

**Contemporary Glass Tempering, LLC**

RN111425096

Docket No. 2022-0423-MLM-E

**Order Type:**

Agreed Order

**Media:**

MLM: WQ and PST

**Small Business:**

Yes

**Location Where Violations Occurred:**

800 Watson Lane East, New Braunfels, Comal County

**Type of Operation:**

a flat glass manufacturing facility

**Other Significant Matters:**

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

<b>Texas Register Publication Date:</b>	November 28, 2025
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<b>Comments Received:</b>	None
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**Penalty Information**

<b>Total Penalty Assessed:</b>	\$17,500
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<b>Total Paid to General Revenue:</b>	\$490
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<b>Total Due to General Revenue:</b>	\$17,010
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Payment Plan: 35 payments of \$486 each	
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**Compliance History Classifications:**

Person/CN - Unclassified	
Site/RN - N/A	

<b>Major Source:</b>	No
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<b>Statutory Limit Adjustment:</b>	None
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<b>Applicable Penalty Policy:</b>	January 28, 2021
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**Investigation Information**

<b>Complaint Date:</b>	December 29, 2021
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<b>Complaint Information:</b>	Complainant reported company discharging industrial process/wastewater from business.
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<b>Dates of Investigation:</b>	January 28, 2022 through March 22, 2022
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<b>Date of NOV:</b>	N/A
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<b>Date of NOE:</b>	April 8, 2022
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**Contemporary Glass Tempering, LLC**

RN111425096

Docket No. 2022-0423-MLM-E

**Violation Information**

1. Failed to register an aboveground storage tank (“AST”) in existence on or after September 1, 1989, with the TCEQ [TEX. WATER CODE § 26.346(a) and 30 TEX. ADMIN. CODE § 334.127(a)(1)].
2. Failed to obtain authorization to discharge stormwater associated with industrial activities [30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 C.F.R. § 122.26(c)].
3. Failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1)].

**Corrective Actions/Technical Requirements****Corrective Action Completed:**

None

**Technical Requirements:**

1. Immediately cease the unauthorized discharge of wastewater, clean the impacted area, and dispose of all accumulated wastewater material.
2. Within 30 days submit a completed application to register the AST and associated fees.
3. Within 45 days submit written certification to demonstrate compliance with Technical Requirement Nos. 1 and 2.

**Litigation Information**

**Date Petition Filed:** January 9, 2025  
**Date Answer Filed:** January 31, 2025  
**SOAH Referral Date:** June 25, 2025  
**Settlement Date:** October 17, 2025

**Contact Information**

**TCEQ Attorneys:** Marilyn Norrod, Litigation Division, (512) 239-3400  
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

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

**TCEQ Enforcement Coordinator:** Madison Stringer, Enforcement Division, (512) 239-1126

**TCEQ Regional Contact:** Jack Higginbotham, San Antonio Regional Office, (210) 490-3096

**Respondent Contact:** Donald Wootton, President, Contemporary Glass Tempering, LLC, 3001 Campbell Road, Houston, Texas 77080

**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>	11-Apr-2022	<b>Screening</b>	12-Apr-2022	<b>EPA Due</b>	
	<b>PCW</b>	12-Apr-2022				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Contemporary Glass Tempering, LLC
<b>Reg. Ent. Ref. No.</b>	RN111425096
<b>Facility/Site Region</b>	13-San Antonio
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	62198	<b>No. of Violations</b>	3
<b>Docket No.</b>	2022-0423-MLM-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>	Petroleum Storage Tank	<b>Enf. Coordinator</b>	Madison Stringer
		<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>	\$18,750
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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>	0.0% Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustment for Compliance History.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$1,250
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$1,321  
 Estimated Cost of Compliance: \$12,850  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$17,500
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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>	\$17,500
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$17,500
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<b>DEFERRAL</b>		Reduction	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral not offered for non-expedited settlement.

<b>PAYABLE PENALTY</b>	\$17,500
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**Screening Date** 12-Apr-2022

**Docket No.** 2022-0423-MLM-E

**PCW**

**Respondent** Contemporary Glass Tempering, LLC

Policy Revision 5 (January 28, 2021)

**Case ID No.** 62198

PCW Revision February 11, 2021

**Reg. Ent. Reference No.** RN111425096

**Media** Water Quality

**Enf. Coordinator** Madison Stringer

### Compliance History Worksheet

#### >> Compliance History Site Enhancement (Subtotal 2)

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

**Adjustment Percentage (Subtotal 2)** 0%

#### >> Repeat Violator (Subtotal 3)

N/A

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

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

N/A

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

#### >> Compliance History Summary

**Compliance History Notes**

No adjustment for Compliance History.

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

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 0%

<b>Screening Date</b> 12-Apr-2022	<b>Docket No.</b> 2022-0423-MLM-E	<b>PCW</b>
<b>Respondent</b> Contemporary Glass Tempering, LLC		<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b> 62198		<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b> RN111425096		
<b>Media</b> Water Quality		
<b>Enf. Coordinator</b> Madison Stringer		

**Violation Number**

**Rule Cite(s)**

**Violation Description**

Failed to obtain authorization to discharge stormwater associated with industrial activities. Specifically, the Respondent was performing flat glass manufacturing activities prior to obtaining authorization under Texas Pollutant Discharge Elimination System ("TPDES") Multi-Sector General Permit No. TXR050000.

**Base Penalty**

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

**OR**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10.0%"/>

Matrix Notes

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input checked="" type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

**Violation Base Penalty**

**Good Faith Efforts to Comply**

Reduction

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>

Notes

**Violation Subtotal**

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

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Contemporary Glass Tempering, LLC  
**Case ID No.** 62198  
**Reg. Ent. Reference No.** RN111425096  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$2,825	28-Jan-2022	24-Mar-2022	0.15	\$21	n/a	\$21
Other (as needed)				0.00	\$0	n/a	\$0
<b>Notes for DELAYED costs</b>	Estimated permit costs to prepare and submit a Notice of Intent to the Texas Commission on Environmental Quality to obtain authorization to discharge stormwater and to prepare and implement a stormwater pollution prevention plan. 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
<b>ONE-TIME avoided costs</b>				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
<b>Notes for AVOIDED costs</b>							

Approx. Cost of Compliance \$2,825

**TOTAL** \$21

**Screening Date** 12-Apr-2022 **Docket No.** 2022-0423-MLM-E **PCW**  
**Respondent** Contemporary Glass Tempering, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 62198 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111425096  
**Media** Water Quality  
**Enf. Coordinator** Madison Stringer

**Violation Number** 2  
**Rule Cite(s)** Tex. Water Code § 26.121(a)(1)  
**Violation Description** Failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state. Specifically, on January 28, 2022, a discharge of filter press water utilized for industrial glass manufacturing was observed at the Facility. Additionally, accumulated waste material was observed at the discharge point.

**Base Penalty** \$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
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.

**Adjustment** \$21,250  
\$3,750

**Violation Events**

Number of Violation Events 3 74 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$11,250

Three monthly events are recommended from the January 28, 2022 investigation date to the April 12, 2022 screening date.

**Good Faith Efforts to Comply** 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$11,250

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

**Estimated EB Amount** \$1,297 **Violation Final Penalty Total** \$11,250

**This violation Final Assessed Penalty (adjusted for limits)** \$11,250

## Economic Benefit Worksheet

**Respondent** Contemporary Glass Tempering, LLC  
**Case ID No.** 62198  
**Reg. Ent. Reference No.** RN111425096  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	28-Jan-2022	1-Sep-2024	2.59	\$1,297	n/a	\$1,297

**Notes for DELAYED costs**

Estimated Other cost to cease the unauthorized discharge of wastewater, clean the impacted area, and dispose of all wastewater material. The Date required is 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

\$10,000

**TOTAL**

\$1,297

**Screening Date** 12-Apr-2022 **Docket No.** 2022-0423-MLM-E **PCW**  
**Respondent** Contemporary Glass Tempering, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 62198 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111425096  
**Media** Water Quality  
**Enf. Coordinator** Madison Stringer

**Violation Number** 3

**Rule Cite(s)** 30 Tex. Admin. Code § 334.127(a)(1) and Tex. Water Code 26.346(a)

**Violation Description**  
 Failed to register an aboveground storage tank ("AST") in existence on or after September 1, 1989, with the Texas Commission on Environmental Quality ("TCEQ"). Specifically, the Respondent owns and operates a diesel AST with a total storage capacity of at least 1,100 gallons or more and has not registered the AST with the TCEQ.

**Base Penalty** \$25,000

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

**>> Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		

100% of the rule requirement was not met.

**Adjustment** \$22,500

\$2,500

**Violation Events**

Number of Violation Events 1 74 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$2,500

One single event is recommended.

**Good Faith Efforts to Comply** 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

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

**Violation Subtotal** \$2,500

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

**Estimated EB Amount** \$3 **Violation Final Penalty Total** \$2,500

**This violation Final Assessed Penalty (adjusted for limits)** \$2,500

## Economic Benefit Worksheet

**Respondent** Contemporary Glass Tempering, LLC  
**Case ID No.** 62198  
**Reg. Ent. Reference No.** RN111425096  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25	28-Jan-2022	1-Sep-2024	2.59	\$3	n/a	\$3

**Notes for DELAYED costs**

Actual Other annual cost to submit an application to register the AST. 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 \$25

**TOTAL** \$3

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

Compliance History Report for CN604601880, RN111425096, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

**Customer, Respondent, or Owner/Operator:** CN604601880, Contemporary Glass Tempering, LLC      **Classification:** UNCLASSIFIED      **Rating:** -----

**Regulated Entity:** RN111425096, CONTEMPORARY GLASS TEMPERING      **Classification:** NOT APPLICABLE      **Rating:** N/A

**Complexity Points:** N/A      **Repeat Violator:** N/A

**CH Group:** 14 - Other

**Location:** 800 Watson Lane East in New Braunfels, Comal County, Texas

**TCEQ Region:** REGION 13 - SAN ANTONIO

**ID Number(s):**  
**STORMWATER PERMIT TXRNEBV65**      **WATER QUALITY NON-PERMITTED ID NUMBER**  
R13106907454

**PETROLEUM STORAGE TANK NON-REGISTERED ID NUMBER R13106907454**

**Compliance History Period:** September 01, 2016, to August 31, 2021      **Rating Year:** 2021      **Rating Date:** 09/01/2021

**Date Compliance History Report Prepared:** April 12, 2022

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** April 12, 2017 to April 12, 2022

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Alyssa Loveday      **Phone:** (512) 239-5504

## Site and Owner/Operator History:

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

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

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

N/A

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

N/A

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

N/A

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

N/A

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

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

N/A

### **F. Environmental audits:**

N/A

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

**Component Appendices**

**Appendix A**

**All NOVs Issued During Component Period 4/12/2017 and 4/12/2022**

N/A

**Appendix B**

**All Investigations Conducted During Component Period April 12, 2017 and April 12, 2022**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT  
ACTION CONCERNING  
CONTEMPORARY GLASS TEMPERING,  
LLC;  
RN111425096

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER

DOCKET NO. 2022-0423-MLM-E

### I. JURISDICTION AND STIPULATIONS

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

1. Respondent owns and operates a flat glass manufacturing facility located at 800 Watson Lane East in New Braunfels, Comal County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5). The Facility contains an aboveground storage tank ("AST"), which is not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission and contains or contained a regulated petroleum substance as defined in the rules of the TCEQ.
2. The Executive Director and Respondent agree that TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that 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 Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$17,500 is assessed by the Commission in settlement of the violations alleged in Section II. Respondent paid \$490 of the penalty. The remaining amount of \$17,010 shall be paid in 35 monthly payments of \$486 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If Respondent fails to timely and satisfactorily comply with the payment requirements of this Order, including the payment schedule, the Executive Director may, at her option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by Respondent to timely and satisfactorily comply with all the terms of this Order.
5. The Executive Director and Respondent agree on a settlement of the matters addressed in this Order, 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 Respondent has not complied with one or more of the terms or conditions contained 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 full compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by March 24, 2022, the Respondent developed and implemented a stormwater pollution prevention plan to comply with the requirements of TPDES General Permit No. TXR050000, submitted a Notice of Intent through the State of Texas Environmental Electronic Reporting System, and obtained authorization under Texas Pollutant Discharge Elimination System ("TPDES") Multi-Sector General Permit No. TXRNEBV65.

## II. ALLEGATIONS

1. During an investigation at the Facility conducted on January 28, 2022 through March 22, 2022, an investigator documented that Respondent:
  - a. Failed to register an AST in existence on or after September 1, 1989, with the TCEQ, in violation of TEX. WATER CODE § 26.346(a) and 30 TEX. ADMIN. CODE § 334.127(a)(1). Specifically, Respondent owns and operates a diesel AST with a total storage capacity of at least 1,100 gallons or more and has not registered the AST with the TCEQ.
  - b. Failed to obtain authorization to discharge stormwater associated with industrial activities, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 C.F.R. § 122.26(c). Specifically, Respondent was performing flat glass manufacturing activities prior to obtaining authorization under Texas Pollutant Discharge Elimination System ("TPDES") Multi-Sector General Permit No. TXR050000.
  - c. Failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1). Specifically, on January 28, 2022, a discharge of filter press water utilized for industrial glass manufacturing was observed at the Facility. Additionally, accumulated waste material was observed at the discharge point.

## III. DENIALS

Respondent generally denies each Allegation in Section II.

## IV. ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty as set forth in Section I, Paragraph 4. The payment of this penalty and 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 actions 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: Contemporary Glass Tempering, LLC, Docket No. 2022-0423-MLM-E" to:

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

2. Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Order, cease the unauthorized discharge of wastewater, clean the impacted area, and dispose of all accumulated wastewater material.
  - b. Within 30 days after the effective date of this Order, submit a completed application to register the AST and associated fees to:

Petroleum Storage Tank Registration Team, MC 138  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- c. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a and 2.b. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager  
San Antonio Regional Office  
Texas Commission on Environmental Quality  
14250 Judson Road  
San Antonio, Texas 78233-4480

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

6. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. This Order, issued by the Commission, shall not be admissible against 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 TCEQ's jurisdiction or of a rule adopted or an order or permit issued by the TCEQ under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
For the Executive Director

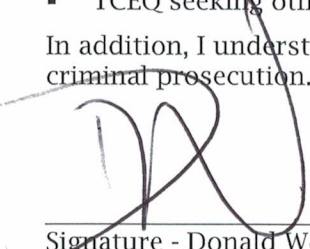
December 15, 2025  
\_\_\_\_\_  
Date

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

I also understand that failure to comply with the Ordering Provisions 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;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

  
\_\_\_\_\_  
Signature - Donald Wootton, President  
Contemporary Glass Tempering, LLC  
3001 Campbell Road  
Houston, Texas 77080

10/17/2025  
\_\_\_\_\_  
Date

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

\_\_\_\_\_