

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 61181
Permian Lodging Big Spring LLC
RN111189767
Docket No. 2021-1081-MWD-E

Page 1 of 2

Order Type:
Default Order

Media:
WQ

Small Business:
Yes

Location Where Violations Occurred:
5101 East Midway Road, Big Spring, Howard County

Type of Operation:
a wastewater treatment facility

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

Texas Register Publication Date: September 26, 2025

Comments Received: None

Information

Total Penalty Assessed: \$44,554
Total Paid to General Revenue: \$0
Total Due to General Revenue: \$44,554

Compliance History Classifications:

Person/CN - HIGH
Site/RN - HIGH

Major Source: No

Statutory Limit Adjustment: None

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

Investigation Information

Complaint Date: N/A
Dates of Investigations: December 7, 2020 through July 2, 2021; and May 13, 2022
Date of NOV: N/A
Dates of NOEs: July 23, 2021; July 15, 2022

Violation Information

1. Failed to obtain authorization to discharge wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE § 305.42].
2. Failed to prevent the unauthorized discharge of treated wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (8), and Texas Pollutant Discharge Elimination System (“TPDES”) Permit No. WQ0015974001, Permit Conditions Nos. 2.e and 2.g.].
3. Failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [30 TEX. ADMIN CODE § 305.125(1) and TPDES Permit No. WQ0015974001, Monitoring and Reporting Requirements No. 7.b.i].
4. Failed to operate the Facility with a licensed operator a minimum of five days per week [30 TEX. ADMIN. CODE §§ 30.350(j) and 305.125(1) and TPDES Permit No. WQ0015974001, Operational Requirements No. 9 and Other Requirements No. 1].
5. Failed to secure the Facility and lift station in an intruder-resistant manner [30 TEX. ADMIN. CODE §§ 217.59(b) and 217.328(a) and (b)].

Corrective Actions/Technical Requirements

Corrective Actions Completed:

1. On January 7, 2022, obtained authorization to discharge wastewater at the Facility.
2. Respondent no longer owns or operates the Facility as of January 18, 2023.

Technical Requirements:

None

Litigation Information

Date Petition Filed: May 20, 2025
Date of Service: May 22, 2025
Date Answer Filed: N/A

Contact Information

TCEQ Attorneys: Taylor Pack Ellis, Litigation Division, (512) 239-3400
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

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

TCEQ Enforcement Coordinator: Harley Hobson, Enforcement Division, (512) 239-1337

TCEQ Regional Contact: Crystal Garcia, Midland Regional Office, (432) 620-6121

Respondent Contact: Ralph McIngvale, Permian Lodging Big Spring LLC, 1 Flagg Place, Lafayette, Louisiana 70508

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	26-Jul-2021	Screening	4-Aug-2021	EPA Due	
	PCW	12-Sep-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	Permian Lodging Big Spring LLC (PCW No. 1 of 2)				
Reg. Ent. Ref. No.	RN111189767				
Facility/Site Region	7-Midland	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	61181	No. of Violations	1
Docket No.	2021-1081-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Harley Hobson
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$8,750
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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	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$875
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Notes	Reduction for High Performer Classification.
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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	\$2,527	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$25,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,875
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OTHER FACTORS AS JUSTICE MAY REQUIRE	11.1%	Adjustment	\$875
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to remove the High Performer Classification reduction.
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Final Penalty Amount	\$8,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$8,750
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral not offered for non-expedited settlement.
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PAYABLE PENALTY	\$8,750
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Screening Date	4-Aug-2021	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 1 of 2)			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	61181			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN111189767			
Media	Water Quality			
Enf. Coordinator	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	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for High Performer Classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date	4-Aug-2021	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 1 of 2)			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	61181			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN11189767			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 305.42 and Tex. Water Code § 26.121(a)(1)			
Violation Description	Failed to obtain authorization to discharge wastewater into or adjacent to any water in the state.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix					
OR	Release	Major	Harm Moderate	Minor	
	Actual				Percent 0.0%
	Potential				
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
		x			Percent 5.0%
Matrix Notes	100% of the rule requirements were not met.				
			Adjustment	\$23,750	
				\$1,250	

Violation Events					
	Number of Violation Events	7	582	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x			Violation Base Penalty \$8,750
	semiannual				
	annual				
	single event				
	Seven quarterly events are recommended from the December 31, 2019 date that the Facility commenced operation to the August 4, 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.		
	Violation Subtotal	\$8,750	

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$2,527
Violation Final Penalty Total	\$8,750
This violation Final Assessed Penalty (adjusted for limits)	\$8,750

Economic Benefit Worksheet

Respondent Permian Lodging Big Spring LLC (PCW No. 1 of 2)
Case ID No. 61181
Reg. Ent. Reference No. RN111189767
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	\$25,000	31-Dec-2019	7-Jan-2022	2.02	\$2,527	n/a	\$2,527
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prepare and submit an application and obtain authorization to discharge wastewater. The Date Required is the date the Facility began operating. 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

\$25,000

TOTAL

\$2,527



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	18-Jul-2022	Screening	28-Jul-2022	EPA Due	
	PCW	12-Sep-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)				
Reg. Ent. Ref. No.	RN111189767				
Facility/Site Region	7-Midland	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	61181	No. of Violations	4
Docket No.	2021-1081-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Harley Hobson
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$21,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$2,125
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Notes Reduction for High Performer Classification.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$14,554
Estimated Cost of Compliance	\$14,077

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$19,125
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OTHER FACTORS AS JUSTICE MAY REQUIRE	87.2%	Adjustment	\$16,679
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Recommended enhancement to capture the avoided cost of compliance associated with Violation Nos. 1, 2, 3, and 4 and to remove the High Performer Classification reduction.

Final Penalty Amount	\$35,804
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$35,804
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$35,804
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Screening Date	28-Jul-2022	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	61181			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN111189767			
Media	Water Quality			
Enf. Coordinator	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	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for High Performer Classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date	28-Jul-2022	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021)		
Case ID No.	61181	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN111189767			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and (8), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015974001, Permit Conditions Nos. 2.e and 2.g			
Violation Description	Failed to prevent the unauthorized discharge of treated wastewater into or adjacent to any water in the state. Specifically, the Respondent's unauthorized holding pond was overflowing and discharging wastewater onto a neighboring property. Additionally, evidence of an unauthorized discharge was noted at the lift station next to the holding pond.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual			x	Percent 15.0%
	Potential				

>> 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	76
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	daily		Violation Base Penalty \$3,750
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

One quarterly event is recommended from the May 13, 2022 investigation date to the July 28, 2022 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.		

Violation Subtotal	\$3,750
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$9,306	Statutory Limit Test	
		Violation Final Penalty Total	\$6,318
This violation Final Assessed Penalty (adjusted for limits)			\$6,318

Economic Benefit Worksheet

Respondent Permian Lodging Big Spring LLC (PCW No. 2 of 2)
Case ID No. 61181
Reg. Ent. Reference No. RN111189767
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

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)	\$9,000	13-May-2022	18-Jan-2023	0.68	\$306	\$9,000	\$9,306

Notes for AVOIDED costs

Estimated Other cost to properly close the unauthorized holding pond located at the Facility, including removal and disposal of the wastewater and wastewater solids and remediation of the location. The Date Required is the permit effective date, and the Final Date is the date of the ownership change.

Approx. Cost of Compliance

\$9,000

TOTAL

\$9,306

Screening Date	28-Jul-2022	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)	Policy Revision 5 (January 28, 2021)		
Case ID No.	61181	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN111189767			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0015974001, Monitoring and Reporting Requirements No. 7.b.i			
Violation Description	Failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, unauthorized discharges from the Respondent's holding pond and lift station were not reported to the TCEQ as required.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
		Percent	0.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		x		
		Percent	10.0%	
Matrix Notes	100% of the rule requirements were not met.			
		Adjustment	\$22,500	
			\$2,500	
Violation Events				
Number of Violation Events		2	76	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
		Violation Base Penalty	\$5,000	
		Two single events are recommended, one for each notification.		
Good Faith Efforts to Comply		0.0%	Reduction \$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.			
		Violation Subtotal	\$5,000	
Economic Benefit (EB) for this violation				
		Statutory Limit Test		
Estimated EB Amount		\$26	Violation Final Penalty Total	\$8,424
		This violation Final Assessed Penalty (adjusted for limits)		
		\$8,424		

Economic Benefit Worksheet

Respondent Permian Lodging Big Spring LLC (PCW No. 2 of 2)
Case ID No. 61181
Reg. Ent. Reference No. RN111189767
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

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)	\$25	24-Apr-2022	18-Jan-2023	0.74	\$1	\$25	\$26

Notes for AVOIDED costs

Estimated Other cost to notify the TCEQ of the unauthorized discharges from the lift station and the holding pond. The Date Required is the estimated date the discharges occurred, and the Final Date is the date of the ownership change.

Approx. Cost of Compliance

\$25

TOTAL

\$26

Screening Date	28-Jul-2022	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)			
Case ID No.	61181	<i>Policy Revision 5 (January 28, 2021)</i>		
Reg. Ent. Reference No.	RN111189767	<i>PCW Revision February 11, 2021</i>		
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 30.350(j) and 305.125(1) and TPDES Permit No. WQ0015974001, Operational Requirements No. 9 and Other Requirements No. 1			
Violation Description	Failed to operate the Facility with a licensed operator a minimum of five days per week. Specifically, an unlicensed operator was conducting process control activities, without a licensed operator's supervision, at least five days per week.			
Base Penalty				\$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 15.0%
	Potential	x			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	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.
--------------	--

Adjustment	\$21,250
\$3,750	

Violation Events

Number of Violation Events	3		76	Number of violation days
----------------------------	---	--	----	--------------------------

	daily		Violation Base Penalty \$11,250
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		

Three monthly events are recommended from the May 13, 2022 investigation date to the July 28, 2022 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.	
Violation Subtotal		\$11,250

Economic Benefit (EB) for this violation

Estimated EB Amount	\$52	Statutory Limit Test
		Violation Final Penalty Total \$18,955
This violation Final Assessed Penalty (adjusted for limits)		\$18,955

Economic Benefit Worksheet

Respondent Permian Lodging Big Spring LLC (PCW No. 2 of 2)
Case ID No. 61181
Reg. Ent. Reference No. RN111189767
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel	\$250	13-May-2022	28-Jul-2022	0.21	\$0	\$52	\$52
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

Estimated avoided cost to ensure that process control activities to operate the Facility were conducted under the direct supervision of an operator with a valid Class C license or higher at a minimum of five days per week. The Date Required is the investigation date, and the Final Date is the screening date.

Approx. Cost of Compliance \$52

TOTAL \$52

Screening Date	28-Jul-2022	Docket No.	2021-1081-MWD-E	PCW
Respondent	Permian Lodging Big Spring LLC (PCW No. 2 of 2)			Policy Revision 5 (January 28, 2021)
Case ID No.	61181			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN111189767			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	4			
Rule Cite(s)	30 Tex. Admin. Code §§ 217.59(b) and 217.328(a) and (b)			
Violation Description	Failed to secure the Facility and lift station in an intruder-resistant manner. Specifically, the Facility was not enclosed in an intruder-resistant fence with hazard signs posted on each side of the fence. Additionally, the lift station contained no intruder-resistant fence or enclosure to restrict access by unauthorized persons.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential		x		Percent 5.0%

>> Programmatic Matrix

Matrix Notes		Falsification			
		Major	Moderate	Minor	
					Percent 0.0%
	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	1	Number of violation days	76														
	<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></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</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		quarterly	x	semiannual		annual		single event			
daily																	
weekly																	
monthly																	
quarterly	x																
semiannual																	
annual																	
single event																	
		Violation Base Penalty	\$1,250														
One quarterly event is recommended from the May 13, 2022 investigation date to the July 28, 2022 screening date.																	

Good Faith Efforts to Comply

	0.0%		Reduction	\$0
	Before NOE/NOV	NOE/NOV to EDP RP/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

	Statutory Limit Test
Estimated EB Amount	\$5,170
Violation Final Penalty Total	\$2,106
This violation Final Assessed Penalty (adjusted for limits)	\$2,106

Economic Benefit Worksheet

Respondent Permian Lodging Big Spring LLC (PCW No. 2 of 2)
Case ID No. 61181
Reg. Ent. Reference No. RN111189767
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

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)	\$5,000	13-May-2022	18-Jan-2023	0.68	\$170	\$5,000	\$5,170

Notes for AVOIDED costs

Estimated Other cost to install intruder-resistant fencing around the lift station and the Facility with hazard signs posted on each side of the Facility fence. The Date Required is the investigation date, and the Final Date is the date of the ownership change.

Approx. Cost of Compliance

\$5,000

TOTAL

\$5,170



Compliance History Report

Compliance History Report for CN605857762, RN111189767, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605857762, Permian Lodging Big Spring LLC	Classification: HIGH	Rating: 0.00
Regulated Entity:	RN111189767, PERMIAN LODGING BIG SPRING LLC	Classification: HIGH	Rating: 0.00
Complexity Points:	6	Repeat Violator: NO	
CH Group:	14 - Other		
Location:	5101 East Midway Road, Big Spring, Howard County, Texas		
TCEQ Region:	REGION 07 - MIDLAND		

ID Number(s):

WATER QUALITY NON PERMITTED ID NUMBER
R07111189767

WASTEWATER EPA ID TX0141101

WASTEWATER PERMIT WQ0015974001

Compliance History Period: September 01, 2018 to August 31, 2023 **Rating Year:** 2023 **Rating Date:** 09/01/2023

Date Compliance History Report Prepared: July 03, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 03, 2019 to July 03, 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? | NO |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 7/3/2019 and 7/3/2024

1	Date: 08/25/2022 (1859587)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
2	Date: 08/25/2022 (1865908)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B

All Investigations Conducted During Component Period July 03, 2019 and July 03, 2024

Item 1	August 25, 2022**	(1859587)
Item 2	April 14, 2023**	(1867262)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
PERMIAN LODGING BIG SPRING LLC;
RN111189767

§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

DEFAULT ORDER

DOCKET NO. 2021-1081-MWD-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty. The respondent made the subject of this Order is Permian Lodging Big Spring LLC ("Respondent").

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

FINDINGS OF FACT

1. Respondent owned and operated a wastewater treatment facility located at 5101 East Midway Road in Big Spring, Howard County, Texas (the "Facility"). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 26.001.
2. During an investigation conducted from December 7, 2020, through July 2, 2021, an investigator documented that Respondent failed to obtain authorization to discharge wastewater into or adjacent to any water in the state.
3. During an investigation conducted on May 13, 2022, an investigator documented that Respondent:
 - a. Failed to prevent the unauthorized discharge of treated wastewater into or adjacent to any water in the state. Specifically, Respondent's unauthorized holding pond was overflowing and discharging wastewater onto a neighboring property. Additionally, evidence of an unauthorized discharge was noted at the lift station next to the holding pond;
 - b. Failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, unauthorized discharges from the Respondent's holding pond and lift station were not reported to the TCEQ as required;
 - c. Failed to operate the Facility with a licensed operator a minimum of five days per week. Specifically, an unlicensed operator was conducting process control activities, without a licensed operator's supervision, at least five days per week; and
 - d. Failed to secure the Facility and lift station in an intruder-resistant manner. Specifically, the Facility was not enclosed in an intruder-resistant fence with hazard signs posted on each side of the fence. Additionally, the lift station

contained no intruder-resistant fence or enclosure to restrict access by unauthorized persons.

4. The Executive Director recognizes that Respondent:
 - a. Obtained authorization to discharge wastewater at the Facility on January 7, 2022; and
 - b. No longer owns or operates the Facility as of January 18, 2023.
5. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order against Permian Lodging Big Spring LLC" (the "EDPRP") in the TCEQ Chief Clerk's office on May 20, 2025.
6. By letter dated May 20, 2025, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. According to the return receipt "green card," Respondent received notice of the EDPRP on May 22, 2025, as evidenced by the signature on the card.
7. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, Respondent failed to obtain authorization to discharge wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE § 305.42.
3. As evidenced by Finding of Fact No. 3.a., Respondent failed to prevent the unauthorized discharge of treated wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (8), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015974001, Permit Conditions Nos. 2.e and 2.g.
4. As evidenced by Finding of Fact No. 3.b., Respondent failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0015974001, Monitoring and Reporting Requirements No. 7.b.i.
5. As evidenced by Finding of Fact No. 3.c., Respondent failed to operate the Facility with a licensed operator a minimum of five days per week, in violation of 30 TEX. ADMIN. CODE §§ 30.350(j) and 305.125(1) and TPDES Permit No. WQ0015974001, Operational Requirements No. 9 and Other Requirements No. 1.
6. As evidenced by Finding of Fact No. 3.d., Respondent failed to secure the Facility and lift station in an intruder-resistant manner, in violation of 30 TEX. ADMIN. CODE §§ 217.59(b) and 217.328(a) and (b).
7. As evidenced by Findings of Fact Nos. 5 and 6, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(b)(1).
8. As evidenced by Finding of Fact No. 7, Respondent failed to file a timely answer as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a

Default Order against Respondent and assess the penalty recommended by the Executive Director.

9. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
10. An administrative penalty in the amount of \$44,554 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. WATER CODE § 7.053.
11. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of \$44,554 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Permian Lodging Big Spring LLC; Docket No. 2021-1081-MWD-E" to:

Financial Administration Division
Revenue Operations Section
Texas Commission on Environmental Quality
Attention: Cashier's Office, MC 214
P.O. Box 13088
Austin, Texas 78711-3088
3. All relief not expressly granted in this Order is denied.
4. The provisions of this Order shall apply to and be binding upon Respondent.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.

8. 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.
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. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

S I G N A T U R E P A G E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF TAYLOR PACK ELLIS

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against Permian Lodging Big Spring LLC' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on May 20, 2025.

The EDPRP was mailed to Respondent's last known address on May 20, 2025, via certified mail, return receipt requested, postage prepaid. According to the return receipt "green card," Respondent received notice of the EDPRP on May 22, 2025, as evidenced by the signature on the card.

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

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

Executed in Travis County, State of Texas,

on the 11th day of July, 2025

A handwritten signature in blue ink, appearing to read "TP Ellis", written over a horizontal line.

Declarant