit parameter						

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

Appendix B

All Investigations Conducted During Component Period February 22, 2016 and February 22, 2021

Item 1*	March 15, 2016**	(1333705) For Informational Purposes Only
Item 2*	April 19, 2016**	(1340846) For Informational Purposes Only
Item 3*	May 12, 2016**	(1347650) For Informational Purposes Only
Item 4*	June 17, 2016**	(1354043) For Informational Purposes Only
Item 5*	July 18, 2016**	(1361039) For Informational Purposes Only
Item 6*	August 24, 2016**	(1367474) For Informational Purposes Only
Item 7*	September 14, 2016**	(1374224) For Informational Purposes Only
Item 8*	October 18, 2016**	(1380345) For Informational Purposes Only
Item 9*	November 09, 2016**	(1386305) For Informational Purposes Only
Item 10*	December 13, 2016**	(1392440) For Informational Purposes Only
Item 11*	January 11, 2017**	(1399057) For Informational Purposes Only
Item 12*	February 10, 2017**	(1405963) For Informational Purposes Only
Item 13*	March 16, 2017**	(1413049) For Informational Purposes Only
Item 14*	April 13, 2017**	(1419536) For Informational Purposes Only
Item 15*	May 10, 2017**	(1427185) For Informational Purposes Only
Item 16	June 08, 2017**	(1403200) For Informational Purposes Only
Item 17*	June 15, 2017**	(1433174) For Informational Purposes Only
Item 18	July 17, 2017**	(1423911) For Informational Purposes Only
Item 19*	July 19, 2017**	(1441749) For Informational Purposes Only
Item 20	September 14, 2017**	(1452007) For Informational Purposes Only
Item 21*	September 22, 2017**	(1445421) For Informational Purposes Only
		(1457884)

Item 22*	October 05, 2017**	For Informational Purposes Only (1463314)
Item 23*	November 17, 2017**	For Informational Purposes Only (1469741)
Item 24*	December 13, 2017**	For Informational Purposes Only (1476447)
Item 25*	January 15, 2018**	For Informational Purposes Only (1488616)
Item 26*	February 12, 2018**	For Informational Purposes Only (1492279)
Item 27*	March 12, 2018**	For Informational Purposes Only (1495569)
Item 28*	April 17, 2018**	For Informational Purposes Only (1502519)
Item 29*	May 17, 2018**	For Informational Purposes Only (1509623)
Item 30*	June 19, 2018**	For Informational Purposes Only (1515941)
Item 31*	July 17, 2018**	For Informational Purposes Only (1529179)
Item 32*	September 18, 2018**	For Informational Purposes Only (1521981)
Item 33*	September 24, 2018**	For Informational Purposes Only (1535488)
Item 34*	September 27, 2018**	For Informational Purposes Only (1543340)
Item 35*	November 15, 2018**	For Informational Purposes Only (1547070)
Item 36*	December 13, 2018**	For Informational Purposes Only (1565383)
Item 37*	January 11, 2019**	For Informational Purposes Only (1565381)
Item 38*	February 11, 2019**	For Informational Purposes Only (1565382)
Item 39*	March 18, 2019**	For Informational Purposes Only (1573714)
Item 40*	April 17, 2019**	For Informational Purposes Only (1587022)
Item 41*	May 14, 2019**	For Informational Purposes Only (1587023)
Item 42*	June 17, 2019**	For Informational Purposes Only (1595062)

Item 43*	July 19, 2019**	For Informational Purposes Only (1601353)
Item 44*	August 14, 2019**	For Informational Purposes Only (1579657)
Item 45	September 16, 2019**	For Informational Purposes Only (1608261)
Item 46*	September 17, 2019**	For Informational Purposes Only (1615132)
Item 47*	October 16, 2019**	For Informational Purposes Only (1620937)
Item 48*	November 14, 2019**	For Informational Purposes Only (1628271)
Item 49*	December 16, 2019**	For Informational Purposes Only (1635897)
Item 50	January 13, 2020**	For Informational Purposes Only (1642512)
Item 51	February 13, 2020**	For Informational Purposes Only (1649021)
Item 52*	March 16, 2020**	For Informational Purposes Only (1655379)
Item 53*	April 16, 2020**	For Informational Purposes Only (1661933)
Item 54*	May 20, 2020**	For Informational Purposes Only (1668473)
Item 55*	June 15, 2020**	For Informational Purposes Only (1675419)
Item 56*	July 14, 2020**	For Informational Purposes Only (1682199)
Item 57*	August 14, 2020**	For Informational Purposes Only (1688761)
Item 58*	September 15, 2020	For Informational Purposes Only (1695129)
Item 59	October 14, 2020	For Informational Purposes Only (1665917)
Item 60	December 11, 2020	For Informational Purposes Only

* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
GRAND MISSION MUNICIPAL
UTILITY DISTRICT NO. 1
RN102845823**

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

AGREED ORDER DOCKET NO. 2020-1595-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Grand Mission Municipal Utility District No. 1 (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment facility located approximately 0.9 mile south and 0.5 mile west of the intersection of Farm-to-Market Road 1093 and Grand Mission Boulevard in Fort Bend County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. During a record review conducted on August 3, 2020, an investigator documented that the Respondent did not comply with permitted effluent limitations, as shown in the effluent violation table below.

Monitoring Period	<i>Escherichia coli</i>	
	Daily Average Concentration	Daily Maximum Concentration
	Limit = 63 CFU/100 ml	Limit = 200 CFU/100 ml
December 2019	80	c
January 2020	c	4,839

c = compliant

CFU/100 ml = colony-forming-units per 100 milliliters

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, 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. WQ0014231001, Interim Effluent Limitations and Monitoring Requirements No. 1.
3. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of \$30,187 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Pursuant to TEX. WATER CODE § 7.067, \$30,187 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A" - incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be

constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Grand Mission Municipal Utility District No. 1, Docket No. 2020-1595-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 implement and complete an SEP as set forth in Conclusion of Law No. 4. The amount of \$30,187 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall, within 260 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0014231001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
6. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
10. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
11. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and

may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.


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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

3/22/2022

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.

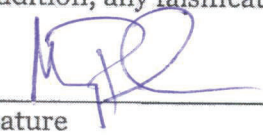
I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- 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

Date


MAURY RUBIN
Name (Printed or typed)
Authorized Representative of
Grand Mission Municipal Utility District No. 1

Title

12/29/21
President

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

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

Attachment A
Docket Number: 2020-1595-MWD-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Grand Mission Municipal Utility District No. 1
Penalty Amount:	Thirty Thousand One Hundred Eighty-Seven Dollars (\$30,187)
SEP Offset Amount:	Thirty Thousand One Hundred Eighty-Seven Dollars (\$30,187)
Type of SEP:	Compliance
Project Name:	<i>WWTP Improvements</i>
Location of SEP:	Fort Bend County

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

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

1. Project Description

A. Project

Respondent shall hire a contractor to clean and televise approximately 17,000 linear feet of the collection system sewer line including Grand Mission Sections 10, 12, 14, 16, 17, and 18 of the Facility. Cleaning and inspecting the collection system sewer line will help maintain a properly functioning sewer system. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for collection system sewer line cleaning and televising (the “Project”). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP.

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

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by improving the quality of wastewater effluent being released into the environment. Inadequately treated effluent can carry bacteria, viruses, protozoa (parasitic organisms), helminths (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Additional risks include occurrences of low dissolved oxygen, fish kills, algal bloom, and bacterial contamination in waterways.

C. Minimum Expenditure

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

Estimated Cost Schedule

Item	Quantity	Cost	Units	Total
Cleaning/Televising Collection System Sewer Line	17,000	\$2.63	Linear Feet	\$44,710
Total				\$44,710

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 130 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 130-day timeframe set forth in Section 2, Performance Schedule, above. Thereafter, Respondent shall submit progress reports to the TCEQ containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Reporting Schedule

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

B. Final Report

Within 130 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

1. Itemized list of expenditures and total cost of the Project;
2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
4. Copies of proof of advertisement of invitation for bids, if applicable;
5. A certified statement of SEP completion and document authentication;
6. Detailed map showing specific location of the project site(s);
7. Copies of all engineering plans related to work performed pursuant to the Project, if applicable;
8. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
9. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.

C. Address

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

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

4. Additional Information and Access

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

5. Failure to Fully Perform

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

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

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

6. Publicity

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

7. Recognition

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

8. Other SEPs by TCEQ or Other Agencies

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