

**Executive Summary – Enforcement Matter – Case No. 61757**

**City of Crockett**

**RN101609741**

**Docket No. 2022-0028-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

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

North Plant, located on the west bank of Town Branch, approximately 2,000 feet north of the intersection of the Missouri-Pacific Railroad with State Loop 304, Crockett, Houston County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** May 9, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$184,700

**Amount Deferred for Expedited Settlement:** \$36,940

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

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

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$147,760

Name of SEP: Clarifier Rehabilitation (Compliance)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** October 28, 2021

**Date(s) of NOE(s):** December 15, 2021

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**Docket No. 2022-0028-MWD-E**

***Violation Information***

1. Failed to submit a complete annual sludge report ("ASR") to the TCEQ by September 30th of each year. Specifically, the 2018 and 2019 ASRs were not submitted to the TCEQ Beaumont Regional Office [30 TEX. ADMIN. CODE § 305.125(1) and (17) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010154001, Sludge Provisions, Section III, Part G].

2. Failed to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of noncompliance. Specifically, the Respondent did not provide noncompliance notifications ("NCNs") for effluent exceedances that occurred during the monthly monitoring periods of January and March 2020 and April and July 2021 [30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0010154001, Monitoring and Reporting Requirements No. 7.c].

3. Failed to accurately report monitoring activities. Specifically, multiple parameter results reported in the discharge monitoring reports ("DMRs") for the monthly monitoring periods from October 2018 through September 2019 were incorrect due to improper calculation methods, excessive rounding, and a transcription error. Additionally, the daily average concentration for *Escherichia coli* was calculated using the arithmetic average instead of the geometric mean for the monthly monitoring periods [30 TEX. ADMIN. CODE § 305.125(1) and (12) and TPDES Permit No. WQ0010154001, Definitions and Standard Permit Conditions No. 2].

4. Failed to comply with permitted effluent limitations. Specifically, a grab sample collected during the October 28, 2021 investigation revealed the Respondent did not meet the permitted minimum for chlorine residual before dechlorination of 1.0 milligram per liter ("mg/L") with a result of 0.39 mg/L [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements No. 2].

5. Failed to secure the Facility in an intruder-resistant manner. Specifically, the perimeter fence west of the oxidation ditch was damaged by a fallen tree and not repaired [30 TEX. ADMIN. CODE § 317.7(e)].

6. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, grease was accumulated in the On-Site Lift Station wet well and one of its pumps was nonoperational. Additionally, the Nottingham Lift Station audiovisual alarm was nonoperational [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

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**Docket No. 2022-0028-MWD-E**

7. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the ventilation fan in the chlorine control room was nonoperational [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

8. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the bar screen was damaged and bent. Additionally, the bar screen contained excessive screenings [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

9. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, vegetation was growing on both aerators in the oxidation ditch, excessive surface scum and trash was present in the weir teeth of Clarifier No. 1, and grease balls and suspended grease was accumulated in the chlorine contact chamber [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

10. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, Clarifier No. 2 was nonoperational as the skimmer arm had fallen and damaged the weir ring [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

11. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the sludge digester was nonoperational as the mechanical mixing blades were broken [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

12. Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, a pool of sludge was observed on the ground near Clarifier No. 2 [30 TEX. ADMIN. CODE § 305.125(1) and (4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d].

13. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, vegetation was growing in both sludge drying beds [30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1].

14. Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, floating grease balls were observed in the receiving stream near Outfall No. 001 [30 TEX. ADMIN. CODE § 305.125(1)

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and (4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d].

15. Failed to comply with permitted effluent limitations for pH, *Escherichia coli*, and total residual chlorine [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. By removing the grease from the receiving stream, by October 28, 2021;
- b. By updating the standard operating procedures to ensure chlorine residual checks occur three times a day, by November 11, 2021;
- c. By submitting updated DMRs to reflect the *Escherichia coli* geometric mean sample results for the monthly monitoring periods from October 2018 to September 2019 and to correct various calculation methods, rounding, and transcription errors, by December 8, 2021;
- d. By removing the sludge and disinfected the area near Clarifier No. 2, removing the scum and trash from Clarifier No. 1, and removing grease from the chlorine contact chamber, by January 3, 2022;
- e. By replacing the bar screen, removing and properly disposing of the excessive screenings for the bar screen, removing grease from the On-Site Lift Station wet well, and repairing the nonoperational pump at the On-Site Lift Station, by February 11, 2022;
- f. By repairing the perimeter fence west of the oxidation ditch to ensure it is intruder-resistant, by August 11, 2023;
- g. By repairing/replacing the Nottingham Lift Station audiovisual alarm, by November 7, 2023;
- h. By removing and properly disposing of the vegetation from the oxidation ditch aerators, by November 7, 2023;
- i. By replacing the ventilation fan in the chlorine control room, by November 9, 2023; and

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**City of Crockett**

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**Docket No. 2022-0028-MWD-E**

j. By removing and properly disposing of the vegetation and excess sludge from the sludge drying beds, by November 9, 2023.

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Develop and implement procedures and conduct employee training to ensure ASRs are submitted in a timely manner;

ii. Develop and implement procedures and conduct employee training to ensure noncompliance notifications for effluent exceedances are submitted in a timely manner;

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

c. Within 90 days, make the necessary repairs or adjustments to the sludge digester to ensure proper operation.

d. Within 115 days, submit written certification to demonstrate compliance with c.

e. Within 130 days, make the necessary repairs or adjustments to Clarifier No. 2 to ensure proper operation.

f. Within 145 days, submit written certification to demonstrate compliance with e.

g. Within 260 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010154001 to achieve compliance and copies of the most current self-reported discharge monitoring reports demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

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**City of Crockett**  
**RN101609741**  
**Docket No. 2022-0028-MWD-E**

***Contact Information***

**TCEQ Attorney:** N/A

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

**TCEQ SEP Coordinator:** Adena Crider, Litigation Division, MC 175, (512) 239-0648

**Respondent:** The Honorable Lanthia Fisher, Mayor, City of Crockett, 200 North 5th Street, Crockett, Texas 75835

John Angerstein, City Administrator, City of Crockett, 200 North 5th Street, Crockett, Texas 75835

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	20-Dec-2021		
	<b>PCW</b>	23-Jun-2023	<b>Screening</b>	30-Dec-2021
			<b>EPA Due</b>	

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	City of Crockett			
<b>Reg. Ent. Ref. No.</b>	RN101609741			
<b>Facility/Site Region</b>	10-Beaumont	<b>Major/Minor Source</b>	Major	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	61757	<b>No. of Violations</b>	16
<b>Docket No.</b>	2022-0028-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Harley Hobson
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$125,750
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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.

<b>Compliance History</b>	50.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$62,875
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<b>Notes</b>	Enhancement for six months of self-reported effluent violations and one agreed order containing a denial of liability.			
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<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondent does not meet the culpability criteria.			
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$3,925
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$4,756	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$28,704	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$184,700
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes		
	<b>Final Penalty Amount</b>	<b>\$184,700</b>

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$184,700
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$36,940
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.			
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<b>PAYABLE PENALTY</b>	\$147,760
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Screening Date

30-Dec-2021

Respondent

City of Crockett

Case ID No.

61757

Reg. Ent. Reference No.

RN101609741

Media

Water Quality

Enf. Coordinator

Harley Hobson

Docket No.

2022-0028-MWD-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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> )	6	30%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)

50%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

Enhancement for six months of self-reported effluent violations and one agreed order containing a denial of liability.

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

50%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100%

50%



<b>Screening Date</b>	30-Dec-2021	<b>Docket No.</b>	2022-0028-MWD-E	<b>PCW</b>	
<b>Respondent</b>	City of Crockett	<i>Policy Revision 5 (January 28, 2021)</i>			
<b>Case ID No.</b>	61757	<i>PCW Revision February 11, 2021</i>			
<b>Reg. Ent. Reference No.</b>	RN101609741				
<b>Media</b>	Water Quality				
<b>Enf. Coordinator</b>	Harley Hobson				
<b>Violation Number</b>	1				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(1) and (17) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010154001, Sludge Provisions, Section III, Part G				
<b>Violation Description</b>	Failed to submit a complete annual sludge report ("ASR") to the TCEQ by September 30th of each year. Specifically, the 2018 and 2019 ASRs were not submitted to the TCEQ Beaumont Regional Office.				
<b>Base Penalty</b>			\$25,000		
>> Environmental, Property and Human Health Matrix					
OR	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				
>>Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 20.0%
Matrix Notes	100% of the rule requirements were not met.				
<b>Adjustment</b>			\$20,000		
			\$5,000		
Violation Events					
Number of Violation Events		2	63	Number of violation days	
	daily			<b>Violation Base Penalty</b> \$10,000	
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x			
Two single events are recommended, one for each missing report.					
<b>Good Faith Efforts to Comply</b>		0.0%	Reduction \$0		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary					
N/A	x				
Notes	The Respondent does not meet the good faith criteria for this violation.				
<b>Violation Subtotal</b>			\$10,000		
Economic Benefit (EB) for this violation					
<b>Statutory Limit Test</b>					
<b>Estimated EB Amount</b>	\$142	<b>Violation Final Penalty Total</b>	\$15,000		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$15,000		

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**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	\$250	28-Oct-2021	7-Feb-2025	3.28	\$41	n/a	\$41
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs** Estimated Training/Sampling cost to develop and implement procedures and conduct employee training to ensure the ASR is submitted in its entirety and in a timely manner. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$100	28-Oct-2021	30-Dec-2021	0.17	\$1	\$100	\$101

**Notes for AVOIDED costs** Estimated cost to submit the 2018 and 2019 ASR. (\$50 per report). The Date Required is the investigation date, and the Final Date is the screening date.

<b>Approx. Cost of Compliance</b>	\$350	<b>TOTAL</b>	\$142
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																				
<b>Violation Number</b> 2 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (9)(A) and TPDES Permit No. WQ0010154001, Monitoring and Reporting Requirements No. 7.c <b>Violation Description</b> Failed to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of noncompliance. Specifically, the Respondent did not provide noncompliance notifications ("NCNs") for effluent exceedances that occurred during the monthly monitoring periods of January and March 2020 and April and July 2021.		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <td colspan="3"><b>Harm</b></td> </tr> <tr> <td><b>Release</b></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				<b>Harm</b>			<b>Release</b>	Major	Moderate	Minor	Actual				Potential				<b>Percent</b> 0.0%
		<b>Harm</b>																		
	<b>Release</b>	Major	Moderate	Minor																
Actual																				
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
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	Falsification	x																		
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
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N/A	x																			
		<b>Violation Subtotal</b> \$20,000																		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$122		<b>Violation Final Penalty Total</b> \$30,000																		
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$30,000																		

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**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	\$100	28-Oct-2021	7-Feb-2025	3.28	\$16	n/a	\$16
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Training/Sampling cost to develop and implement procedures and conduct employee training to submit noncompliance notifications for effluent exceedances. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.						

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$104	25-Aug-2021	30-Dec-2021	0.35	\$2	\$104	\$106
Notes for AVOIDED costs	Estimated cost plus accrude interest (\$25/NCN + \$4 interest) to submit the NCNs for the effluent exceedances that occurred during the monthly monitoring periods of January and March 2020 and April and July 2021. The Date Required is the date the last noncompliance notification was due, and the Final date is the screening date.						

Approx. Cost of Compliance	\$204	<b>TOTAL</b>	\$122
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 3 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (12) and TPDES Permit No. WQ0010154001, Definitions and Standard Permit Conditions No. 2																				
<b>Violation Description</b> Failed to accurately report monitoring activities. Specifically, multiple parameter results reported in the discharge monitoring reports ("DMRs") for the monthly monitoring periods from October 2018 through September 2019 were incorrect due to improper calculation methods, excessive rounding, and a transcription error. Additionally, the daily average concentration for Escherichia coli was calculated using the arithmetic average instead of the geometric mean for the monthly monitoring periods.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual				Potential				<b>Percent</b> 0.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual																				
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>x</td> </tr> </table>				Falsification	Major	Moderate	Minor					x	<b>Percent</b> 1.0%						
	Falsification	Major	Moderate	Minor																
				x																
Matrix Notes	Less than 30% of the rule requirements were not met.																			
			<b>Adjustment</b> \$24,750																	
				\$250																
<b>Violation Events</b>																				
Number of Violation Events 12		364 Number of violation days																		
	<table border="1"> <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></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td>x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x	<b>Violation Base Penalty</b> \$3,000				
daily																				
weekly																				
monthly																				
quarterly																				
semiannual																				
annual																				
single event	x																			
Twelve single events are recommended, one for each month effluent samples were not properly reported.																				
<b>Good Faith Efforts to Comply</b> 25.0%		Reduction \$750																		
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																		
	<table border="1"> <tr><td>Extraordinary</td><td></td></tr> <tr><td>Ordinary</td><td>x</td></tr> <tr><td>N/A</td><td></td></tr> </table>	Extraordinary		Ordinary	x	N/A														
Extraordinary																				
Ordinary	x																			
N/A																				
Notes	The Respondent achieved compliance on December 8, 2021.																			
			<b>Violation Subtotal</b> \$2,250																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$92		<b>Violation Final Penalty Total</b> \$3,750																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$3,750																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$600	20-Nov-2018	8-Dec-2021	3.05	\$92	n/a	\$92
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Record Keeping System cost to submit updated DMRs to reflect Escherichia coli geometric mean sample results for the monthly monitoring periods from October 2018 through September 2019 and to correct various calculation methods, rounding, and transcription errors. The Date Required is the date the first incorrect sample results were initially due, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

**Approx. Cost of Compliance** \$600

**TOTAL** \$92

<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																				
<b>Violation Number</b> 4 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements No. 1		<b>Violation Description</b> Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.																		
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <td colspan="3"><b>Harm</b></td> </tr> <tr> <td><b>Release</b></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				<b>Harm</b>			<b>Release</b>	Major	Moderate	Minor	Actual		x		Potential				<b>Percent</b> 50.0%
		<b>Harm</b>																		
	<b>Release</b>	Major	Moderate	Minor																
Actual		x																		
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Falsification</td> <td></td> <td></td> <td></td> </tr> </table>				Major	Moderate	Minor	Falsification				<b>Percent</b> 0.0%								
	Major	Moderate	Minor																	
Falsification																				
Matrix Notes	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.																			
			<b>Adjustment</b> \$12,500																	
			\$12,500																	
<b>Violation Events</b>																				
Number of Violation Events 1		31 Number of violation days																		
	<table border="1"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td>x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event		<b>Violation Base Penalty</b> \$12,500				
daily																				
weekly																				
monthly	x																			
quarterly																				
semiannual																				
annual																				
single event																				
One monthly event is recommended for July 2021.																				
<b>Good Faith Efforts to Comply</b>		0.0%	Reduction \$0																	
	<table border="1"> <tr> <td></td> <td>Before NOE/NOV</td> <td>NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td>x</td> <td></td> </tr> </table>				Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x						
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A	x																			
Notes	The Respondent does not meet the good faith criteria for this violation.																			
			<b>Violation Subtotal</b> \$12,500																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
Estimated EB Amount \$2,267		Violation Final Penalty Total \$18,750																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$18,750																	

Economic Benefit Worksheet

Respondent City of Crockett  
Case ID No. 61757  
Reg. Ent. Reference No. RN101609741  
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)	\$10,000	28-Feb-2021	10-Sep-2025	4.53	\$2,267	n/a	\$2,267

Notes for DELAYED costs

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

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$2,267



<b>Screening Date</b> 30-Dec-2021		<b>Docket No.</b> 2022-0028-MWD-E		<b>PCW</b>	
<b>Respondent</b> City of Crockett		<i>Policy Revision 5 (January 28, 2021)</i>			
<b>Case ID No.</b> 61757		<i>PCW Revision February 11, 2021</i>			
<b>Reg. Ent. Reference No.</b> RN101609741					
<b>Media</b> Water Quality					
<b>Enf. Coordinator</b> Harley Hobson					
<b>Violation Number</b>		5			
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3			
<b>Violation Description</b>		Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
		<b>Base Penalty</b>		\$25,000	
>> Environmental, Property and Human Health Matrix					
OR			<b>Harm</b>		
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 30.0%
Potential					
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
<b>Adjustment</b>					\$17,500
					\$7,500
>> Violation Events					
Number of Violation Events		2	88	Number of violation days	
	daily			<b>Violation Base Penalty</b> \$15,000	
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				
Two quarterly events are recommended for the quarters containing the months of February, April, and June 2021.					
<b>Good Faith Efforts to Comply</b>		0.0%		<b>Reduction</b> \$0	
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary				
	N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.				
<b>Violation Subtotal</b>					\$15,000
>> Economic Benefit (EB) for this violation					
>> Statutory Limit Test					
<b>Estimated EB Amount</b>		\$0		<b>Violation Final Penalty Total</b> \$22,500	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					\$22,500

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations is captured in Economic Benefit Worksheet No. 4.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$0	TOTAL	\$0
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
		<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 6 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements No. 2 <b>Violation Description</b> Failed to comply with permitted effluent limitations. Specifically, a grab sample collected during the October 28, 2021 investigation revealed the Respondent did not meet the permitted minimum for chlorine residual before dechlorination of 1.0 milligram per liter ("mg/L") with a result of 0.39 mg/L.		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>x</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual			x	Potential				<b>Percent</b> 30.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual			x																	
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
Matrix Notes	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
		Falsification	Major	Moderate	Minor															
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.																				
			<b>Adjustment</b> \$17,500																	
			\$7,500																	
<b>Violation Events</b>																				
Number of Violation Events 1		31 Number of violation days																		
<table border="1"> <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>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		<b>Violation Base Penalty</b> \$7,500				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
One quarterly event is recommended for the month of October 2021.																				
<b>Good Faith Efforts to Comply</b>		0.0%	Reduction \$0																	
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A		x																		
Notes		The Respondent does not meet the good faith criteria for this violation																		
			<b>Violation Subtotal</b> \$7,500																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
Estimated EB Amount \$0		<b>Violation Final Penalty Total</b> \$11,250																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$11,250																	

Economic Benefit Worksheet

Respondent City of Crockett  
Case ID No. 61757  
Reg. Ent. Reference No. RN101609741  
Media Water Quality  
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations is captured in Economic Benefit Worksheet No. 4.						

Avoided Costs

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

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

Approx. Cost of Compliance	\$0	TOTAL	\$0
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Screening Date		30-Dec-2021		Docket No.		2022-0028-MWD-E		PCW			
Respondent		City of Crockett		Policy Revision 5 (January 28, 2021)							
Case ID No.		61757		PCW Revision February 11, 2021							
Reg. Ent. Reference No.		RN101609741									
Media		Water Quality									
Enf. Coordinator		Harley Hobson									
Violation Number		7									
Rule Cite(s)		30 Tex. Admin. Code § 317.7(e)									
Violation Description		Failed to secure the Facility in an intruder-resistant manner. Specifically, the perimeter fence west of the oxidation ditch was damaged by a fallen tree and not repaired.									
				Base Penalty		\$25,000					
>> Environmental, Property and Human Health Matrix											
OR		Release		Major		Harm		Moderate		Minor	
		Actual									
		Potential				x					
				Percent		15.0%					
>> Programmatic Matrix											
		Falsification		Major		Moderate		Minor			
										Percent	
										0.0%	
Matrix Notes		Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.									
				Adjustment		\$21,250					
						\$3,750					
Violation Events											
		Number of Violation Events		1		63		Number of violation days			
		daily									
		weekly									
		monthly									
		quarterly		x						Violation Base Penalty	
		semiannual								\$3,750	
		annual									
		single event									
		One quarterly event is recommended, from the October 28, 2021 investigation date to the December 30, 2021 screening date.									
Good Faith Efforts to Comply		10.0%				Reduction		\$375			
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer							
		Extraordinary									
		Ordinary				x					
		N/A									
		Notes		The Respondent achieved compliance by August 11, 2023.							
				Violation Subtotal		\$3,375					
Economic Benefit (EB) for this violation											
Statutory Limit Test											
		Estimated EB Amount		\$63		Violation Final Penalty Total		\$5,250			
				This violation Final Assessed Penalty (adjusted for limits)		\$5,250					

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

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

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$500	28-Oct-2021	11-Aug-2023	1.79	\$3	\$60	\$63
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Engineering/Construction cost to repair the perimeter fence west of the oxidation ditch to ensure it is intruder-resistant. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance \$500

**TOTAL** \$63

<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 8 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1 <b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, grease was accumulated in the On-Site Lift Station wet well and one of its pumps was nonoperational. Additionally, the Nottingham Lift Station audiovisual alarm was nonoperational.		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td>x</td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual				Potential		x		<b>Percent</b> 15.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual																				
Potential		x																		
<b>&gt;&gt; Programmatic Matrix</b>																				
Matrix Notes	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
		Falsification	Major	Moderate	Minor															
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.																				
<b>Adjustment</b>			\$21,250																	
			\$3,750																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
<table border="1"> <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>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		<b>Violation Base Penalty</b> \$3,750				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
One quarterly event is recommended from the October 28, 2021 investigation date to the December 30, 2021 screening date.																				
<b>Good Faith Efforts to Comply</b>		<b>0.0%</b>	<b>Reduction</b> \$0																	
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																				
Extraordinary																				
Ordinary																				
N/A	x																			
Notes	The Respondent does not meet the good faith criteria for this violation.																			
<b>Violation Subtotal</b>			\$3,750																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$78		<b>Violation Final Penalty Total</b> \$5,625																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$5,625																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 8

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	\$500	28-Oct-2021	7-Nov-2023	2.03	\$3	\$68	\$71
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	\$500	28-Oct-2021	11-Feb-2022	0.29	\$7	n/a	\$7
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Equipment cost to repair/replace the Nottingham Lift Station audiovisual alarm. The Date Required is the investigation date, and the Final Date is the date of compliance.						
	Estimated Remediation/Disposal cost to remove grease from the On-Site Lift Station wet well and repair/replace the pump. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$1,000	TOTAL	\$78
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
		<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 9 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1																				
<b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the ventilation fan in the chlorine control room was nonoperational.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <td colspan="3"><b>Harm</b></td> </tr> <tr> <td><b>Release</b></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td>x</td> <td></td> <td></td> </tr> </table>				<b>Harm</b>			<b>Release</b>	Major	Moderate	Minor	Actual				Potential	x			<b>Percent</b> 30.0%
		<b>Harm</b>																		
	<b>Release</b>	Major	Moderate	Minor																
Actual																				
Potential	x																			
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Falsification</td> <td></td> <td></td> <td></td> </tr> </table>				Major	Moderate	Minor	Falsification				<b>Percent</b> 0.0%								
	Major	Moderate	Minor																	
Falsification																				
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.																			
			<b>Adjustment</b> \$17,500																	
			\$7,500																	
<b>Violation Events</b>																				
Number of Violation Events 3		63 Number of violation days																		
	<table border="1"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td>x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event		<b>Violation Base Penalty</b> \$22,500				
daily																				
weekly																				
monthly	x																			
quarterly																				
semiannual																				
annual																				
single event																				
Three monthly events are recommended from the October 28, 2021 investigation date to the December 30, 2021 screening date.																				
<b>Good Faith Efforts to Comply</b> 0.0%		Reduction \$0																		
	<table border="1"> <tr> <td></td> <td>Before NOE/NOV</td> <td>NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td>x</td> <td></td> </tr> </table>				Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x						
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A	x																			
Notes	The Respondent does not meet the good faith criteria for this violation.																			
			<b>Violation Subtotal</b> \$22,500																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$71		<b>Violation Final Penalty Total</b> \$33,750																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$33,750																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 9

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	\$500	28-Oct-2021	9-Nov-2023	2.03	\$3	\$68	\$71
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Equipment cost to repair or replace the ventilation fan in the chlorine control room. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$500	<b>TOTAL</b>	\$71
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																				
<b>Violation Number</b> 10 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1																				
<b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the bar screen was damaged and bent. Additionally, the bar screen contained excessive screenings.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td>x</td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual				Potential			x	<b>Percent</b> 7.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual																				
Potential			x																	
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
	Falsification	Major	Moderate	Minor																
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.																			
			<b>Adjustment</b> \$23,250																	
			\$1,750																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
	<table border="1"> <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></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td>x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x	<b>Violation Base Penalty</b> \$1,750				
daily																				
weekly																				
monthly																				
quarterly																				
semiannual																				
annual																				
single event	x																			
One single event is recommended.																				
<b>Good Faith Efforts to Comply</b> 10.0%		Reduction \$175																		
	<table border="1"> <tr> <td></td> <th>Before NOE/NOV</th> <th>NOE/NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td>x</td> </tr> <tr> <td>N/A</td> <td></td> <td></td> </tr> </table>				Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary		x	N/A							
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary		x																		
N/A																				
Notes	The Respondent achieved compliance by February 11, 2022.																			
			<b>Violation Subtotal</b> \$1,575																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$45		<b>Violation Final Penalty Total</b> \$2,450																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$2,450																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 10

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	\$2,000	28-Oct-2021	11-Feb-2022	0.29	\$2	\$39	\$41
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	\$300	28-Oct-2021	11-Feb-2022	0.29	\$4	n/a	\$4
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	<p>Estimated Equipment cost to repair or replace the bar screen. The Date Required is the investigation date, and the Final Date is the date of compliance.</p> <p>Estimated Remediation/Disposal cost to remove and properly dispose of the excessive screenings for the bar screen. The Date Required is the investigation date, and the Final Date is the date of compliance.</p>						

## 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 \$2,300

**TOTAL** \$45

<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																				
<b>Violation Number</b> 11 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1																				
<b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, vegetation was growing on both aerators in the oxidation ditch, excessive surface scum and trash was present in the weir teeth of Clarifier No. 1, and grease balls and suspended grease was accumulated in the chlorine contact chamber.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td>x</td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual				Potential			x	<b>Percent</b> 7.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual																				
Potential			x																	
<b>&gt;&gt; Programmatic Matrix</b>																				
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	Falsification	Major	Moderate	Minor																
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.																			
			<b>Adjustment</b> \$23,250																	
			\$1,750																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
	<table border="1"> <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></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td>x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x	<b>Violation Base Penalty</b> \$1,750				
daily																				
weekly																				
monthly																				
quarterly																				
semiannual																				
annual																				
single event	x																			
One single event is recommended.																				
<b>Good Faith Efforts to Comply</b>		0.0%	Reduction \$0																	
	<table border="1"> <tr> <td></td> <th>Before NOE/NOV</th> <th>NOE/NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td>x</td> <td></td> </tr> </table>				Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x						
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A	x																			
Notes	The Respondent does not meet the good faith criteria for this violation.																			
			<b>Violation Subtotal</b> \$1,750																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
Estimated EB Amount \$80		Violation Final Penalty Total \$2,625																		
This violation Final Assessed Penalty (adjusted for limits)			\$2,625																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 11

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)	\$500	28-Oct-2021	7-Nov-2023	2.03	\$3	\$68	\$71
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)	\$1,000	28-Oct-2021	3-Jan-2022	0.18	\$9	n/a	\$9

Notes for DELAYED costs

Estimated Other cost to remove and properly dispose of the vegetation from the oxidation ditch aerators. The Date Required is the investigation date, and the Final Date is the date of compliance.

Estimated Other cost to remove and properly dispose of the scum and trash from Clarifier No. 1 and the grease from the chlorine contact chamber. The Date Required is the investigation date, and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,500	TOTAL	\$80
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
		<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 12 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1																				
<b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, Clarifier No. 2 was nonoperational as the skimmer arm had fallen and damaged the weir ring.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td>x</td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual				Potential		x		<b>Percent</b> 15.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual																				
Potential		x																		
<b>&gt;&gt; Programmatic Matrix</b>																				
Matrix Notes	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
		Falsification	Major	Moderate	Minor															
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.																				
			<b>Adjustment</b> \$21,250																	
			\$3,750																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
	<table border="1"> <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>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		<b>Violation Base Penalty</b> \$3,750				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
One quarterly event is recommended from the October 28, 2021 investigation date to the December 30, 2021 screening date.																				
<b>Good Faith Efforts to Comply</b>		<b>0.0%</b>	<b>Reduction</b> \$0																	
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A		x																		
Notes		The Respondent does not meet the good faith criteria for this violation.																		
		<b>Violation Subtotal</b> \$3,750																		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$889		<b>Violation Final Penalty Total</b> \$5,625																		
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$5,625																		

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 12

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)	\$5,000	28-Oct-2021	18-May-2025	3.56	\$889	n/a	\$889
Notes for DELAYED costs	Estimated cost to make the necessary repairs or adjustments to Clarifier No. 2 to ensure proper operation. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$5,000	TOTAL	\$889
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<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
		<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 13 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1																				
<b>Violation Description</b> Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the sludge digester was nonoperational as the mechanical mixing blades were broken.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td><b>Release</b></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td>x</td> <td></td> </tr> </table>				Harm			<b>Release</b>	Major	Moderate	Minor	Actual				Potential		x		<b>Percent</b> 15.0%
		Harm																		
	<b>Release</b>	Major	Moderate	Minor																
Actual																				
Potential		x																		
<b>&gt;&gt; Programmatic Matrix</b>																				
Matrix Notes	<table border="1"> <tr> <td></td> <td>Falsification</td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
		Falsification	Major	Moderate	Minor															
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.																				
			<b>Adjustment</b> \$21,250																	
			\$3,750																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
<table border="1"> <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>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		<b>Violation Base Penalty</b> \$3,750				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
One quarterly event is recommended from the October 28, 2021 investigation date to the December 30, 2021 screening date.																				
<b>Good Faith Efforts to Comply</b>		<b>0.0%</b>	<b>Reduction</b> \$0																	
<table border="1"> <tr> <td></td> <td>Before NOE/NOV</td> <td>NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td>x</td> <td></td> </tr> </table>			Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x								
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A	x																			
<b>Notes</b> The Respondent does not meet the good faith criteria for this violation.																				
			<b>Violation Subtotal</b> \$3,750																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
<b>Estimated EB Amount</b> \$848		<b>Violation Final Penalty Total</b> \$5,625																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$5,625																	

Economic Benefit Worksheet

Respondent City of Crockett  
Case ID No. 61757  
Reg. Ent. Reference No. RN101609741  
Media Water Quality  
Violation No. 13

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)	\$5,000	28-Oct-2021	19-Mar-2025	3.39	\$848	n/a	\$848
Notes for DELAYED costs	Estimated Other cost to make the necessary repairs or adjustments to the sludge digester to ensure proper operation. The Date Required is the investigation date, and the Final Date is the estimated date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance \$5,000

TOTAL \$848

<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
		<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> 14 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (4), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d																				
<b>Violation Description</b> Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, a pool of sludge was observed on the ground near Clarifier No. 2.																				
		<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>x</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual			x	Potential				<b>Percent</b> 30.0%
		Harm																		
	Release	Major	Moderate	Minor																
Actual			x																	
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
	Falsification	Major	Moderate	Minor																
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.																			
			<b>Adjustment</b> \$17,500																	
			\$7,500																	
<b>Violation Events</b>																				
Number of Violation Events 1		63 Number of violation days																		
	<table border="1"> <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>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		<b>Violation Base Penalty</b> \$7,500				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
One quarterly event is recommended from the October 28, 2021 investigation date to the December 30, 2021 screening date.																				
<b>Good Faith Efforts to Comply</b>		10.0%	Reduction \$750																	
	<table border="1"> <tr> <td></td> <th>Before NOE/NOV</th> <th>NOE/NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td>x</td> </tr> <tr> <td>N/A</td> <td></td> <td></td> </tr> </table>				Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary		x	N/A							
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary		x																		
N/A																				
Notes	The Respondent achieved compliance by January 3, 2022.																			
			<b>Violation Subtotal</b> \$6,750																	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>																		
Estimated EB Amount \$9		Violation Final Penalty Total \$10,500																		
This violation Final Assessed Penalty (adjusted for limits)			\$10,500																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 14

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	\$1,000	28-Oct-2021	3-Jan-2022	0.18	\$9	n/a	\$9
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 the sludge and disinfect the area near Clarifier No. 2. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$1,000	<b>TOTAL</b>	\$9
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Screening Date		30-Dec-2021		Docket No.		2022-0028-MWD-E		PCW	
Respondent		City of Crockett		Policy Revision 5 (January 28, 2021)					
Case ID No.		61757		PCW Revision February 11, 2021					
Reg. Ent. Reference No.		RN101609741							
Media		Water Quality							
Enf. Coordinator		Harley Hobson							
Violation Number		15							
Rule Cite(s)		30 Tex. Admin. Code § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1							
Violation Description		Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, vegetation was growing in both sludge drying beds.							
				Base Penalty		\$25,000			
>> Environmental, Property and Human Health Matrix									
OR		Release		Major		Moderate		Minor	
		Actual							
		Potential						x	
				Percent		7.0%			
>> Programmatic Matrix									
		Falsification		Major		Moderate		Minor	
				Percent		0.0%			
Matrix Notes		Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.							
				Adjustment		\$23,250			
						\$1,750			
Violation Events									
		Number of Violation Events		1		63		Number of violation days	
		daily							
		weekly							
		monthly							
		quarterly							
		semiannual							
		annual							
		single event		x					
				Violation Base Penalty		\$1,750			
		One single event is recommended.							
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		\$1,750			
Economic Benefit (EB) for this violation									
		Estimated EB Amount		\$51		Violation Final Penalty Total		\$2,625	
				This violation Final Assessed Penalty (adjusted for limits)		\$2,625			

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 15

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)	\$500	28-Oct-2021	9-Nov-2023	2.03	\$51	n/a	\$51
Notes for DELAYED costs	Estimated Other cost to remove and properly dispose of the vegetation and excess sludge from the sludge drying beds. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance \$500

**TOTAL** \$51

<b>Screening Date</b> 30-Dec-2021 <b>Respondent</b> City of Crockett <b>Case ID No.</b> 61757 <b>Reg. Ent. Reference No.</b> RN101609741 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson		<b>Docket No.</b> 2022-0028-MWD-E <b>PCW</b>																		
<i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																				
<b>Violation Number</b> 16 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125(1) and (4), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d		<b>Violation Description</b> Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, floating grease balls were observed in the receiving stream near Outfall No. 001.																		
		<b>Base Penalty</b>	\$25,000																	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td><b>Release</b></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>x</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Harm			<b>Release</b>	Major	Moderate	Minor	Actual			x	Potential				<b>Percent</b> 30.0%
		Harm																		
	<b>Release</b>	Major	Moderate	Minor																
	Actual			x																
Potential																				
<b>&gt;&gt; Programmatic Matrix</b>																				
	<table border="1"> <tr> <td></td> <td>Falsification</td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
	Falsification	Major	Moderate	Minor																
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.																			
			<b>Adjustment</b>	\$17,500																
				\$7,500																
<b>Violation Events</b>																				
Number of Violation Events		1	Number of violation days																	
	<table border="1"> <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>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		<b>Violation Base Penalty</b>				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
			\$7,500																	
One quarterly event is recommended from the October 28, 2021 investigation date to the October 28, 2021 compliance date.																				
<b>Good Faith Efforts to Comply</b>		25.0%	Reduction	\$1,875																
	<table border="1"> <tr> <td></td> <td>Before NOE/NOV</td> <td>NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td>x</td> <td></td> </tr> <tr> <td>N/A</td> <td></td> <td></td> </tr> </table>		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary	x		N/A									
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary	x																			
N/A																				
Notes	The Respondent achieved compliance on October 28, 2021.																			
			<b>Violation Subtotal</b>	\$5,625																
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>																	
<b>Estimated EB Amount</b>		\$0	<b>Violation Final Penalty Total</b>	\$9,375																
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$9,375																	

# Economic Benefit Worksheet

**Respondent** City of Crockett  
**Case ID No.** 61757  
**Reg. Ent. Reference No.** RN101609741  
**Media** Water Quality  
**Violation No.** 16

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	\$250	28-Oct-2021	28-Oct-2021	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Remediation cost to remove the grease from the receiving stream. The Date Required is the investigation date, and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$250	<b>TOTAL</b>	\$0
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City of Crockett  
TPDES Permit No. WQ0010154001  
Docket No. 2022-0028-MWD-E  
Case No. 61757

Effluent Violation Table

	<i>Escherichia coli</i>	pH	Total Residual Chlorine
Monitoring Period	Daily Maximum Concentration Limit = 399 CFU/100 mL	Minimum Concentration Limit = 6.0 SU	Instantaneous Maximum (after dechlorination) Limit = 0.1 mg/L
February 2021	c	4.56	c
April 2021	1,120	c	c
June 2021	c	c	0.2
July 2021	2,420	c	c

c = compliant                      CFU/100 mL = colony-forming units per 100 mL  
SU = standard units                      mg/L = milligrams per liter



# Compliance History Report

Compliance History Report for CN600251870, RN101609741, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN600251870, City of Crockett

**Classification:** SATISFACTORY

**Rating:** 3.97

**Regulated Entity:** RN101609741, NORTH PLANT

**Classification:** SATISFACTORY

**Rating:** 4.65

**Complexity Points:** 5

**Repeat Violator:** NO

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

**Location:** On the west bank of Town Branch, approximately 2,000 feet north of the intersection of the Missouri-Pacific Railroad with State Loop 304 in Houston County, Texas

**TCEQ Region:** REGION 10 - BEAUMONT

**ID Number(s):**

**WASTEWATER PERMIT** WQ0010154001

**WASTEWATER EPA ID** TX0070831

**Compliance History Period:** September 01, 2018 to August 31, 2023

**Rating Year:** 2023

**Rating Date:** 09/01/2023

**Date Compliance History Report Prepared:** October 11, 2023

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** October 11, 2018 to October 11, 2023

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

**Name:** Harley Hobson

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

## Site and Owner/Operator History:

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

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

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

- 1 Effective Date: 04/13/2020 ADMINORDER 2019-0506-MWD-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Effluent Limits PERMIT  
Description: Failed to comply with permitted effluent limitations.

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

N/A

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

N/A

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

Item 1	February 20, 2019	(1562318)	Item 13	October 15, 2020	(1694126)
Item 2	March 19, 2019	(1562319)	Item 14	November 20, 2020	(1715035)
Item 3	May 06, 2019	(1572691)	Item 15	December 21, 2020	(1715036)
Item 4	May 16, 2019	(1584991)	Item 16	January 19, 2021	(1715037)
Item 5	June 20, 2019	(1584992)	Item 17	February 23, 2021	(1728100)
Item 6	July 30, 2019	(1594040)	Item 18	April 20, 2021	(1728102)
Item 7	September 18, 2019	(1681211)	Item 19	June 21, 2021	(1748037)
Item 9	March 17, 2020	(1648039)	Item 20	September 20, 2021	(1767223)
Item 10	May 18, 2020	(1660954)	Item 21	September 27, 2021	(1777688)
Item 11	June 18, 2020	(1667487)	Item 22	November 19, 2021	(1784487)
Item 12	October 13, 2020	(1687780)	Item 23	December 20, 2021	(1791517)

Item 24	January 18, 2022	(1799359)	Item 30	September 19, 2022	(1857075)
Item 25	February 17, 2022	(1807177)	Item 31	October 19, 2022	(1863432)
Item 26	March 18, 2022	(1820815)	Item 32	March 17, 2023	(1899391)
Item 27	May 20, 2022	(1829647)	Item 33	April 18, 2023	(1906194)
Item 28	June 17, 2022	(1835946)	Item 34	July 17, 2023	(1926926)
Item 29	July 19, 2022	(1843145)			

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

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

- |   |  |                 |          |
|---|--|-----------------|----------|
| 1 | Date: 10/31/2022 (1870343)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |
| 2 | Date: 11/30/2022 (1876192)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |
| 3 | Date: 12/31/2022 (1883011)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |
| 4 | Date: 01/31/2023 (1890820)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |
| 5 | Date: 04/30/2023 (1913350)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |
| 6 | Date: 05/31/2023 (1919958)   |                 |          |
|   | Self Report? YES   | Classification: | Moderate |
|   | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1) |                 |          |
|   | Description: Failure to meet the limit for one or more permit parameter                            |                 |          |

#### F. Environmental audits:

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

## J. Early compliance:

N/A

### Sites Outside of Texas:

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CITY OF CROCKETT  
RN101609741**

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

## **AGREED ORDER DOCKET NO. 2022-0028-MWD-E**

### **I. JURISDICTION AND STIPULATIONS**

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

1. The Respondent owns and operates a wastewater treatment facility located on the west bank of Town Branch, approximately 2,000 feet north of the intersection of the Missouri-Pacific Railroad with State Loop 304 in Houston County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$184,700 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of \$36,940 is deferred contingent upon the Respondent's 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. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$147,760 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms

and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - a. By removing the grease from the receiving stream, by October 28, 2021;
  - b. By updating the standard operating procedures to ensure chlorine residual checks occur three times a day, by November 11, 2021;
  - c. By submitting updated discharge monitoring reports ("DMRs") to reflect the *Escherichia coli* geometric mean sample results for the monthly monitoring periods from October 2018 to September 2019 and to correct various calculation methods, rounding, and transcription errors, by December 8, 2021;
  - d. By removing the sludge and disinfected the area near Clarifier No. 2, removing the scum and trash from Clarifier No. 1, and removing grease from the chlorine contact chamber, by January 3, 2022;
  - e. By replacing the bar screen, removing and properly disposing of the excessive screenings for the bar screen, removing grease from the On-Site Lift Station wet well, and repairing the nonoperational pump at the On-Site Lift Station, by February 11, 2022;
  - f. By repairing the perimeter fence west of the oxidation ditch to ensure it is intruder-resistant, by August 11, 2023;
  - g. By repairing/replacing the Nottingham Lift Station audiovisual alarm, by November 7, 2023;
  - h. By removing and properly disposing of the vegetation from the oxidation ditch aerators, by November 7, 2023;

- i. By replacing the ventilation fan in the chlorine control room, by November 9, 2023; and
- j. By removing and properly disposing of the vegetation and excess sludge from the sludge drying beds, by November 9, 2023.

## II. ALLEGATIONS

1. During an investigation at the Facility conducted on October 28, 2021, an investigator documented that the Respondent:
  - a. Failed to submit a complete annual sludge report ("ASR") to the TCEQ by September 30th of each year, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (17) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010154001, Sludge Provisions, Section III, Part G. Specifically, the 2018 and 2019 ASRs were not submitted to the TCEQ Beaumont Regional Office.
  - b. Failed to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of noncompliance, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0010154001, Monitoring and Reporting Requirements No. 7.c. Specifically, the Respondent did not provide noncompliance notifications ("NCNs") for effluent exceedances that occurred during the monthly monitoring periods of January and March 2020 and April and July 2021.
  - c. Failed to accurately report monitoring activities, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (12) and TPDES Permit No. WQ0010154001, Definitions and Standard Permit Conditions No. 2. Specifically, multiple parameter results reported in the discharge monitoring reports ("DMRs") for the monthly monitoring periods from October 2018 through September 2019 were incorrect due to improper calculation methods, excessive rounding, and a transcription error. Additionally, the daily average concentration for *Escherichia coli* was calculated using the arithmetic average instead of the geometric mean for the monthly monitoring periods.
  - d. Failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements No. 2. Specifically, a grab sample collected during the October 28, 2021 investigation revealed the Respondent did not meet the permitted minimum for chlorine residual before dechlorination of 1.0 milligram per liter ("mg/L") with a result of 0.39 mg/L.
  - e. Failed to secure the Facility in an intruder-resistant manner, in violation of 30 TEX. ADMIN. CODE § 317.7(e). Specifically, the perimeter fence west of the oxidation ditch was damaged by a fallen tree and not repaired.
  - f. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, grease was accumulated in the On-Site Lift Station wet well and one of its pumps was nonoperational. Additionally, the Nottingham Lift Station audiovisual alarm was nonoperational.

- g. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, the ventilation fan in the chlorine control room was nonoperational.
- h. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, the bar screen was damaged and bent. Additionally, the bar screen contained excessive screenings.
- i. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, vegetation was growing on both aerators in the oxidation ditch, excessive surface scum and trash was present in the weir teeth of Clarifier No. 1, and grease balls and suspended grease was accumulated in the chlorine contact chamber.
- j. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, Clarifier No. 2 was nonoperational as the skimmer arm had fallen and damaged the weir ring.
- k. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, the sludge digester was nonoperational as the mechanical mixing blades were broken.
- l. Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d. Specifically, a pool of sludge was observed on the ground near Clarifier No. 2.
- m. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TPDES Permit No. WQ0010154001, Operational Requirements No. 1. Specifically, vegetation was growing in both sludge drying beds.
- n. Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (4), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Permit Conditions No. 2.d. Specifically, floating grease balls were observed in the receiving stream near Outfall No. 001.

2. During a review of discharge monitoring records for the Facility conducted on October 28, 2021, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010154001, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3, as shown in the effluent violation table below:

Effluent Violation Table			
	<i>Escherichia coli</i>	pH	Total Residual Chlorine
Monitoring Period	Daily Maximum Concentration Limit = 399 CFU/100 mL	Minimum Concentration Limit = 6.0 SU	Instantaneous Maximum (after dechlorination) Limit = 0.1 mg/L
February 2021	c	4.56	c
April 2021	1,120	c	c
June 2021	c	c	0.2
July 2021	2,420	c	c

c = compliant      CFU/100 mL = colony-forming units per 100 mL  
SU = standard units      mg/L = milligrams per liter

### III. DENIALS

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

### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Crockett, Docket No. 2022-0028-MWD-E" to:  
  
Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$147,760 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:



- i. Develop and implement procedures and conduct employee training to ensure ASRs are submitted in a timely manner;
  - ii. Develop and implement procedures and conduct employee training to ensure noncompliance notifications for effluent exceedances are submitted in a timely manner;
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i and 3.a.ii.
- c. Within 90 days after the effective date of this Order, make the necessary repairs or adjustments to the sludge digester to ensure proper operation.
- d. Within 115 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.
- e. Within 130 days after the effective date of this Order, make the necessary repairs or adjustments to Clarifier No. 2 to ensure proper operation.
- f. Within 145 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.e.
- g. Within 260 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010154001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager  
Beaumont Regional Office  
Texas Commission on Environmental Quality  
3870 Eastex Freeway  
Beaumont, Texas 77703-1830

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

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For the Commission

-----  
Date



06/16/2025

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For the Executive Director

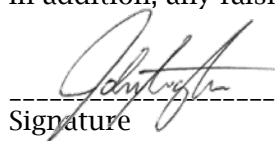
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Date

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 OAG 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 OAG 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.



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Signature

04/03/2025

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Date

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John Angerstein

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City Administrator

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

-----  
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.

**Attachment A**

**Docket Number: 2022-0028-MWD-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	City of Crockett
<b>Penalty Amount:</b>	\$147,760
<b>SEP Offset Amount:</b>	\$147,760
<b>Type of SEP:</b>	Compliance
<b>Project Name:</b>	<i>Clarifier Rehabilitation</i>
<b>Location of SEP:</b>	Houston County

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

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

**1. Project Description**

**A. Project**

Respondent shall hire a contractor to upgrade the clarifier at the Facility. Upgrades will include a new gear drive, center pier, adapters, skimmer with arms, and trough with braces. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for upgrading the clarifier (the “Project”). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement or invitation for bids, including publication, related to the SEP must include the enforcement statement as stated below in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP. The Commission’s approval and issuance of this Agreed Order shall not itself be construed to authorize any activity for which Respondent is required by statute or rule to obtain authorization from the Commission.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed below in Subsection C. Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

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

**B. Environmental Benefit**

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

and severe gastroenteritis. Additional risks include occurrences of low dissolved oxygen, fish kills, algal bloom, and bacterial contamination in waterways.

*C. Minimum Expenditure*

Respondent shall spend at least the SEP Offset Amount to complete the project described above in Section 1.A and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project. Costs in excess of the SEP Offset Amount shall not be grounds to relieve Respondent of its obligations to perform this SEP.

**Estimated Cost Schedule**

<b>Item</b>	<b>Total</b>
Clarifier Assembly Upgrades	\$197,221
<b>Total</b>	<b>\$197,221</b>

**2. Performance Schedule**

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

Executive Director ("ED") staff may grant an extension to any deadline for Respondent's performance of the SEP described herein, upon a written and substantiated showing of good cause. All requests for extensions must be made by Respondent and shall be made in writing to ED staff. Extensions are not effective until Respondent receives written approval from ED staff. The determination of what constitutes good cause rests solely with ED staff. Extension requests shall be sent to the SEP Coordinator by first class mail or electronic mail, at:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087  
Email: [sepreports@tceq.texas.gov](mailto:sepreports@tceq.texas.gov)

**3. Records and Reporting**

*A. Progress Report*

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

### **Reporting Schedule**

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

#### ***B. Final Report***

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

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

#### ***C. Submittals***

Respondent shall submit all SEP reports and any additional information as requested to the SEP Coordinator at the address provided above.

#### **4. Additional Information and Access**

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

#### **5. Failure to Fully Perform**

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

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached

Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP Coordinator at the address provided above.

**6. Publicity**

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

**7. Recognition**

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

**8. Other SEPs by TCEQ or Other Agencies**

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