

**Executive Summary – Enforcement Matter – Case No. 62929**  
**WOODLAND OAKS UTILITY, LP**  
**RN107708836**  
**Docket No. 2022-1373-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

Yes

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

Lost Creek WWTP, located approximately 1,300 feet northeast of the intersection of Rolling Hills Road and Oak Leaf Road, approximately 1.5 miles northwest of Cut and Shoot, Montgomery County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** September 20, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$15,152

**Amount Deferred for Expedited Settlement:** \$3,030

**Total Paid to General Revenue:** \$12,122

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

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - N/A

Site/RN - N/A

**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:** June 15, 2022

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

**Executive Summary – Enforcement Matter – Case No. 62929**  
**WOODLAND OAKS UTILITY, LP**  
**RN107708836**  
**Docket No. 2022-1373-MWD-E**

***Violation Information***

Failed to submit monitoring results at intervals specified in the permit. Specifically, the discharge monitoring reports for the monthly monitoring periods of November 2021 through April 2022 were not submitted by the 20th day of the following month [30 TEX. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System Permit No. WQ0015296001, Monitoring and Reporting Requirements No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On May 20, 2022, ownership of the Facility was transferred from the Respondent to Montgomery County Municipal Utility District No. 145.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Taylor Williamson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2097; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Michael B. Stoecker, President, WOODLAND OAKS UTILITY, LP, 11444 White Oak Way, Conroe, Texas 77304  
Scott Stevens, Vice President, WOODLAND OAKS UTILITY, LP, 11444 White Oak Way, Conroe, Texas 77304

**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>	15-Aug-2022	<b>Screening</b>	13-Sep-2022	<b>EPA Due</b>	
	<b>PCW</b>	7-Oct-2022				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	WOODLAND OAKS UTILITY, LP				
<b>Reg. Ent. Ref. No.</b>	RN107708836				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Minor		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	62929	<b>No. of Violations</b>	1
<b>Docket No.</b>	2022-1373-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Taylor Williamson
		<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>	\$15,000
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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 adjustments 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>	\$0
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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	\$152	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$152	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$15,000
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	1.0%	<b>Adjustment</b>	\$152
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	Enhancement to capture the avoided cost of compliance with the violation.		
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<b>Final Penalty Amount</b>	\$15,152
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$15,152
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$3,030
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.			
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<b>PAYABLE PENALTY</b>	\$12,122
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<b>Screening Date</b>	13-Sep-2022	<b>Docket No.</b>	2022-1373-MWD-E	<b>PCW</b>
<b>Respondent</b>	WOODLAND OAKS UTILITY, LP			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	62929			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN107708836			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Taylor Williamson			

## Compliance History Worksheet

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

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

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

### >> Repeat Violator (Subtotal 3)

N/A

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

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

N/A

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

### >> Compliance History Summary

**Compliance History Notes**

No adjustments 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-Sep-2022 <b>Respondent</b> WOODLAND OAKS UTILITY, LP <b>Case ID No.</b> 62929 <b>Reg. Ent. Reference No.</b> RN107708836 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Taylor Williamson <b>Violation Number</b> 1	<b>Docket No.</b> 2022-1373-MWD-E  <div style="border: 1px solid black; padding: 5px;">         30 Tex. Admin. Code §§ 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System Permit No. WQ0015296001, Monitoring and Reporting Requirements No. 1       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to submit monitoring results at intervals specified in the permit. Specifically, the discharge monitoring reports ("DMRs") for the monthly monitoring periods of November 2021 through April 2022 were not submitted by the 20th day of the following month.       </div>	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																
<b>Base Penalty</b> \$25,000																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																		
OR	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Release</th> <th colspan="3" style="text-align: center;">Harm</th> </tr> <tr> <th></th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>	Release	Harm				Major	Moderate	Minor	Actual				Potential				<b>Percent</b> 0.0%
	Release	Harm																
	Major	Moderate	Minor															
Actual																		
Potential																		
<b>&gt;&gt; Programmatic Matrix</b>																		
Matrix Notes	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Falsification</th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td></td> <td style="text-align: center;">x</td> <td></td> <td></td> </tr> </table>	Falsification	Major	Moderate	Minor		x			<b>Percent</b> 10.0%								
	Falsification	Major	Moderate	Minor														
	x																	
100% of the rule requirement was not met.		<b>Adjustment</b> \$22,500																
		\$2,500																
<b>Violation Events</b>																		
Number of Violation Events 6		151 Number of violation days																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td style="text-align: center;">x</td></tr> </table>		daily		weekly		monthly		quarterly		semiannual		annual		single event	x	<b>Violation Base Penalty</b> \$15,000		
daily																		
weekly																		
monthly																		
quarterly																		
semiannual																		
annual																		
single event	x																	
Six single events are recommended, one for each missed report.																		
<b>Good Faith Efforts to Comply</b>																		
<b>0.0%</b>		<b>Reduction</b> \$0																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th></th> <th style="text-align: center;">Before NOE/NOV</th> <th style="text-align: center;">NOE/NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td></td> <td></td> </tr> <tr> <td>N/A</td> <td style="text-align: center;">x</td> <td></td> </tr> </table>			Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary			N/A	x						
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																
Extraordinary																		
Ordinary																		
N/A	x																	
<b>Notes</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         The Respondent does not meet the good faith criteria for this violation.       </div>																		
		<b>Violation Subtotal</b> \$15,000																
<b>Economic Benefit (EB) for this violation</b>																		
<b>Estimated EB Amount</b> \$152		<b>Statutory Limit Test</b>																
		<b>Violation Final Penalty Total</b> \$15,152																
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$15,152																

# Economic Benefit Worksheet

**Respondent** WOODLAND OAKS UTILITY, LP  
**Case ID No.** 62929  
**Reg. Ent. Reference No.** RN107708836  
**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)				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				0.00	\$0	\$0	\$0
Other (as needed)	\$152	20-May-2022	20-May-2022	0.00	\$0	\$152	\$152

Notes for AVOIDED costs

Estimated cost to submit the DMRs for the missed monitoring periods (\$25/DMR x 6 + accrued interest).  
The Date Required is the date the last DMR was due, and the Final Date is the ownership transfer date.

Approx. Cost of Compliance

\$152

**TOTAL**

\$152



# Compliance History Report

Compliance History Report for CN604113084, RN107708836, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN604113084, WOODLAND OAKS UTILITY, LP  
**Classification:** NOT APPLICABLE **Rating:** N/A  
**Regulated Entity:** RN107708836, LOST CREEK WWTP **Classification:** NOT APPLICABLE **Rating:** N/A  
**Complexity Points:** N/A **Repeat Violator:** N/A  
**CH Group:** 14 - Other  
**Location:** Approximately 1,300 feet northeast of the intersection of Rolling Hills Road and Oak Leaf Road, approximately 1.5 miles northwest of the Town of Cut and Shoot, in Montgomery County, Texas  
**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**

**WASTEWATER PERMIT** WQ0015296001

**WASTEWATER EPA ID** TX0135755

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

**Date Compliance History Report Prepared:** June 21, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** June 21, 2019 to June 21, 2024

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

**Name:** Taylor Williamson

**Phone:** (512) 239-2097

**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? YES
- 3) Who is the current owner/operator? MONTGOMERY COUNTY MUD 145 OWNER since 5/20/2022
- 4) Who was/were the prior owner(s)/operator(s)? WOODLAND OAKS UTILITY, LP, OWNER, 9/5/2014 to 5/19/2022

**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 01, 2023	(1907640)
Item 2	May 16, 2023	(1889365)
Item 3	May 21, 2023	(1914778)
Item 4	June 19, 2023	(1921407)
Item 5	July 11, 2023	(1928382)
Item 6	August 20, 2023	(1935305)
Item 7	September 14, 2023	(1941548)
Item 8	November 14, 2023	(1948302)

Item 9	November 20, 2023	(1953976)
Item 10	November 29, 2023	(1948294)
Item 11	December 20, 2023	(1963779)
Item 12	January 22, 2024	(1970344)
Item 13	February 20, 2024	(1979425)
Item 14	March 14, 2024	(1985985)
Item 15	April 20, 2024	(1992526)

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

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

N/A

**F. Environmental audits:**

N/A

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



## **Component Appendices**

### **Appendix A**

#### **All NOVs Issued During Component Period 6/21/2019 and 6/21/2024**

1	Date: 04/27/2022 (1832098)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(17)		
	Description: NON-RPT VIOS FOR MONIT PER OR PIPE		

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

### **Appendix B**

#### **All Investigations Conducted During Component Period June 21, 2019 and June 21, 2024**

Item 1	April 27, 2022**	(1832098)
Item 2	August 10, 2022**	(1823711)
Item 3*	May 01, 2023**	(1907640)
Item 4*	May 16, 2023**	(1889365)
Item 5*	May 21, 2023**	(1914778)
Item 6*	June 19, 2023**	(1921407)
Item 7*	July 11, 2023**	(1928382)
Item 8*	August 20, 2023**	(1935305)
Item 9*	September 14, 2023	(1941548)
Item 10*	November 14, 2023	(1948302)
Item 11*	November 20, 2023	(1953976)
Item 12*	November 29, 2023	(1948294)
Item 13*	December 20, 2023	(1963779)
Item 14*	January 22, 2024	(1970344)
Item 15*	February 20, 2024	(1979425)
Item 16*	March 14, 2024	(1985985)
Item 17*	April 20, 2024	(1992526)

\* 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  
WOODLAND OAKS UTILITY, LP  
RN107708836

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

## AGREED ORDER DOCKET NO. 2022-1373-MWD-E

### I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owned and operated a wastewater treatment plant located approximately 1,300 feet northeast of the intersection of Rolling Hills Road and Oak Leaf Road, approximately 1.5 miles northwest of the Town of Cut and Shoot, in Montgomery County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$15,152 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,122 of the penalty and \$3,030 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that on May 20, 2022, ownership of the Facility was transferred from the Respondent to Montgomery County Municipal Utility District No. 145.

## **II. ALLEGATIONS**

During a record review for the Facility conducted on June 15, 2022, an investigator documented that the Respondent failed to submit monitoring results at intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System Permit No. WQ0015296001, Monitoring and Reporting Requirements No. 1. Specifically, the discharge monitoring reports for the monthly monitoring periods of November 2021 through April 2022 were not submitted by the 20th day of the following month.

## **III. DENIALS**

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

## **IV. ORDERING PROVISIONS**

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WOODLAND OAKS UTILITY, LP, Docket No. 2022-1373-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.
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. 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.
6. 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.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

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Date



9/26/2024

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For the Executive Director

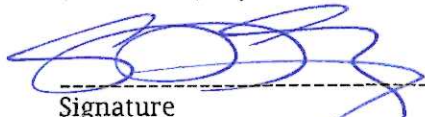
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Date

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

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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

  
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Signature

8/13/24  
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Date

Scott Stevens  
-----  
Name (Printed or typed)  
Authorized Representative of  
WOODLAND OAKS UTILITY, LP

Vice President  
-----  
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.