

**Mary Richbourg**  
**RN110510781**  
**Docket No. 2022-0739-MLM-E**

**Order Type:**

Agreed Order

**Media:**

MLM: AIR and MSW

**Small Business:**

Yes

**Location Where Violations Occurred:**

Farm-to-Market Road 1314 approximately 1500 feet north from the intersection of Farm-to-Market Road 242 and Farm-to-Market Road 1314, Conroe, Montgomery County (the "Site")

**Type of Operation:**

a portable air curtain incinerator

**Other Significant Matters:**

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

**Texas Register Publication Date:** August 8, 2025

**Comments Received:** None

**Penalty Information**

**Total Penalty Assessed:** \$24,945

**Total Paid to General Revenue:** \$24,945

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

**Compliance History Classifications:**

Person/CN - Unclassified  
Site/RN - Unclassified

**Major Source:** No

**Statutory Limit Adjustment:** None

**Applicable Penalty Policy:** January 28, 2021

**Investigation Information**

**Complaint Date:** January 14, 2022

***Complaint Information:***

Complaint received alleging outdoor burning had been occurring for the previous two weeks and that the flames on the burn piled appeared to be 35 feet high on the morning of January 14.

**Date of Investigation:** January 20, 2022

**Date of NOV:** N/A

**Date of NOE:** May 31, 2022

**Mary Richbourg**  
RN110510781  
Docket No. 2022-0739-MLM-E

**Violation Information**

1. Failed to ensure that material is not added to the air curtain incinerator in such a manner as to be stacked above the air curtain and failed to ensure that the length of the trench does not exceed the length of the air blower manifold [TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE §§ 106.496(c)(3)(C) and (d)(2) and 122.143(4), Permit by Rule ("PBR") Registration No. 153904L001, and Federal Operating Permit ("FOP") No. 04096/General Operating Permit ("GOP") No. 518, Qualification Criteria No. (a)(5) and Terms and Conditions No. (b)(8)(B)(vi)].
2. Caused, suffered, allowed, or permitted outdoor burning within the State of Texas [TEX. HEALTH & SAFETY CODE § 382.085(b) and 30 TEX. ADMIN. CODE § 111.201].
3. Failed to maintain a copy of each PBR, all PBR conditions, and any operating instructions at the Site, followed by owners or operators, and made available at the request of personnel from the commission [TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE §§ 106.8(c)(1) and (c)(2)(B), 106.496(h)(4)(C), and 122.143(4), PBR Registration No. 153904L001, FOP No. 04096/GOP No. 518, Qualification Criteria No. (a)(2)(B) and Terms and Conditions Nos. (b)(8)(B)(iii) and (vi)].
4. Failed to obtain authorization prior to constructing or modifying a source of air contaminants [TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b) and 30 TEX. ADMIN. CODE §§ 106.496(h)(2)(A) and 116.110(a)].
5. Caused, suffered, allowed, or permitted the unauthorized disposal of municipal solid waste [30 TEX. ADMIN. CODE § 330.15(a) and (c)].
6. Failed to prevent nuisance smoke conditions [TEX. HEALTH & SAFETY CODE § 382.085(a) and (b) and 30 TEX. ADMIN. CODE § 101.4].

**Corrective Actions/Technical Requirements**

**Corrective Actions Completed:**

Respondent achieved compliance on June 13, 2022, and no longer owns or operates the Site as of April 30, 2025.

**Technical Requirements:**

None

**Litigation Information**

**Settlement Date:**

July 14, 2025

**Contact Information**

**TCEQ Attorneys:** Casey Kurnath, 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:** Yuliya Dunaway, Enforcement Division, (210) 403-4077

**TCEQ Regional Contact:** Joseph Doby, Houston Regional Office, (713) 767-3500

**Respondent Contact:** Mary Richbourg, 31822 Winter Lane, Pinehurst, Texas 77362

**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>	6-Jun-2022	<b>Screening</b>	13-Jun-2022	<b>EPA Due</b>	
	<b>PCW</b>	23-May-2025				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Mary Richbourg
<b>Reg. Ent. Ref. No.</b>	RN110510781
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	62482	<b>No. of Violations</b>	6
<b>Docket No.</b>	2022-0739-MLM-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>	Municipal Solid Waste	<b>Enf. Coordinator</b>	Yuliya Dunaway
		<b>EC's Team</b>	Enforcement Team 4
<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>	\$26,250
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	0.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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<b>Notes</b>	No adjustment for compliance history.
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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>	-\$1,875
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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	\$1,745
Estimated Cost of Compliance	\$23,796

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$24,375
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	2.3%	<b>Adjustment</b>	\$570
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	Enhancement to capture the avoided costs of compliance associated with Violation Nos. 2 and 5.	
<b>Final Penalty Amount</b>		\$24,945

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$24,945
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<b>DEFERRAL</b>	0.0%	<b>Reduction</b>	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral not offered for non-expedited settlement.
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<b>PAYABLE PENALTY</b>	\$24,945
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<b>Screening Date</b>	13-Jun-2022	<b>Docket No.</b>	2022-0739-MLM-E	<b>PCW</b>
<b>Respondent</b>	Mary Richbourg			
<b>Case ID No.</b>	62482			
<b>Reg. Ent. Reference No.</b>	RN110510781			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Yuliya Dunaway			

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

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

### >> Repeat Violator (Subtotal 3)

No

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

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

Unclassified

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

### >> Compliance History Summary

**Compliance History Notes**

No adjustment for compliance history.

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

### >> Final Compliance History Adjustment

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

<b>Screening Date</b>	13-Jun-2022		<b>Docket No.</b>	2022-0739-MLM-E		<b>PCW</b>	
<b>Respondent</b>	Mary Richbourg					<i>Policy Revision 5 (January 28, 2021)</i>	
<b>Case ID No.</b>	62482					<i>PCW Revision February 11, 2021</i>	
<b>Reg. Ent. Reference No.</b>	RN110510781						
<b>Media</b>	Air						
<b>Enf. Coordinator</b>	Yuliya Dunaway						
<b>Violation Number</b>	1						
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 106.496(c)(3)(C) and (d)(2) and 122.143(4), Permit by Rule ("PBR") Registration No. 153904L001, Federal Operating Permit ("FOP") No. 04096/General Operating Permit ("GOP") No. 518, Qualification Criteria No. (a)(5) and Terms and Conditions No. (b)(8)(B)(vi), and Tex. Health & Safety Code § 382.085(b)						
<b>Violation Description</b>	Failed to ensure that material is not added to the air curtain incinerator ("ACI") in such a manner as to be stacked above the air curtain and failed to ensure that the length of the trench does not exceed the length of the air blower manifold. Specifically, on January 20, 2022, TCEQ staff observed ACI Serial No. T30FD18797 operating with material stacked over the top of the trench and the air blower manifold folded inward, away from the trench, and therefore not providing an air curtain for the material burning in the trench.						
				<b>Base Penalty</b>	\$25,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>							
<b>OR</b>	<b>Release</b>	Major	<b>Harm</b>	Moderate	Minor		
	Actual				X	<b>Percent</b>	15.0%
	Potential						
<b>&gt;&gt; Programmatic Matrix</b>							
	Falsification	Major	Moderate	Minor	<b>Percent</b>		0.0%
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.						
				<b>Adjustment</b>	\$21,250		
				\$3,750			
<b>Violation Events</b>							
Number of Violation Events		1	1		Number of violation days		
	daily						
	weekly						
	monthly						
	quarterly						
	semiannual						
	annual						
	single event	X					
				<b>Violation Base Penalty</b>	\$3,750		
One single event is recommended.							
<b>Good Faith Efforts to Comply</b>				10.0%	<b>Reduction</b>	\$375	
		Before NOE/NOV    NOE/NOV to EDRP/Settlement Offer					
	Extraordinary						
	Ordinary		X				
	N/A						
	Notes	The Respondent achieved compliance on June 13, 2022, after the Notice of Enforcement ("NOE") dated May 31, 2022.					
				<b>Violation Subtotal</b>	\$3,375		
<b>Economic Benefit (EB) for this violation</b>				<b>Statutory Limit Test</b>			
<b>Estimated EB Amount</b>		\$5		<b>Violation Final Penalty Total</b>		\$3,454	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$3,454			

# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**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)	\$250	20-Jan-2022	13-Jun-2022	0.39	\$5	n/a	\$5

### Notes for DELAYED costs

Estimated cost to implement procedures and conduct employee training designed to ensure that material is not added to the ACI in such a manner as to be stacked above the air curtain and the air blower manifold is positioned as designed and covers the length of the trench. The Date Required is the date of the investigation 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

**TOTAL**

\$5

<b>Screening Date</b> 13-Jun-2022 <b>Respondent</b> Mary Richbourg <b>Case ID No.</b> 62482 <b>Reg. Ent. Reference No.</b> RN110510781 <b>Media</b> Air <b>Enf. Coordinator</b> Yuliya Dunaway <b>Violation Number</b> 2 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 111.201 and Tex. Health & Safety Code § 382.085(b)	<b>Docket No.</b> 2022-0739-MLM-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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**Violation Description**  
 Caused, suffered, allowed, or permitted outdoor burning within the State of Texas. Specifically, on January 20, 2022, TCEQ staff documented that approximately 22 cubic yards of municipal solid waste ("MSW") consisting of vegetative waste from land-clearing activities were burned at the Site.

**Base Penalty** \$25,000

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

**OR**

	Major	Moderate	Minor
<b>Release</b>			
Actual			x
Potential			

**Percent** 15.0%

**>> Programmatic Matrix**

**Matrix Notes**

Falsification	Major	Moderate	Minor

**Percent** 0.0%

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 1

1 Number of violation days

daily  
weekly  
monthly  
quarterly  
semiannual  
annual  
single event

x

**Violation Base Penalty** \$3,750

One single event is recommended.

**Good Faith Efforts to Comply**

**10.0%**

Reduction \$375

Extraordinary  
Ordinary  
N/A

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

**Violation Subtotal** \$3,375

Notes: The Respondent achieved compliance on June 13, 2022, after the NOE dated May 31, 2022.

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

**Statutory Limit Test**

**Estimated EB Amount** \$292

**Violation Final Penalty Total** \$3,454

**This violation Final Assessed Penalty (adjusted for limits)** \$3,454

# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

## Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$273	19-Jan-2021	13-Jun-2022	1.40	\$19	\$273	\$292
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to dispose of approximately 22 cubic yards of MSW at an authorized facility rather than burning. The Date Required is one day prior to the investigation date and the Final Date is the date of compliance.

Approx. Cost of Compliance

\$273

**TOTAL**

\$292



<b>Screening Date</b> 13-Jun-2022 <b>Respondent</b> Mary Richbourg <b>Case ID No.</b> 62482 <b>Reg. Ent. Reference No.</b> RN110510781 <b>Media</b> Air <b>Enf. Coordinator</b> Yuliya Dunaway	<b>Docket No.</b> 2022-0739-MLM-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>		
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">3</span>				
<b>Rule Cite(s)</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         30 Tex. Admin. Code §§ 106.8(c)(1) and (c)(2)(B), 106.496(h)(4)(C), and 122.143(4), PBR Registration No. 153904L001, FOP No. 04096/GOP No. 518, Qualification Criteria No. (a)(2)(B) and Terms and Conditions Nos. (b)(8)(B)(iii) and (vi), and Tex. Health &amp; Safety Code § 382.085(b)       </div>				
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to maintain a copy of each PBR, all PBR conditions, and any operating instructions at the Site, followed by owners or operators, and made available at the request of personnel from the commission. Specifically, a copy of the PBR for ACI Serial No. T30FD18797 was not available at the Site.       </div>				
<b>Base Penalty</b>		\$25,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
		x		
				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">10.0%</span>
Matrix Notes	100% of the rule requirements were not met.			
<b>Adjustment</b>				\$22,500
				\$2,500
<b>Violation Events</b>				
Number of Violation Events		1	Number of violation days <span style="border: 1px solid black; padding: 2px;">144</span>	
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
<b>Violation Base Penalty</b>		\$2,500		
One single event is recommended.				
<b>Good Faith Efforts to Comply</b>		10.0%	<b>Reduction</b> <span style="border: 1px solid black; padding: 2px;">\$250</span>	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary		x	
	N/A			
	Notes	The Respondent achieved compliance on June 13, 2022, after the NOE dated May 31, 2022.		
<b>Violation Subtotal</b>				\$2,250
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>		\$30	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$2,303</span>	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$2,303

# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**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	\$1,500	20-Jan-2022	13-Jun-2022	0.39	\$30	n/a	\$30
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 cost to begin maintaining a copy of PBR Registration No. 153904L001 at the Site. The Date Required is the day registration records were requested at the Site 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**

\$30

<b>Screening Date</b> 13-Jun-2022 <b>Respondent</b> Mary Richbourg <b>Case ID No.</b> 62482 <b>Reg. Ent. Reference No.</b> RN110510781 <b>Media</b> Air <b>Enf. Coordinator</b> Yuliya Dunaway	<b>Docket No.</b> 2022-0739-MLM-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	4	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 106.496(h)(2)(A) and 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)
<b>Violation Description</b>		Failed to obtain authorization prior to constructing or modifying a source of air contaminants. Specifically, on January 20, 2022, TCEQ staff observed an unmarked ACI operating on the Site and registration records were not provided.

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 10.0%
Matrix Notes	100% of the rule requirements were not met.				

<b>Adjustment</b>	\$22,500
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	\$2,500
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**Violation Events**

Number of Violation Events	1	144	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$2,500
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

One single event is recommended.
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**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		
Notes	The Respondent achieved compliance on June 13, 2022, after the NOE dated May 31, 2022.	

<b>Violation Subtotal</b>	\$2,250
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**Economic Benefit (EB) for this violation**

<b>Statutory Limit Test</b>						
<table style="width: 100%;"> <tr> <td style="width: 50%; text-align: right;"><b>Estimated EB Amount</b></td> <td style="width: 50%; text-align: right;">\$30</td> </tr> <tr> <td style="text-align: right;"><b>Violation Final Penalty Total</b></td> <td style="text-align: right;">\$2,303</td> </tr> <tr> <td style="text-align: right;"><b>This violation Final Assessed Penalty (adjusted for limits)</b></td> <td style="text-align: right;">\$2,303</td> </tr> </table>	<b>Estimated EB Amount</b>	\$30	<b>Violation Final Penalty Total</b>	\$2,303	<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$2,303
<b>Estimated EB Amount</b>	\$30					
<b>Violation Final Penalty Total</b>	\$2,303					
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$2,303					

# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**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	\$1,500	20-Jan-2022	13-Jun-2022	0.39	\$30	n/a	\$30
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to permanently cease operating the unauthorized ACI and remove it from the Site. 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**

\$30

<b>Screening Date</b> 13-Jun-2022 <b>Respondent</b> Mary Richbourg <b>Case ID No.</b> 62482 <b>Reg. Ent. Reference No.</b> RN110510781 <b>Media</b> Air <b>Enf. Coordinator</b> Yuliya Dunaway <b>Violation Number</b> 5 <b>Rule Cite(s)</b>	<b>Docket No.</b> 2022-0739-MLM-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Description</b>	30 Tex. Admin. Code § 330.15(a) and (c)  Caused, suffered, allowed, or permitted the unauthorized disposal of MSW. Specifically, on January 20, 2022, TCEQ staff documented that approximately 22 cubic yards of MSW consisting of vegetative waste were disposed of at the Site.
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<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual			x	
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>	Major	Moderate	Minor	<b>Percent</b>

<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	2	144	Number of violation days
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	daily		weekly		monthly		quarterly	x	<b>Violation Base Penalty</b>
	semiannual		annual		single event				

<b>Violation Subtotal</b>	\$7,500
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**Good Faith Efforts to Comply**

	0.0%	<b>Reduction</b>	\$0
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	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.
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<b>Violation Subtotal</b>	\$7,500
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$278	<b>Violation Final Penalty Total</b>	\$7,675
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$7,675
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# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**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

## 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	\$273	19-Jan-2022	13-Jun-2022	0.40	\$5	\$273	\$278
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to remove the MSW and dispose of it at a facility authorized to accept the waste.  
The Date Required is the initial investigation date and the Final Date is the date of screening.

Approx. Cost of Compliance

\$273

**TOTAL**

\$278

<b>Screening Date</b> 13-Jun-2022 <b>Respondent</b> Mary Richbourg <b>Case ID No.</b> 62482 <b>Reg. Ent. Reference No.</b> RN110510781 <b>Media</b> Air <b>Enf. Coordinator</b> Yuliya Dunaway <b>Violation Number</b> 6 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and (b)	<b>Docket No.</b> 2022-0739-MLM-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Description</b>	Failed to prevent nuisance smoke conditions. Specifically, on January 20, 2022, TCEQ staff observed smoke emissions from an active burn pile leave the Site, travel across State Highway 242, and impact off-site receptors, resulting in the confirmation of nuisance smoke conditions.
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<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual		x		
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	<b>Percent</b>

<b>Matrix Notes</b>	Human health or the environment has been exposed to significant amounts of pollutants as the result of the violation.
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<b>Adjustment</b>	\$18,750
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	\$6,250
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**Violation Events**

Number of Violation Events	1		1	Number of violation days
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	daily			<b>Violation Base Penalty</b>
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		\$6,250

One single event is recommended for the nuisance smoke conditions that were confirmed on January 20, 2022.
--

**Good Faith Efforts to Comply**

	<b>10.0%</b>	<b>Reduction</b>
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		
Notes	The Respondent achieved compliance on June 13, 2022, after the NOE dated May 31, 2022.	

<b>Violation Subtotal</b>	\$5,625
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$1,110	<b>Violation Final Penalty Total</b>
	\$5,757
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$5,757	

# Economic Benefit Worksheet

**Respondent** Mary Richbourg  
**Case ID No.** 62482  
**Reg. Ent. Reference No.** RN110510781  
**Media** Air  
**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
<b>Delayed Costs</b>							
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)	\$20,000	20-Jan-2022	1-Mar-2023	1.11	\$1,110	n/a	\$1,110
Notes for DELAYED costs	Estimated cost to implement measures and conduct employee training designed to minimize nuisance smoke conditions from leaving the Site and impacting off-site receptors. The Date Required is the date the nuisance smoke conditions were confirmed and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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	\$20,000			<b>TOTAL</b>		\$1,110	





# Compliance History Report

Compliance History Report for CN605482314, RN110510781, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

<b>Customer, Respondent, or Owner/Operator:</b>	CN605482314, RICHBOURG, MARY	<b>Classification:</b> UNCLASSIFIED	<b>Rating:</b> -----
<b>Regulated Entity:</b>	RN110510781, SN T30FD18797	<b>Classification:</b> UNCLASSIFIED	<b>Rating:</b> -----
<b>Complexity Points:</b>	4	<b>Repeat Violator:</b>	NO
<b>CH Group:</b>	11 - Waste Management (Excluding Landfills)		
<b>Location:</b>	ON FM1314 1500FT N FROM INTERSECTION OF FM242 AND FM1314, CONROE, MONTGOMERY COUNTY, TX		
<b>TCEQ Region:</b>	REGION 12 - HOUSTON		
<b>ID Number(s):</b>			
<b>AIR OPERATING PERMITS</b> PERMIT 4096	<b>AIR QUALITY NON PERMITTED</b> ID NUMBER R12110510781		
<b>AIR NEW SOURCE PERMITS</b> AFS NUM 4877702324	<b>AIR NEW SOURCE PERMITS</b> REGISTRATION 153904L001		
<b>AIR EMISSIONS INVENTORY</b> ACCOUNT NUMBER 961039A			
<b>Compliance History Period:</b>	September 01, 2019 to August 31, 2024	<b>Rating Year:</b> 2024	<b>Rating Date:</b> 09/01/2024
<b>Date Compliance History Report Prepared:</b>	December 12, 2024		
<b>Agency Decision Requiring Compliance History:</b>	Enforcement		
<b>Component Period Selected:</b>	December 12, 2019 to December 12, 2024		
<b>TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.</b>			
<b>Name:</b>	Yuliya Dunaway		<b>Phone:</b> (210) 403-4077

## 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

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT  
ACTION CONCERNING  
MARY RICHBOURG;  
RN110510781

§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER

DOCKET NO. 2022-0739-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 Mary Richbourg ("Respondent") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE chs. 361 and 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondent together stipulate that:

1. Respondent owned and operated a portable air curtain incinerator ("ACI") located on Farm-to-Market Road 1314 approximately 1500 feet north from the intersection of Farm-to-Market Road 242 and Farm-to-Market Road 1314 near Conroe, Montgomery County, Texas (the "Site"). The Site involved the management of municipal solid waste ("MSW"), as defined in TEX. HEALTH & SAFETY CODE ch. 361. The Site consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
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. HEALTH & SAFETY CODE chs. 361 and 382, 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 \$24,945 is assessed by the Commission in settlement of the violations alleged in Section II. Respondent paid \$24,945 of the penalty.
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 Respondent achieved compliance on June 13, 2022, and no longer owns or operates the Site as of April 30, 2025.

## II. ALLEGATIONS

1. During an investigation conducted on January 20, 2022, an investigator documented that Respondent:
- a. Failed to ensure that material is not added to the ACI in such a manner as to be stacked above the air curtain and failed to ensure that the length of the trench does not exceed the length of the air blower manifold, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE §§ 106.496(c)(3)(C) and (d)(2) and 122.143(4), Permit by Rule ("PBR") Registration No. 153904L001, and Federal Operating Permit ("FOP") No. O4096/General Operating Permit ("GOP") No. 518, Qualification Criteria No. (a)(5) and Terms and Conditions No. (b)(8)(B)(vi). Specifically, on January 20, 2022, TCEQ staff observed ACI Serial No. T30FD18797 operating with material stacked over the top of the trench and the air blower manifold folded inward, away from the trench, and therefore not providing an air curtain for the material burning in the trench;
  - b. Caused, suffered, allowed, or permitted outdoor burning within the State of Texas, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b) and 30 TEX. ADMIN. CODE § 111.201. Specifically, on January 20, 2022, TCEQ staff documented that approximately 22 cubic yards of MSW consisting of vegetative waste from land-clearing activities were burned at the Site;
  - c. Failed to maintain a copy of each PBR, all PBR conditions, and any operating instructions at the Site, followed by owners or operators, and made available at the request of personnel from the commission, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE §§ 106.8(c)(1) and (c)(2)(B), 106.496(h)(4)(C), and 122.143(4), PBR Registration No. 153904L001, FOP No. O4096/GOP No. 518, Qualification Criteria No. (a)(2)(B) and Terms and Conditions Nos. (b)(8)(B)(iii) and (vi). Specifically, a copy of the PBR for ACI Serial No. T30FD18797 was not available at the Site;
  - d. Failed to obtain authorization prior to constructing or modifying a source of air contaminants, in violation of TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b) and 30 TEX. ADMIN. CODE §§ 106.496(h)(2)(A) and 116.110(a). Specifically, on January 20, 2022, TCEQ staff observed an unmarked ACI operating on the Site and registration records were not provided;
  - e. Caused, suffered, allowed, or permitted the unauthorized disposal of MSW, in violation of 30 TEX. ADMIN. CODE § 330.15(a) and (c). Specifically, on January 20, 2022, TCEQ staff documented that approximately 22 cubic yards of MSW consisting of vegetative waste were disposed of at the Site; and
  - f. Failed to prevent nuisance smoke conditions, in violation of TEX. HEALTH & SAFETY CODE § 382.085(a) and (b) and 30 TEX. ADMIN. CODE § 101.4. Specifically, on January 20, 2022, TCEQ staff observed smoke emissions from an active burn pile leave the Site, travel across State Highway 242, and impact off-site receptors, resulting in the confirmation of nuisance smoke conditions.

## III. DENIALS

Respondent generally denies each Allegation in Section II.

#### IV. ORDERING PROVISIONS

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

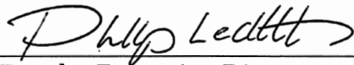
1. Respondent is assessed an administrative penalty as set forth in Section I, Paragraph 4. The payment of this penalty and Respondent's compliance with all of the requirements set forth in this Order resolve only the Allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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

August 25, 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 - Mary Richbourg  
31822 Winter Lane  
Pinehurst, Texas 77362

7-14-25

Date

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

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