

**Executive Summary - Enforcement Matter - Case No. 62354**  
**WESTWOOD WATER SUPPLY CORPORATION**  
**RN101610210**  
**Docket No. 2022-0604-MWD-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

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

**Media:**

MWD

**Small Business:**

No

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

Westwood Subdivision, 317 Wildbriar Drive, Jasper, Jasper County

**Type of Operation:**

Wastewater treatment plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No. 2023-1363-MWD-E

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** November 28, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$41,250

**Amount Deferred for Financial Inability to Pay:** \$30,414.27

Confidential information, which may include financial or medical information, has been provided to the Commission for their consideration.

**Total Paid to General Revenue:** \$100

**Total Due to General Revenue:** \$10,735.73

Payment Plan: 11 payments of \$100 each for the first year then 24 payments of \$401.49 each

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** No

**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:** March 30, 2022

**Date(s) of NOE(s):** May 9, 2022

**Executive Summary – Enforcement Matter – Case No. 62354  
WESTWOOD WATER SUPPLY CORPORATION  
RN101610210  
Docket No. 2022-0604-MWD-E**

***Violation Information***

Failed to comply with permitted effluent limitations for daily average flow, total suspended solids, and biochemical oxygen demand (5-day) [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011337001, Effluent Limitations and Monitoring Requirements No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to, within 130 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0011337001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Samantha Smith, Enforcement Division, Enforcement Team 7, MC 219, (512) 239-2099; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

**Respondent:** Kenneth West, President, WESTWOOD WATER SUPPLY CORPORATION, 317 Wildbriar Drive, Jasper, Texas 75951

**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>	16-May-2022	<b>Screening</b>	18-May-2022	<b>EPA Due</b>	
	<b>PCW</b>	20-May-2022				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	WESTWOOD WATER SUPPLY CORPORATION
<b>Reg. Ent. Ref. No.</b>	RN101610210
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	62354	<b>No. of Violations</b>	2
<b>Docket No.</b>	2022-0604-MWD-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Samantha Smith
		<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>	\$27,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	50.0%	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$13,750
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<b>Notes</b>	Enhancement for ten months of self-reported effluent violations.
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<b>Culpability</b>	No	0.0%	Enhancement	<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>	\$0
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<b>Economic Benefit</b>	0.0%	Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$1,118	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	#NAME?	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$41,250
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
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<b>Final Penalty Amount</b>	\$41,250
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$41,250
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<b>DEFERRAL</b>	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	No deferral is recommended for Findings Orders.
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<b>PAYABLE PENALTY</b>	\$41,250
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**Screening Date** 18-May-2022

**Docket No.** 2022-0604-MWD-E

**PCW**

**Respondent** WESTWOOD WATER SUPPLY CORPORATION

*Policy Revision 5 (January 28, 2021)*

**Case ID No.** 62354

*PCW Revision February 11, 2021*

**Reg. Ent. Reference No.** RN101610210

**Media** Water Quality

**Enf. Coordinator** Samantha Smith

### 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> )	10	50%
	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)** 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 ten months of self-reported effluent violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 50%

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 50%

**Screening Date** 18-May-2022 **Docket No.** 2022-0604-MWD-E **PCW**  
**Respondent** WESTWOOD WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 62354 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101610210  
**Media** Water Quality  
**Enf. Coordinator** Samantha Smith

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011337001, Effluent Limitations and Monitoring Requirements No. 1

**Violation Description** Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.

**Base Penalty**

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

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

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

**Matrix Notes**  
 A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amount of pollutants exceeded levels protective of human health and the environment. Total suspended solids and flow were also considered. Human health or the environment has been exposed to pollutants that exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

One monthly event is recommended for the month of May 2021.

**Good Faith Efforts to Comply**  Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input type="text" value="x"/>	<input type="text"/>

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

**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** WESTWOOD WATER SUPPLY CORPORATION  
**Case ID No.** 62354  
**Reg. Ent. Reference No.** RN101610210  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	31-Jan-2021	22-Jul-2025	4.47	\$1,118	n/a	\$1,118

**Notes for DELAYED costs**

Estimated cost to determine the cause of noncompliance and make any necessary repairs/adjustments to the Facility to return to 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

\$5,000

**TOTAL**

\$1,118

**Screening Date** 18-May-2022 **Docket No.** 2022-0604-MWD-E **PCW**  
**Respondent** WESTWOOD WATER SUPPLY CORPORATION *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 62354 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN101610210  
**Media** Water Quality  
**Enf. Coordinator** Samantha Smith

**Violation Number** 2  
**Rule Cite(s)** 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0011337001, Effluent Limitations and Monitoring Requirements No. 1  
**Violation Description** Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.

**Base Penalty** \$25,000

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

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

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes**  
 A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amount of pollutants exceeded protective levels. Total suspended solids and flow were also considered. 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 4 273 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$15,000

Four quarterly events are recommended for the months of January, February, March, April, June, July, October, November, and December 2021.

**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** \$15,000

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

**Estimated EB Amount** \$0 **Violation Final Penalty Total** \$22,500

**This violation Final Assessed Penalty (adjusted for limits)** \$22,500

# Economic Benefit Worksheet

**Respondent** WESTWOOD WATER SUPPLY CORPORATION  
**Case ID No.** 62354  
**Reg. Ent. Reference No.** RN101610210  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs: Economic Benefit captured for Violation No. 1.							

### Avoided Costs

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

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

Approx. Cost of Compliance \$0

**TOTAL** \$0

WESTWOOD WATER SUPPLY CORPORATION

Docket No. 2022-0604-MWD-E

TPDES Permit No. WQ0011337001

Case No. 62354

Effluent Violation Table

Monitoring Period	Biochemical Oxygen Demand (5-day)		Flow	Total Suspended Solids	
	Daily Average Conc.	Daily Average Loading	Daily Average	Daily Average Conc.	Daily Average Loading
	Limit = 10 mg/L	Limit= 2.1 lbs/day	Limit= 0.025 MGD	Limit = 15 mg/L	Limit = 3.1 lbs/day
January 2021	c	c	0.039529	c	c
February 2021	c	c	0.030071	17.1	3.59
March 2021	c	c	0.025238	c	c
April 2021	c	c	0.039058	c	c
May 2021	c	2.61	0.08857	15.6	12
June 2021	c	c	0.041512	c	c
July 2021	c	c	0.029041	18.1	3.13
October 2021	c	c	0.026953	c	c
November 2021	15.3	4.4	c	26.3	7.36
December 2021	c	c	c	24.4	c

Conc .= concentration lbs/day = pounds per day c = compliant  
 mg/L = milligrams per liter MGD = million gallons per day



# Compliance History Report

Compliance History Report for CN600862031, RN101610210, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN600862031, WESTWOOD WATER SUPPLY CORPORATION **Classification:** SATISFACTORY **Rating:** 4.86

**Regulated Entity:** RN101610210, WESTWOOD SUBDIVISION **Classification:** SATISFACTORY **Rating:** 4.86

**Complexity Points:** 4 **Repeat Violator:** NO

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

**Location:** 317 Wildbriar Drive, Jasper County, Texas

**TCEQ Region:** REGION 10 - BEAUMONT

**ID Number(s):**

**WASTEWATER PERMIT** WQ0011337001

**WASTEWATER EPA ID** TX0031275

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

**Date Compliance History Report Prepared:** May 13, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 13, 2019 to May 13, 2024

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

**Name:** Samantha Smith

**Phone:** (512) 239-2099

**Site and Owner/Operator History:**

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

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

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

N/A

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	May 21, 2019	(1584119)	Item 11	September 17, 2021	(1766761)
Item 2	August 15, 2019	(1599924)	Item 12	October 15, 2021	(1777259)
Item 3	March 13, 2020	(1647609)	Item 13	February 18, 2022	(1806747)
Item 4	May 20, 2020	(1660532)	Item 14	May 20, 2022	(1829224)
Item 5	June 19, 2020	(1667046)	Item 15	June 17, 2022	(1835517)
Item 6	July 16, 2020	(1673994)	Item 16	July 15, 2022	(1842717)
Item 7	August 05, 2020	(1664573)	Item 17	August 19, 2022	(1848848)
Item 8	September 18, 2020	(1687342)	Item 18	September 16, 2022	(1856649)
Item 9	October 13, 2020	(1693682)	Item 19	October 20, 2022	(1863006)
Item 10	November 19, 2020	(1713738)	Item 20	November 18, 2022	(1869918)

**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: 05/31/2023 (1919538)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 2 Date: 06/30/2023 (1926503)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 3 Date: 07/31/2023 (1933460)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 08/31/2023 (1939601)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 5 Date: 09/30/2023 (1946449)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 6 Date: 10/31/2023 (1952140)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 7 Date: 11/30/2023 (1961907)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 8 Date: 12/31/2023 (1968501)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 9 Date: 01/31/2024 (1977560)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 10 Date: 02/29/2024 (1984138)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

**F. Environmental audits:**

N/A

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

Self Report?	NO	Classification:	Minor
Citation:			
Description:	PC Pg. 8, No. 1(a) PERMIT Failure by Westwood WSC to properly report effluent analysis results on the Annual Sludge Report (ASR).		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OR, Pg. 14, No. 8(a) PERMIT Failure by Westwood WSC to obtain necessary authorization to commence construction of the necessary additional treatment and/or collection facilities upon reaching 90% of the permitted daily average flow for three consecutive months.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	ELMR Pg. 2, No. 2 PERMIT Failure by Westwood WSC to discharge effluent that is compliant with permitted limitations for chlorine residual.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	MRR, Pg. 6, No. 5 PERMIT Failure by Westwood WSC to accurately calibrate the Outfall 001 flow meter as often as necessary to ensure accuracy.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	MRR Pg. 6, No. 3(c) PERMIT Failure by Westwood WSC to properly maintain a complete record of monitoring activities.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	M&RR, Pg. 5, No. 2(a) PERMIT Failure by Westwood WSC to comply with test procedures as specified 30 TAC 319.11 - 319.12.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
Self Report?	NO	Classification:	Minor
Citation:			
Description:	OPR Pg. 13, No. 1 PERMIT Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		

30 TAC Chapter 317 317.7(e)

Description: Failure by Westwood WSC to keep the wastewater treatment plant secure.

Self Report? NO Classification: Minor

Citation:

OPR Pg. 13, No. 1 PERMIT

Description: Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.

- 8 Date: 12/31/2019 (1634476)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 9 Date: 01/31/2020 (1641092)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 10 Date: 03/31/2020 (1653953)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 11 Date: 07/31/2020 (1680773)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 12 Date: 11/30/2020 (1713739)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 13 Date: 12/31/2020 (1713740)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 14 Date: 01/31/2021 (1726802)  
Self Report? YES Classification: Moderate  
Citation:  
2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter
- 15 Date: 02/28/2021 (1726803)

	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
16	Date: 03/31/2021 (1726804)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
17	Date: 04/30/2021 (1740708)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
18	Date: 05/31/2021 (1740709)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
19	Date: 06/30/2021 (1752131)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
20	Date: 07/31/2021 (1757582)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
21	Date: 10/31/2021 (1784051)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
22	Date: 11/30/2021 (1791086)	
	Self Report? YES	Classification: Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  30 TAC Chapter 305, SubChapter F 305.125(1)	
	Description: Failure to meet the limit for one or more permit parameter	
23	Date: 12/31/2021 (1798870)	
	Self Report? YES	Classification: Moderate

	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
24	Date:	02/28/2022 (1813812)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
25	Date:	03/31/2022 (1820385)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
26*	Date:	11/30/2022 (1875768)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
27*	Date:	12/31/2022 (1882588)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
28*	Date:	01/31/2023 (1890400)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
29*	Date:	02/28/2023 (1898968)		
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
30*	Date:	03/22/2023 (1873909)		
	Self Report?	NO	Classification:	Minor
	Citation:	OPR Pg. 13, No. 1 PERMIT		
	Description:	Failure by Westwood WSC to properly operate and maintain units of collection, treatment, and disposal.		
	Self Report?	NO	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)(1) 30 TAC Chapter 305, SubChapter F 305.125(1) PC No. 2(g), Pg. 9 PERMIT		
	Description:	Failure by Westwood Water Supply Corporation (Westwood) to prevent the		

unauthorized discharge of wastewater or any other waste into or adjacent to water in the state at any location not permitted as an outfall.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)  
SlgP, Sec. III G, Pg. 31 PERMIT

Description: Failure by Westwood Water Supply Corporation (Westwood) to submit the 2020 Annual Sludge Report (ASR) to the Region 10 Office.

31\* Date: 03/31/2023 (1905754)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

32\* Date: 04/30/2023 (1912930)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

33\* Date: 05/31/2023 (1919538)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

34\* Date: 06/30/2023 (1926503)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

35\* Date: 07/31/2023 (1933460)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

36\* Date: 08/31/2023 (1939601)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

37 Date: 09/30/2023 (1946449)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

38	Date: 10/31/2023 (1952140)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
39	Date: 11/30/2023 (1961907)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
40	Date: 12/31/2023 (1968501)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
41	Date: 01/31/2024 (1977560)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
42	Date: 02/29/2024 (1984138)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		

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

**Appendix B**  
**All Investigations Conducted During Component Period May 13, 2019 and May 13, 2024**

Item 1*	May 21, 2019**	(1584119)
Item 2	June 20, 2019**	(1584120)
Item 3	July 17, 2019**	(1593594)
Item 4*	August 15, 2019**	(1599924)
Item 5	September 30, 2019**	(1606827)
Item 6	October 14, 2019**	(1613668)
Item 7	November 14, 2019**	(1619482)
Item 8	December 12, 2019**	(1626835)
Item 9	December 27, 2019**	(1616775)
Item 10	January 14, 2020**	(1634476)
Item 11	February 12, 2020**	(1641092)
Item 12*	March 13, 2020**	(1647609)
Item 13	April 15, 2020**	(1653953)
Item 14*	May 20, 2020**	(1660532)
Item 15	May 29, 2020**	(1650493)
Item 16*	June 19, 2020**	(1667046)

Item 17*	July 16, 2020**	(1673994)
Item 18*	August 05, 2020**	(1664573)
Item 19*	September 18, 2020**	(1687342)
Item 20	September 22, 2020**	(1680773)
Item 21*	October 13, 2020**	(1693682)
Item 22*	November 19, 2020**	(1713738)
Item 23	December 28, 2020**	(1713739)
Item 24	January 18, 2021**	(1713740)
Item 25	February 12, 2021**	(1726802)
Item 26	March 03, 2021**	(1702878)
Item 27	March 18, 2021**	(1726803)
Item 28	April 19, 2021**	(1726804)
Item 29	May 19, 2021**	(1740708)
Item 30	June 15, 2021**	(1740709)
Item 31	July 09, 2021**	(1752131)
Item 32	August 17, 2021**	(1757582)
Item 33	August 25, 2021**	(1755996)
Item 34*	September 17, 2021**	(1766761)
Item 35*	October 15, 2021**	(1777259)
Item 36	November 11, 2021**	(1784051)
Item 37	December 17, 2021**	(1791086)
Item 38	January 18, 2022**	(1798870)
Item 39*	February 18, 2022**	(1806747)
Item 40	March 17, 2022**	(1813812)
Item 41	April 20, 2022**	(1820385)
Item 42	May 10, 2022**	(1804951)
Item 43*	May 20, 2022**	(1829224)
Item 44*	June 17, 2022**	(1835517)
Item 45*	July 15, 2022**	(1842717)
Item 46*	August 19, 2022**	(1848848)
Item 47*	September 16, 2022**	(1856649)
Item 48*	October 20, 2022**	(1863006)
Item 49*	November 18, 2022**	(1869918)
Item 50	December 20, 2022**	(1875768)
Item 51	January 16, 2023**	(1882588)
Item 52	February 17, 2023**	(1890400)
Item 53	March 17, 2023**	(1898968)
Item 54	March 22, 2023**	(1873909)
Item 55	April 18, 2023**	(1905754)
Item 56	May 18, 2023**	(1912930)
Item 57	June 16, 2023**	(1919538)
Item 58	July 19, 2023**	(1926503)
Item 59	August 17, 2023**	(1933460)
Item 60	September 18, 2023	(1939601)
Item 61	October 17, 2023	(1946449)
Item 62	November 17, 2023	(1952140)
Item 63	December 19, 2023	(1961907)
Item 64	January 19, 2024	(1968501)

Item 65	February 16, 2024	(1977560)
Item 66	March 15, 2024	(1984138)

\* No violations documented during this investigation

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

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
WESTWOOD WATER SUPPLY  
CORPORATION  
RN101610210

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2022-0604-MWD-E

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WESTWOOD WATER SUPPLY CORPORATION (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, presented this Order to the Commission.

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

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

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

### I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment facility located at 317 Wildbriar Drive, Jasper County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. During a record review for the Facility conducted on March 30, 2022, an investigator documented the Respondent did not comply with permitted effluent limitations, as shown in the effluent violation table below:

Effluent Violation Table					
Monitoring Period	Biochemical Oxygen Demand (5-day)		Flow	Total Suspended Solids	
	Daily Average Conc.	Daily Average Loading	Daily Average	Daily Average Conc.	Daily Average Loading
	Limit = 10 mg/L	Limit = 2.1 lbs/day	Limit = 0.025 MGD	Limit = 15 mg/L	Limit = 3.1 lbs/day
January 2021	c	c	0.039529	c	c
February 2021	c	c	0.030071	17.1	3.59
March 2021	c	c	0.025238	c	c
April 2021	c	c	0.039058	c	c
May 2021	c	2.61	0.08857	15.6	12
June 2021	c	c	0.041512	c	c
July 2021	c	c	0.029041	18.1	3.13
October 2021	c	c	0.026953	c	c
November 2021	15.3	4.4	c	26.3	7.36
December 2021	c	c	c	24.4	c

Conc. = concentration lbs/day = pounds per day c = compliant  
mg/L = milligrams per liter MGD = million gallons per day

## II. CONCLUSIONS OF LAW

- As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
- As evidenced by Finding of Fact No. 2, the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011337001, Effluent Limitations and Monitoring Requirements No. 1.
- Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- An administrative penalty in the amount of \$41,250 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Revenue Operations Section of TCEQ's Financial Administration Division reviewed financial documentation submitted by the Respondent and determined that the

Respondent is unable to pay all or part of the penalty and qualifies for a deferral of all or part of the penalty under TEX. WATER CODE § 7.034. Therefore, \$30,414.27 of the penalty is deferred contingent upon the Respondent's compliance with all the terms of this Order and shall be waived only upon full compliance with all of the terms and conditions in this Order. If the Respondent fails to comply with any requirement of this Order, including any payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The Respondent paid \$100 of the undeferred penalty. The remaining amount of \$10,735.73 of the undeferred penalty shall be paid as follows: 11 monthly payments of \$100 for the first year, followed by 24 monthly payments of \$401.49. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty.

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WESTWOOD WATER SUPPLY CORPORATION, Docket No. 2022-0604-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, within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0011337001, 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 detail 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

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 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.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
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. 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.
10. 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.
11. 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

*Krista Mello-Juracki*

12/15/2025

-----  
For the Executive Director

-----  
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.

*Kenneth West*

-----  
Signature

*October 29, 2025*

-----  
Date

*Kenneth West*

-----  
Name (Printed or typed)

*President*

-----  
Title

Authorized Representative of  
WESTWOOD WATER SUPPLY CORPORATION

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.