

Executive Summary – Enforcement Matter – Case No. 62498

Syed Nooridun Hyder

RN102097789

Docket No. 2022-0746-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

MWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Riverside WWTP, 475 Higgs Drive, Bryan, Brazos County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

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

Texas Register Publication Date: November 22, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,126

Total Paid to General Revenue: \$251

Total Due to General Revenue: \$7,875

Payment Plan: 35 payments of \$225 each

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): March 8, 2022

Complaint Information: Alleged an unauthorized discharge from a sewer main and lift station.

Date(s) of Investigation: March 9, 2022

Date(s) of NOE(s): April 29, 2022

Executive Summary – Enforcement Matter – Case No. 62498

Syed Nooridun Hyder

RN102097789

Docket No. 2022-0746-MWD-E

Violation Information

1. Failed to prevent an unauthorized discharge of sewage into or adjacent to any water in the state [30 TEX. ADMIN. CODE § 305.125(1) and (5), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Permit Conditions No. 2.g].

2. Failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.b.i].

3. Failed to use a sanitary sewer cover for all sewer manholes [30 TEX. ADMIN. CODE § 317.2(c)(5)(F)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By March 25, 2022, the Respondent implemented the following corrective measures:

- a. Ceased the unauthorized discharge, cleaned and repaired the lift station and cleanout, and removed sewage debris and disinfected the areas surrounding the lift station and cleanout;
- b. Submitted noncompliance notification forms to the Waco Regional Office; and
- c. Submitted a photograph of the manhole with a sanitary sewer cover.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mark Gamble, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2587; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Syed Hyder, Manager, P.O. Box 10021, College Station, Texas 77842
Syed Zain Hyder, Manager, P.O. Box 10021, College Station, Texas 77842

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	25-Apr-2022	Screening	15-Jun-2022	EPA Due	
	PCW	8-Jul-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	Syed Nooridun Hyder
Reg. Ent. Ref. No.	RN102097789
Facility/Site Region	9-Waco
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	62498	No. of Violations	3
Docket No.	2022-0746-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Mark Gamble
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$12,500
---	-------------------	----------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$1,250
---------------------------	--------	-------------------	--------------------------------	----------

Notes Reduction for High Performer Classification.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
--------------------	----	------	--------------------	-------------------	-----

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$3,124
--	-------------------	----------

Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
-------------------------	------	---------------------	-------------------	-----

Total EB Amounts \$1
Estimated Cost of Compliance \$600
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$8,126
-----------------------------	-----------------------	---------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$8,126

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$8,126
-----------------------------------	-------------------------------	---------

DEFERRAL	0.0%	Reduction	Adjustment	\$0
-----------------	------	------------------	-------------------	-----

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$8,126
------------------------	---------

Screening Date	15-Jun-2022	Docket No.	2022-0746-MWD-E	PCW
Respondent	Syed Nooridun Hyder			
Case ID No.	62498			
Reg. Ent. Reference No.	RN102097789			
Media	Water Quality			
Enf. Coordinator	Mark Gamble			

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)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for High Performer Classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date	15-Jun-2022		Docket No.	2022-0746-MWD-E		PCW	
Respondent	Syed Nooridun Hyder					<i>Policy Revision 5 (January 28, 2021)</i>	
Case ID No.	62498					<i>PCW Revision February 11, 2021</i>	
Reg. Ent. Reference No.	RN102097789						
Media	Water Quality						
Enf. Coordinator	Mark Gamble						
Violation Number	1						
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and (5), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Permit Conditions No. 2.g						
Violation Description	Failed to prevent an unauthorized discharge of sewage into or adjacent to any water in the state. Specifically, on March 8, 2022, approximately 30 gallons of wastewater discharged from the collection system to an unnamed tributary of Thompsons Creek.						
			Base Penalty	\$25,000			
>> Environmental, Property and Human Health Matrix							
OR			Harm				
	Release	Major	Moderate	Minor			
	Actual	x					
	Potential				Percent	25.0%	
>>Programmatic Matrix							
		Falsification	Major	Moderate	Minor		
						Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.						
			Adjustment	\$18,750			
			\$6,250				
Violation Events							
Number of Violation Events		1		17		Number of violation days	
	daily						
	weekly						
	monthly	x					
	quarterly						
	semiannual						
	annual						
	single event						
		Violation Base Penalty					
		\$6,250					
One monthly event is recommended from the March 8, 2022 violation start date to the March 25, 2022 compliance date.							
Good Faith Efforts to Comply		25.0%				Reduction	
						\$1,562	
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer			
Extraordinary							
Ordinary		x					
N/A							
Notes		The Respondent achieved compliance by March 25, 2022.					
			Violation Subtotal		\$4,688		
Economic Benefit (EB) for this violation				Statutory Limit Test			
Estimated EB Amount		\$1		Violation Final Penalty Total		\$4,063	
			This violation Final Assessed Penalty (adjusted for limits)		\$4,063		

Economic Benefit Worksheet

Respondent Syed Nooridun Hyder
Case ID No. 62498
Reg. Ent. Reference No. RN102097789
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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	\$500	8-Mar-2022	25-Mar-2022	0.05	\$1	n/a	\$1
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Remediation/Disposal cost to cease the unauthorized discharge, clean the Lift Station and Cleanout, and disinfect the surrounding areas. The Date Required is the date of the unauthorized discharge, and the Final Date is the date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance \$500

TOTAL \$1

Screening Date 15-Jun-2022 Respondent Syed Nooridun Hyder Case ID No. 62498 Reg. Ent. Reference No. RN102097789 Media Water Quality Enf. Coordinator Mark Gamble	Docket No. 2022-0746-MWD-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

Violation Number	2	Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and (9)(A) and TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.b.i
Violation Description	Failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, the Respondent did not provide noncompliance notifications for the unauthorized discharge of wastewater that occurred on March 8, 2022.		

Base Penalty	\$25,000
---------------------	----------

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				
	Potential				
					0.0%

>> Programmatic Matrix

OR	Falsification	Major	Moderate	Minor	Percent
	Actual				
	Potential	x			
					10.0%

Matrix Notes	100% of the rule requirement was not met.
---------------------	---

Adjustment	\$22,500
-------------------	----------

	\$2,500
--	---------

Violation Events

Number of Violation Events	1	17	Number of violation days
----------------------------	---	----	--------------------------

	daily		Violation Base Penalty
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
One single event is recommended from the March 8, 2022 violation start date to the March 25, 2022 compliance date.			\$2,500

Good Faith Efforts to Comply

	25.0%		Reduction
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent achieved compliance by March 25, 2022.		
Violation Subtotal			\$1,875

Economic Benefit (EB) for this violation

Estimated EB Amount	Statutory Limit Test
\$0	Violation Final Penalty Total
	\$1,625
This violation Final Assessed Penalty (adjusted for limits)	
\$1,625	

Economic Benefit Worksheet

Respondent Syed Nooridun Hyder
Case ID No. 62498
Reg. Ent. Reference No. RN102097789
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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)	\$50	8-Mar-2022	25-Mar-2022	0.05	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Other cost to notify the TCEQ of the unauthorized discharges that occurred on March 8, 2022. The Date Required is the date the discharge occurred, and the Final Date is the date of compliance. (\$25 each)

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

\$50

TOTAL

\$0

Screening Date 15-Jun-2022 Respondent Syed Nooridun Hyder Case ID No. 62498 Reg. Ent. Reference No. RN102097789 Media Water Quality Enf. Coordinator Mark Gamble	Docket No. 2022-0746-MWD-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

Violation Number	3	
Rule Cite(s)		30 Tex. Admin. Code § 317.2(c)(5)(F)
Violation Description	Failed to use a sanitary sewer cover for all sewer manholes. Specifically, the sewer manhole located on Higgs Drive did not have a sanitary sewer cover.	

Base Penalty	\$25,000
---------------------	----------

>> Environmental, Property and Human Health Matrix

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

Matrix Notes	Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.
--------------	--

Adjustment	\$21,250
-------------------	----------

	\$3,750
--	---------

Violation Events

Number of Violation Events	1		16	Number of violation days
----------------------------	---	--	----	--------------------------

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

One monthly event is recommended from the March 9, 2022 violation start date to the March 25, 2022 compliance date.

Good Faith Efforts to Comply

	25.0%		Reduction
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	x	<input type="text"/>	
N/A	<input type="text"/>	<input type="text"/>	
Notes	The Respondent achieved compliance by March 25, 2022.		

Violation Subtotal	\$2,813
---------------------------	---------

Economic Benefit (EB) for this violation

Estimated EB Amount	Statutory Limit Test
\$0	Violation Final Penalty Total
	\$2,438
This violation Final Assessed Penalty (adjusted for limits)	
	\$2,438

Economic Benefit Worksheet

Respondent Syed Nooridun Hyder
Case ID No. 62498
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	9-Mar-2022	25-Mar-2022	0.04	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Other cost to replace the saniary sewer manhole cover for the manhole located of Higgs Drive.
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

\$50

TOTAL

\$0



Compliance History Report

Compliance History Report for CN601130842, RN102097789, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN601130842, Syed Nooridun Hyder **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN102097789, RIVERSIDE WWTP **Classification:** HIGH **Rating:** 0.00

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

CH Group: 14 - Other

Location: located at 475 Higgs Drive, Bryan, Brazos County, Texas

TCEQ Region: REGION 09 - WACO

ID Number(s):

WASTEWATER PERMIT WQ0011778001

WASTEWATER EPA ID TX0071145

WATER QUALITY NON PERMITTED ID NUMBER 090100726

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: Mark Gamble

Phone: (512) 239-2587

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 28, 2019	(1585009)	Item 15	September 26, 2020	(1681219)
Item 2	July 20, 2019	(1594048)	Item 16	October 20, 2020	(1694137)
Item 3	September 19, 2019	(1607261)	Item 17	November 20, 2020	(1715062)
Item 4	September 29, 2019	(1600369)	Item 18	December 19, 2020	(1715063)
Item 5	October 20, 2019	(1614116)	Item 19	January 19, 2021	(1715064)
Item 6	December 20, 2019	(1627287)	Item 20	February 20, 2021	(1728127)
Item 7	January 20, 2020	(1634922)	Item 21	April 19, 2021	(1728129)
Item 8	February 20, 2020	(1641536)	Item 22	May 20, 2021	(1741358)
Item 9	March 21, 2020	(1648049)	Item 23	June 20, 2021	(1748041)
Item 10	April 20, 2020	(1654398)	Item 24	July 20, 2021	(1752569)
Item 11	May 20, 2020	(1660962)	Item 25	August 20, 2021	(1757988)
Item 12	June 20, 2020	(1667495)	Item 26	September 20, 2021	(1767233)
Item 13	July 20, 2020	(1674447)	Item 27	October 20, 2021	(1777697)
Item 14	September 19, 2020	(1687788)			

Item 28	November 20, 2021	(1784496)	Item 42	January 20, 2023	(1883020)
Item 29	December 20, 2021	(1791526)	Item 43	February 20, 2023	(1890829)
Item 30	January 20, 2022	(1799368)	Item 44	April 20, 2023	(1906203)
Item 31	February 20, 2022	(1807186)	Item 45	May 20, 2023	(1913359)
Item 32	March 20, 2022	(1814252)	Item 46	June 20, 2023	(1919967)
Item 33	April 20, 2022	(1820824)	Item 47	July 19, 2023	(1926935)
Item 34	May 21, 2022	(1829656)	Item 48	August 20, 2023	(1933892)
Item 35	June 20, 2022	(1835955)	Item 49	September 20, 2023	(1940035)
Item 36	July 20, 2022	(1843154)	Item 50	October 20, 2023	(1946877)
Item 37	August 20, 2022	(1849322)	Item 51	November 20, 2023	(1952566)
Item 38	September 20, 2022	(1857084)	Item 52	December 20, 2023	(1962337)
Item 39	October 20, 2022	(1863441)	Item 53	January 20, 2024	(1968927)
Item 40	November 20, 2022	(1870352)	Item 54	February 20, 2024	(1977992)
Item 41	December 20, 2022	(1876201)	Item 55	March 20, 2024	(1984566)

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 5/13/2019 and 5/13/2024

- | | | | |
|---|--|--------------------------|--|
| 1 | Date: 05/31/2019 (1585010) | | |
| | 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: 10/31/2019 (1619932) | | |
| | 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: 07/22/2020 (1663523) | | |
| | 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. 10 PERMIT | | |
| | Description: Failure to prevent the unauthorized discharge of wastewater into or adjacent to waters of the state. | | |
| | | | |
| 4 | Date: 12/08/2020 (1692361) | | |
| | 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) | | |
| | Permit Conditions, 2g PERMIT | | |
| | Description: Failure by the permittee to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission. | | |
| | | | |
| 5 | Date: 01/11/2021 (1697794) | | |
| | 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) | | |
| | Permit Conditions 2 (g) PERMIT | | |
| | Permit Conditions 2(g) PERMIT | | |
| | Description: Failure to prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission. | | |
| | | | |
| 6 | Date: 02/28/2021 (1728128) | | |
| | 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 | | |

* NOV's 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 28, 2019**	(1585009)
---------	----------------	-----------

Item 2	June 07, 2019**	(1571116)
Item 3	June 20, 2019**	(1585010)
Item 4*	July 20, 2019**	(1594048)
Item 5	August 20, 2019**	(1590635)
Item 6*	September 19, 2019**	(1607261)
Item 7*	September 29, 2019**	(1600369)
Item 8*	October 20, 2019**	(1614116)
Item 9	November 20, 2019**	(1619932)
Item 10*	December 20, 2019**	(1627287)
Item 11*	January 20, 2020**	(1634922)
Item 12*	February 20, 2020**	(1641536)
Item 13*	March 21, 2020**	(1648049)
Item 14*	April 20, 2020**	(1654398)
Item 15*	May 20, 2020**	(1660962)
Item 16*	June 20, 2020**	(1667495)
Item 17	July 16, 2020**	(1663523)
Item 18*	July 20, 2020**	(1674447)
Item 19*	September 19, 2020**	(1687788)
Item 20*	September 26, 2020**	(1681219)
Item 21*	October 20, 2020**	(1694137)
Item 22*	November 20, 2020**	(1715062)
Item 23*	December 19, 2020**	(1715063)
Item 24*	January 19, 2021**	(1715064)
Item 25*	February 20, 2021**	(1728127)
Item 26	March 20, 2021**	(1728128)
Item 27*	April 19, 2021**	(1728129)
Item 28*	May 20, 2021**	(1741358)
Item 29*	June 20, 2021**	(1748041)
Item 30*	July 20, 2021**	(1752569)
Item 31*	August 20, 2021**	(1757988)
Item 32*	September 20, 2021**	(1767233)
Item 33*	October 20, 2021**	(1777697)
Item 34*	November 20, 2021**	(1784496)
Item 35*	December 20, 2021**	(1791526)
Item 36*	January 20, 2022**	(1799368)
Item 37*	February 20, 2022**	(1807186)
Item 38*	March 20, 2022**	(1814252)
Item 39*	April 20, 2022**	(1820824)
Item 40*	May 21, 2022**	(1829656)
Item 41*	June 20, 2022**	(1835955)
Item 42*	July 20, 2022**	(1843154)
Item 43*	August 20, 2022**	(1849322)
Item 44*	September 20, 2022**	(1857084)
Item 45*	October 20, 2022**	(1863441)
Item 46*	November 20, 2022**	(1870352)
Item 47*	December 20, 2022**	(1876201)
Item 48*	January 20, 2023**	(1883020)
Item 49*	February 20, 2023**	(1890829)
Item 50*	April 20, 2023**	(1906203)

Item 51*	May 20, 2023**	(1913359)
Item 52*	June 20, 2023**	(1919967)
Item 53*	July 19, 2023**	(1926935)
Item 54*	August 20, 2023**	(1933892)
Item 55*	September 20, 2023	(1940035)
Item 56*	October 20, 2023	(1946877)
Item 57*	November 20, 2023	(1952566)
Item 58*	December 20, 2023	(1962337)
Item 59*	January 20, 2024	(1968927)
Item 60*	February 20, 2024	(1977992)
Item 61*	March 20, 2024	(1984566)

* 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
SYED NOORIDUN HYDER
RN102097789

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

AGREED ORDER DOCKET NO. 2022-0746-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Syed Nooridun Hyder (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 he has certain 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 475 Higgs Drive in Bryan, Brazos 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 an investigation at the Facility conducted on March 9, 2022, an investigator documented that:
 - a. On March 8, 2022, the Riverside Wastewater Treatment Facility experienced an unauthorized discharge of approximately 30 gallons of wastewater discharged from the collection system to an unnamed tributary of Thompsons Creek;
 - b. The Respondent did not provide noncompliance notifications for the unauthorized discharge of wastewater from the lift station and cleanout that occurred on March 8, 2022; and
 - c. A sewer manhole located on Higgs Drive did not have a sanitary sewer cover.

3. The Executive Director recognizes that by March 25, 2022, the Respondent implemented the following corrective measures at the Facility:
 - a. Ceased the unauthorized discharge, cleaned and repaired the lift station and cleanout, and removed sewage debris and disinfected the areas surrounding the lift station and cleanout;
 - b. Submitted noncompliance notification forms to the Waco Regional Office; and
 - c. Submitted a photograph of the manhole with a sanitary sewer cover.

II. CONCLUSIONS OF LAW

1. 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.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to prevent an unauthorized discharge of sewage into or adjacent to any water in the state, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Permit Conditions No. 2.g.
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to report unauthorized discharges orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (9)(A) and TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.b.i.
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to use a sanitary sewer cover for all sewer manholes, in violation of 30 TEX. ADMIN. CODE § 317.2(c)(5)(F).
5. 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.
6. An administrative penalty in the amount of \$8,126 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 Respondent paid \$251 of the penalty. The remaining amount of \$7,875 shall be paid in 35 monthly payments of \$225 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the 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 amount.

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. 6 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: Syed Nooridun Hyder, Docket No. 2022-0746-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. 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 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.
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 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.
5. 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.
6. 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.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date

12/30/2024

Date

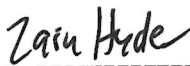
I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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.

Signature



Name (Printed or typed)
Authorized Representative of
Syed Nooridun Hyder

Date

OCT-3-24

Title



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

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.