

Executive Summary – Enforcement Matter – Case No. 61419

Hans Hansen and Karen Hansen

RN111303277

Docket No. 2021-1337-MLM-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM – WR, WQ

Small Business:

No

Location(s) Where Violation(s) Occurred:

Hansen Lake Dam, 1155 North Farm-to-Market Road 2869, Winnsboro, Wood County

Type of Operation:

Residential construction site

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: August 22, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,875

Amount Deferred for Expedited Settlement: \$2,775

Total Paid to General Revenue: \$320

Total Due to General Revenue: \$10,780

Payment Plan: 35 payments of \$308 each

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - Unclassified

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): June 2, 2021

Complaint Information: Alleged the failure of the dam caused significant damage downstream and appeared to be in the process of being rebuilt.

Date(s) of Investigation: July 7, 2021 through July 21, 2021

Date(s) of NOE(s): September 17, 2021

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Docket No. 2021-1337-MLM-E

Violation Information

1. Failed to obtain authorization to discharge stormwater associated with construction activities. Specifically, the Respondents were performing construction activities prior to obtaining authorization under Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR150000 [30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(c)].

2. Failed to prevent the unauthorized discharge of pollutants into or adjacent to any water in the state. Specifically, sediment-laden stormwater was being discharged from the Site into an unnamed tributary of Gunstream Lake Number 1. Additionally, a large sediment accumulation up to six inches deep and approximately 150 feet wide was observed from the point of the stormwater discharge to approximately 700 feet downstream. Furthermore, sediment accumulations were noted on the banks of the unnamed tributary up to approximately 1,120 feet downstream from the point of the stormwater discharge [TEX. WATER CODE § 26.121(a)(1)].

3. Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water. Specifically, the Respondents constructed an on-channel impoundment on an unnamed tributary of Gunstream Lake Number 1 [30 TEX. ADMIN. CODE § 297.11 and TEX. WATER CODE §§ 11.081 and 11.121].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondents implemented the following corrective measures:

- a. By June 28, 2023, submitted a Stream Restoration Plan to the U.S. Army Corps of Engineers, Fort Worth District, and obtained approval to commence stream restoration, dispose of the accumulated sediment from the affected area and remove the on-channel impoundment on July 19, 2023;
- b. By July 28, 2023, obtained a Large Construction Site Notice and posted it at the Site;
- c. By August 27, 2023, obtained coverage under the TPDES General Permit No. TXR15740D; and
- d. By August 27, 2024, obtained an affidavit from the landowner of the affected property declining the removal of any accumulated sediment from their property.

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately:

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- i. Cease diverting, impounding, storing, taking, or using state water until authorization has been obtained, or begin removing the on-channel impoundment; and
- ii. Cease the off-site discharge of sediment and sediment-laden stormwater.
- b. Within 15 days, submit written certification of compliance with a.
- c. Within 30 days:
 - i. Remove and properly dispose of accumulated sediment from the affected area to restore proper water flow and make all reasonable efforts, as determined by the Executive Director;
 - ii. Complete removal of the on-channel impoundment. In lieu of removing the on-channel impoundment, submit a Water Rights permit application.
 - iii. Develop and implement a stormwater pollution prevention plan; and
 - iv. Submit a copy of the Notice of Intent to the municipal separate storm sewer system operator.
- d. Within 45 days, submit written certification of compliance with c.
- e. Within 300 days, submit written certification that either the Respondents have ceased diverting, impounding, storing, taking, or using state water at the Site by removing the on-channel impoundment, or authorization to divert, impound, store, take, or use state water has been obtained.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Monica Larina, Enforcement Division, Enforcement Team 1, MC R-14, (361) 881-6965; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: Hans Hansen, Co-Owner, 6775 Farm-to-Market Road 2088, Winnsboro, Texas 75494

Karen Hansen, Co-Owner, 6775 Farm-to-Market Road 2088, Winnsboro, Texas 75494

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	20-Sep-2021	Screening	29-Sep-2021	EPA Due	
	PCW	13-Dec-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	Hans Hansen and Karen Hansen PCW No. 1
Reg. Ent. Ref. No.	RN111303277
Facility/Site Region	5-Tyler
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	61419	No. of Violations	2
Docket No.	2021-1337-MLM-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media	Water Rights	Enf. Coordinator	Monica Larina
		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	0.0 %	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes	No adjustment for Compliance History.
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Culpability	No	0.0 %	Enhancement	Subtotal 4	\$0
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Notes	The Respondents do 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	50.0 %	Enhancement*	Subtotal 6	\$4,375
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Total EB Amounts	\$40,469
Estimated Cost of Compliance	\$250,225

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,125
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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	
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Final Penalty Amount	\$13,125
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,125
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DEFERRAL	20.0 %	Reduction	Adjustment	-\$2,625
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$10,500
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Screening Date	29-Sep-2021	Docket No.	2021-1337-MLM-E	PCW
Respondent	Hans Hansen and Karen Hansen PCW No. 1			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	61419			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN111303277			
Media	Water Quality			
Enf. Coordinator	Monica Larina			

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)

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date	29-Sep-2021	Docket No.	2021-1337-MLM-E	PCW
Respondent	Hans Hansen and Karen Hansen PCW No. 1	Policy Revision 5 (January 28, 2021)		
Case ID No.	61419	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN111303277			
Media	Water Quality			
Enf. Coordinator	Monica Larina			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 281.25(a)(4) and 40 Code of Federal Regulations § 122.26(c)			
Violation Description	Failed to obtain authorization to discharge stormwater associated with construction activities. Specifically, the Respondents were performing construction activities prior to obtaining authorization under Texas Pollutant Discharge Elimination System General Permit No. TXR150000.			
Base Penalty				\$25,000

> > Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

> > 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	1	84	Number of violation days
daily weekly monthly quarterly semiannual annual single event	X		
Violation Base Penalty			\$2,500

One quarterly event is recommended, from the July 7, 2021 investigation date to the September 29, 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 Respondents do not meet the good faith criteria for this violation.			
Violation Subtotal				\$2,500

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$833
Violation Final Penalty Total	\$3,750
This violation Final Assessed Penalty (adjusted for limits)	
\$3,750	

Economic Benefit Worksheet

Respondent Hans Hansen and Karen Hansen PCW No. 1
Case ID No. 61419
Reg. Ent. Reference No. RN111303277
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	\$225	7-Jul-2021	27-Aug-2023	2.14	\$24	n/a	\$24
Other (as needed)	\$5,000	7-Jul-2021	30-Sep-2024	3.24	\$809	n/a	\$809
Notes for DELAYED costs	Permit Costs to prepare and submit a Notice of Intent ("NOI") to obtain authorization to discharge stormwater. Date Required is the investigation start date and the Final Date is the date of compliance. Estimated Other cost to develop and implement a stormwater pollution prevention plan and submit a copy of the NOI to the MS4 Operator. Date Required is the investigation start date and the Final Date is the estimated date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance

\$5,225

TOTAL

\$833

Screening Date	29-Sep-2021	Docket No.	2021-1337-MLM-E	PCW
Respondent	Hans Hansen and Karen Hansen PCW No. 1			
Case ID No.	61419	<i>Policy Revision 5 (January 28, 2021)</i>		
Reg. Ent. Reference No.	RN111303277	<i>PCW Revision February 11, 2021</i>		
Media	Water Quality			
Enf. Coordinator	Monica Larina			
Violation Number	2			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1)			
Violation Description	Failed to prevent the unauthorized discharge of pollutants into or adjacent to any water in the state. Specifically, sediment-laden stormwater was being discharged from the Site into an unnamed tributary of Gunstream Lake Number 1. Additionally, a large sediment accumulation up to six inches in depth and approximately 150 feet wide was observed from the point of the stormwater discharge to approximately 700 feet downstream. Furthermore, sediment accumulations were noted on the banks of the unnamed tributary up to approximately 1,120 feet downstream from the point of the stormwater discharge.			
Base Penalty				\$25,000

> > Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual		X		Percent 25.0%
	Potential				

> > Programmatic Matrix

Matrix Notes		Falsification	Major	Moderate	Minor	
						Percent 0.0%
		Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				

Adjustment	\$18,750
\$6,250	

Violation Events

Number of Violation Events	1	Number of violation days	84														
	<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			\$6,250														

One quarterly event is recommended, from the July 7, 2021 investigation date to the September 29, 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 Respondents do not meet the good faith criteria for this violation.			
Violation Subtotal			\$6,250	

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$40,445
Violation Final Penalty Total	\$9,375
This violation Final Assessed Penalty (adjusted for limits)	
\$9,375	

Economic Benefit Worksheet

Respondent Hans Hansen and Karen Hansen PCW No. 1
Case ID No. 61419
Reg. Ent. Reference No. RN111303277
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	\$250,000	7-Jul-2021	30-Sep-2024	3.24	\$40,445	n/a	\$40,445
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Remediation/Disposal cost to remove and properly dispose of accumulated sediment from the affected area and restore proper water flow. Date Required is the investigation start date and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250,000

TOTAL

\$40,445



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	20-Sep-2021	Screening	29-Sep-2021	EPA Due	
	PCW	13-Dec-2021				

RESPONDENT/FACILITY INFORMATION

Respondent	Hans Hansen and Karen Hansen PCW No. 2				
Reg. Ent. Ref. No.	RN111303277				
Facility/Site Region	5-Tyler	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	61419	No. of Violations	1
Docket No.	2021-1337-MLM-E	Order Type	1660
Media Program(s)	Water Rights	Government/Non-Profit	No
Multi-Media	Water Quality	Enf. Coordinator	Monica Larina
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$500
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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	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes	No adjustment for Compliance History.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondents do 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	50.0%	Enhancement*	Subtotal 6	\$250
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Total EB Amounts	\$22,731	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$100,500	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$750
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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	
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Final Penalty Amount	\$750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$750
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DEFERRAL	20.0%	Reduction	Adjustment	-\$150
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$600
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Screening Date 29-Sep-2021

Docket No. 2021-1337-MLM-E

PCW

Respondent Hans Hansen and Karen Hansen PCW No. 2

Policy Revision 5 (January 28, 2021)

Case ID No. 61419

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111303277

Media Water Rights

Enf. Coordinator Monica Larina

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)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

No adjustment for Compliance History.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 29-Sep-2021 Respondent Hans Hansen and Karen Hansen PCW No. 2 Case ID No. 61419 Reg. Ent. Reference No. RN111303277 Media Water Rights Enf. Coordinator Monica Larina	Docket No. 2021-1337-MLM-E Violation Number 1	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																
Rule Cite(s) 30 Tex. Admin. Code § 297.11 and Tex. Water Code §§ 11.081 and 11.121																		
Violation Description Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water. Specifically, the Respondents constructed an on-channel impoundment on an unnamed tributary of Gunstream Lake Number 1.																		
Base Penalty		\$5,000																
>> Environmental, Property and Human Health Matrix																		
OR	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> </tr> </table>		Harm			Release	Major	Moderate	Minor	Actual				Potential				Percent 0.0%
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Falsification	X																	
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daily																		
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annual																		
single event																		
One quarterly event is recommended, from the July 7, 2021 investigation date to the September 29, 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																		
		Violation Subtotal \$500																
Economic Benefit (EB) for this violation																		
Estimated EB Amount		\$22,731																
Statutory Limit Test																		
Violation Final Penalty Total		\$750																
This violation Final Assessed Penalty (adjusted for limits)		\$750																

Economic Benefit Worksheet

Respondent Hans Hansen and Karen Hansen PCW No. 2
Case ID No. 61419
Reg. Ent. Reference No. RN111303277
Media Water Rights
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	\$100,000	7-Jul-2021	30-Sep-2024	3.24	\$1,079	\$21,571	\$22,650
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	\$500	7-Jul-2021	30-Sep-2024	3.24	\$81	n/a	\$81
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Engineering/Construction cost to remove the dam in order to prevent the impoundment of state water and restore proper water flow. Date Required is the investigation start date, and the Final Date is the estimated date of compliance. Estimated Permit cost to obtain authorization to divert, store, impound, take, or use state water. Date Required is the investigation start date, and the Final Date is the estimated date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance

\$100,500

TOTAL

\$22,731



Compliance History Report

Compliance History Report for CN602773285, RN111303277, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN602773285, HANS HANSEN

Classification: UNCLASSIFIED

Rating: -----

Regulated Entity: RN111303277, HANSEN LAKE DAM

Classification: UNCLASSIFIED

Rating: -----

Complexity Points: 2

Repeat Violator: NO

CH Group: 14 - Other

Location: 1155 North Farm-to-Market Road 2869, Winnsboro, Wood County, Texas

TCEQ Region: REGION 05 - TYLER

ID Number(s):

WATER RIGHTS NON PERMITTED ID NUMBER R5111303277 **STORMWATER** PERMIT TXR15740D

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

Date Compliance History Report Prepared: June 11, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 11, 2019 to June 11, 2024

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

Name: Monica Larina

Phone: (512) 239-0184

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



Compliance History Report

Compliance History Report for CN606026375, RN111303277, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN606026375, KAREN HANSEN

Classification: UNCLASSIFIED

Rating: -----

Regulated Entity: RN111303277, HANSEN LAKE DAM

Classification: UNCLASSIFIED

Rating: -----

Complexity Points: 2

Repeat Violator: NO

CH Group: 14 - Other

Location: 1155 North Farm-to-Market Road 2869, Winnsboro, Wood County, Texas

TCEQ Region: REGION 05 - TYLER

ID Number(s):

WATER RIGHTS NON PERMITTED ID NUMBER R5111303277 **STORMWATER** PERMIT TXR15740D

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

Date Compliance History Report Prepared: June 11, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 11, 2019 to June 11, 2024

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

Name: Monica Larina

Phone: (512) 239-0184

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HANS HANSEN AND
KAREN HANSEN
RN111303277

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

AGREED ORDER DOCKET NO. 2021-1337-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Hans Hansen and Karen Hansen (the "Respondents") under the authority of TEX. WATER CODE chs. 7, 11, and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents, represented by Mr. Andy Tefteller of the law firm Tefteller Law, PLLC, together stipulate that:

1. The Respondents own and operate a residential construction site located at 1155 North Farm-to-Market Road 2869 in Winnsboro, Wood County, Texas (the "Site"). The Site is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5). The Site adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 11.021 and 30 TEX. ADMIN. CODE § 297.1(52).
2. The Executive Director and the Respondents agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, 7.073, and 11.0842, and that the Respondents are subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE §§ 5.013 and 11.0842 because it alleges violations of TEX. WATER CODE chs. 11 and 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,875 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents paid \$320 of the penalty and \$2,775 is deferred contingent upon the Respondents' timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

The remaining amount of \$10,780 of the undeferred penalty shall be paid in 35 monthly payments of \$308 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondents fail to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately

due and payable without demand or notice. The Respondents' failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondents to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondents agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondents implemented the following corrective measures at the Facility:
 - a. By June 28, 2023, submitted a Stream Restoration Plan to the U.S. Army Corps Of Engineers, Fort Worth District, and obtained approval to commence stream restoration, dispose of the accumulated sediment from the affected area and remove the on-channel impoundment on July 19, 2023;
 - b. By July 28, 2023, obtained a Large Construction Site Notice and posted it at the Site;
 - c. By August 27, 2023, obtained coverage under the Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1574OD;
 - d. By August 27, 2024, obtained an affidavit from the landowner of the affected property declining the removal of any accumulated sediment from their property.

II. ALLEGATIONS

During an investigation at the Site conducted from July 7, 2021 through July 21, 2021, an investigator documented that the Respondents:

1. Failed to obtain authorization to discharge stormwater associated with construction activities, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(c). Specifically, the Respondents were performing construction activities prior to obtaining authorization under TPDES General Permit No. TXR150000.

2. Failed to prevent the unauthorized discharge of pollutants into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1). Specifically, sediment-laden stormwater was being discharged from the Site into an unnamed tributary of Gunstream Lake Number 1. Additionally, a large sediment accumulation up to six inches deep and approximately 150 feet wide was observed from the point of the stormwater discharge to approximately 700 feet downstream. Furthermore, sediment accumulations were noted on the banks of the unnamed tributary up to approximately 1,120 feet downstream from the point of the stormwater discharge.
3. Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water, in violation of 30 TEX. ADMIN. CODE § 297.11 and TEX. WATER CODE §§ 11.081 and 11.121. Specifically, the Respondents constructed an on-channel impoundment on an unnamed tributary of Gunstream Lake Number 1.

III. DENIALS

The Respondents generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondents are assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondents' compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Hans Hansen and Karen Hansen, Docket No. 2021-1337-MLM-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 Respondents are jointly and severally liable for the violations documented in this Order and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Order.
3. The Respondents shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order:
 - i. Cease diverting, impounding, storing, taking, or using state water until authorization has been obtained, or begin removing the on-channel impoundment; and
 - ii. Cease the off-site discharge of sediment and sediment-laden stormwater.

- b. Within 15 days after the effective date of this Order, submit written certification of compliance with Ordering Provision No. 3.a., in accordance with Ordering Provision No. 3.f.
- c. Within 30 days after the effective date of this Order:
 - i. Remove and properly dispose of accumulated sediment from the affected area to restore proper water flow and make all reasonable efforts, as determined by the Executive Director;
 - ii. Complete removal of the on-channel impoundment. In lieu of removing the on-channel impoundment, submit a Water Rights permit application, to:

Water Availability Division, MC 160
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
 - iii. Respond completely and adequately to all TCEQ requests for additional information within 30 days for such requests, or by any other deadline specified in writing;
 - iv. Develop and implement a stormwater pollution prevention plan; and
 - v. Submit a copy of the Notice of Intent to the municipal separate storm sewer system operator.
- d. Within 45 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 3.c.i. through 3.c.iv., in accordance with Ordering Provision No. 3.f.
- e. Within 300 days after the effective date of this Order, submit written certification that either the Respondents have ceased diverting, impounding, storing, taking, or using state water at the Site by removing the on-channel impoundment, or authorization to divert, impound, store, take, or use state water has been obtained, in compliance with TEX. WATER CODE §§ 11.081 and 11.121, in accordance with Ordering Provision No. 3.f.
- f. The written certifications of compliance required by Ordering Provision Nos. 3.b., 3.d., and 3.e. shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondents and shall include the following certification language:

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

information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Tyler Regional Office
Texas Commission on Environmental Quality
2916 Teague Drive
Tyler, Texas 75701-3734

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 Respondents. The Respondents are ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. This Order, issued by the Commission, shall not be admissible against the Respondents 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.
8. 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.

9. 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

Kristi Mello-Jurack

For the Executive Director

09/20/2025

Date

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

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

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

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

Hans V. Hansen

Signature

7-9-26

Date

HANS V. HANSEN

Name (Printed or typed)
Authorized Representative of
Hans Hansen

Co-Owner

Title

Karen M. Hansen

Signature

7-9-25

Date

Karen M. Hansen

Name (Printed or typed)
Authorized Representative of
Karen Hansen

CO-OWNER

Title

☐ 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.