TCEQ Interoffice Memorandum

To: Commissioners

Thru: CP Craig Pritzlaff, Director, Office of Compliance and Enforcement

From: AS Amy Settemeyer, Deputy Director, Enforcement Division

Date: February 2, 2024

Docket No.: 2023-0017-MIS

Subject: Monthly Enforcement Report for December

Background and Current Practices

At the Texas Commission on Environmental Quality, formal enforcement is handled within the Enforcement Division and the Litigation Division for all program media types. In order to provide an overview of agency-wide enforcement actions, a summary compiling each program's data is prepared for each month and is presented at a meeting of the Commission for which public notice is given. This report is required by Texas Water Code §7.003 - Enforcement Report.

Information for Fiscal Year 2024 through the end of December is attached.

Commission Action on this issue is not required.

Attachments

Enforcement Report to the Commission for December FY24 Year-to-Date Totals

Enforcement Report to the Commission for December 2023
FY24 Year-to-Date Totals

Figure 1: Number of Notices of Violation

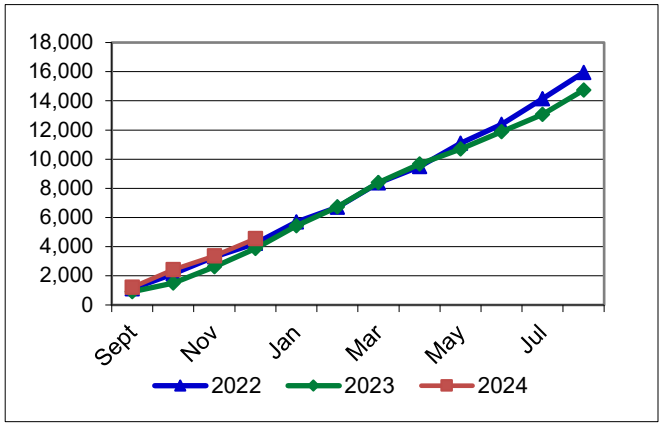

Figure 2: Number of Enforcement Action Referrals

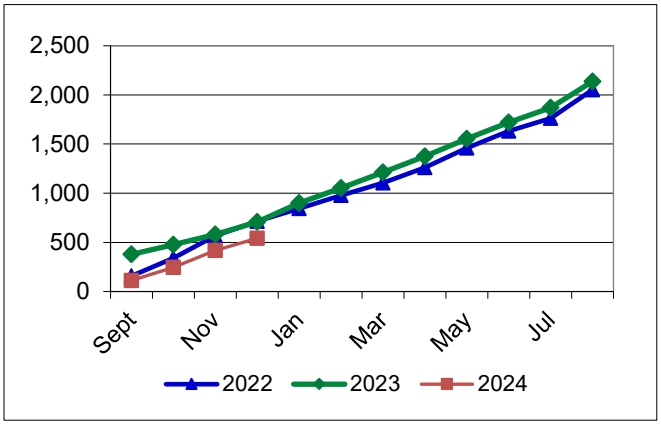

Figure 3: Number of Effective Orders

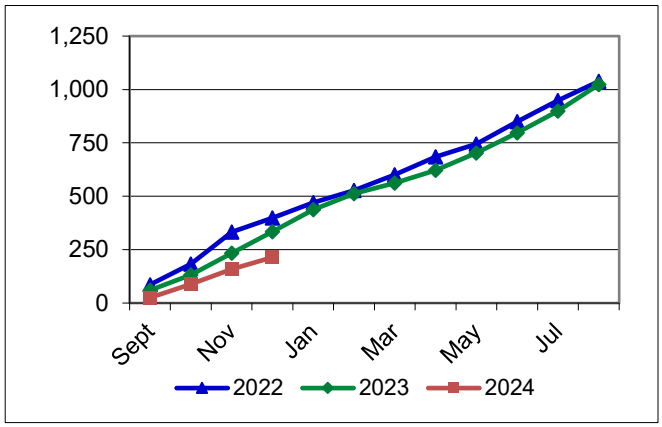

Figure 4: Assessed Penalties

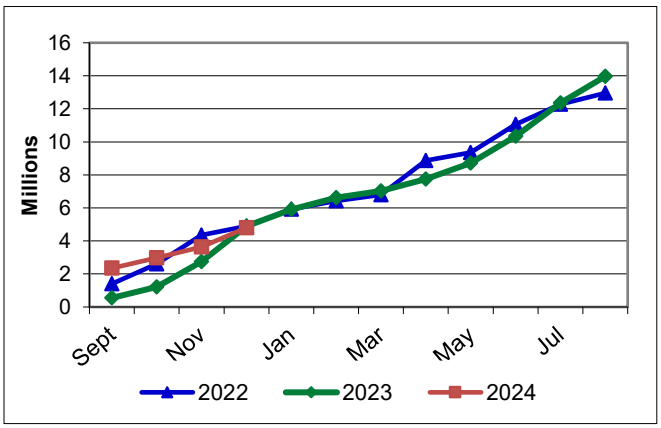

Figure 5: Supplemental Environmental Projects

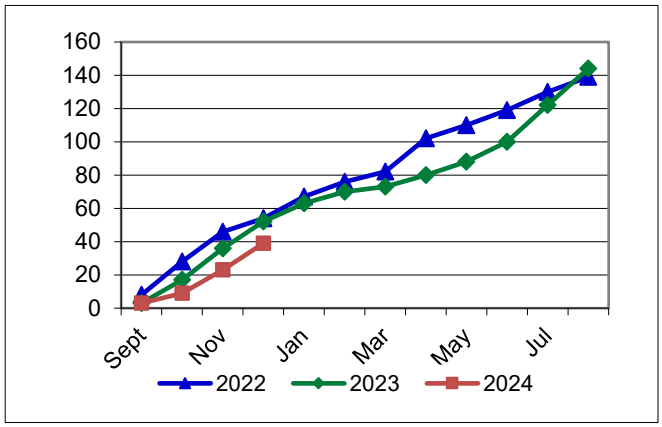

Figure 6: Number of Backlogged Orders

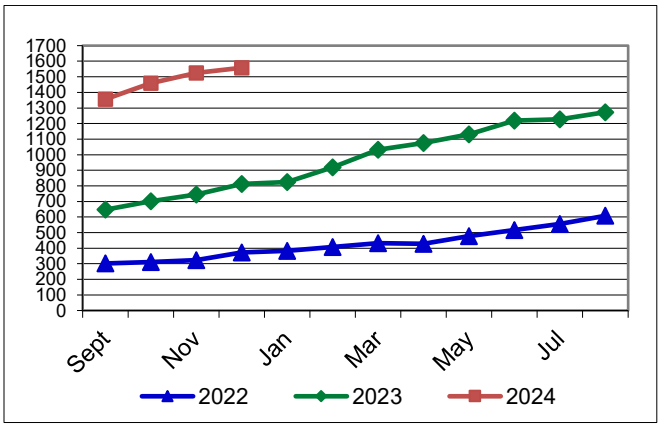

Figure 7: Summary

For fiscal year 2024 through December, TCEQ has issued: 4,544 Notices of Violation, 542 Enforcement Action Referrals, 214 Effective Orders (see https://www14.tceq.texas.gov/epic/CIO/);

assessed $4,796,510 in administrative penalties; and approved 39 Supplemental Environmental Projects.

Enforcement Report to the Commission for December 2023
FY24 Year-to-Date Totals

Programs Summary:

PROGRAMS	Notices of Violation[1]	Effective Orders	Assessed Penalties
AGGREGATE PRODUCTION OPERATIONS	17	1	$875
AGRICULTURE	14	0	$0
AIR	258	38	$1,074,559
DRY CLEANERS	1	0	$0
INDUSTRIAL & HAZARDOUS WASTE[2]	26	1	$70,300
MUNICIPAL SOLID WASTE	58	4	$18,000
OCCUPATIONAL CERTIFICATION	15	4	$1,425
PETROLEUM STORAGE TANKS	153	34	$336,495
PUBLIC WATER SUPPLY[3]	3,562	48	$224,843
WATER RIGHTS **YTD Complaints = 44**	13	6	$10,350
WATER QUALITY[4]	348	65	$824,538
MULTI-MEDIA	79	13	$2,235,125
YTD TOTALS	**4,544**	**214**	**$4,796,510**
FY23 Total for Year	**14,740**	**1,023**	**$13,963,289**
FY22 Total for Year	**15,946**	**1,038**	**$12,952,805**

Year-to-Date Summary:

YTD Penalty Summary	
Total Deferred Penalties	$354,118
Total Penalties to SEPs	$2,511,959
Total Payable Penalties	$1,930,433
YTD Case Status Summary	
Attorney General (AG) Judgments	3
Pending AG Cases[5]	180
Pending TCEQ Cases	2,707
Backlogged Cases	1,558
Resolved Cases	35
Orders Being Tracked	1,912

[1] The YTD Total represents NOV letters issued for all programs. Each NOV letter may include violations from more than one program (i.e. Aggregate Production Operation and Water Quality violations may appear in the same NOV letter).
[2] Includes radioactive waste and underground injection control cases
[3] Includes Notices of Violation based on self-reported data
[4] Includes Notices of Violation based on self-reported data
[5] Active TCEQ AG Enforcement Cases attached

Active TCEQ AG Enforcement Cases as of 12/31/2023 (180)

Case No.	Respondent	Projected Resolution FY24
2880	City of Port Arthur	>1 Year
3040	Sam R. Dillon (receivership)	>1 Year
5692	Pulak Barua	>1 Year
5864	Kathie Bryant/Buena Vista Water System	<1 Year
6394	San Jacinto Utility Incorporated	>1 Year
6991	On Site Water Works	>1 Year
7844	ISO-TEX INC (Friendswood) / Thomas J. Maloney	>1 Year
10945	Shred Tech Inc	>1 Year
24528	English, Don L	>1 Year
25187	David Priess & Randy Priess	>1 Year
25207	Thunderbird Bay Water Services Inc + Charles Schram and American Central Land Corp	<1 Year
26902	Van Der Horst U S A Corporation	>1 Year
31305	Juna Martin Villarreal	>1 Year
31746	WSWS Company	>1 Year
31942	Zambrano, George	>1 Year
33475	BIG BIRD TREE SERVICE, INC	>1 Year
33759	Kia Interprises, Inc.	>1 Year
36204	Nelson, Patricia Ramsey and McPike, Ruby	>1 Year
36768	Crow Sr, Richard D	>1 Year
36828	Betts, Ira	>1 Year
37837	Pleasure Point HOA et al (receivership)	>1 Year
37906	Z.A.O., Inc./Thunderbird Oil/Ray Bell & Eugene Bell	>1 Year
38317	B & H Group, Inc. and Asif Hemani	>1 Year
38667	8 Mile Park, L.P.	<1 Year
38751	Templeton, William (contempt)	> 1 Year
38811	French, Michael Eugene	>1 Year
38954	Wallace, Tina	>1 Year
39142	Esparza, Rodolfo	<1 Year
39489	Barcenas, Santos	>1 Year
39757	RANGER UTILITY COMPANY	>1 Year
40200	Syll Holt, Kimberly Branson and Michael Branson dba Walnut Bend Water System	>1 Year
40439	Beverlin, Terry	>1 Year
40452	J&S Water Company, L.L.C.	>1 Year
41070	Chatarpal, Thakoor	>1 Year
41982	Ramon C. Gonzales, Jr. dba Warren Road Subdivision Water Supply	<1 Year
42001	Essex, Dorothy A	>1 Year
42006	Duda, Richard J.	>1 Year
42419	State of Texas v. Bulldog Tire Recycling, Inc. and Theodore M. Theil	>1 Year
42802	Harris Co. v. PMSV River Oaks	>1 Year
43458	Shawn M. Horvath/Aero Valley Water Service (contempt)	>1 Year
45103	Gonzales, Ramon C. Jr.	>1 Year
45272	Duncan, William Bartley	> 1 Year
45955	Brown, Doris	>1 Year
46117	Jerry M. Baker, Diana L. Baker & Ashley Martin	>1 Year
46172	Ector Co. v. Quell Petroluem	>1 Year
46237	Grayson Co. v. Tim Sommers, James Glendening, Touche International, Inc., Trident Environmental (contempt)	>1 Year
46367	Natividad Hernandez (contempt)	>1 Year
46421	MUSGROVE, WILLIAM LAFON	>1 Year
47066	Martinez, Reyna A.	>1 Year
47189	WEIR BROS, INC. dba Weir Brothers Sand Pit	>1 Year
47264	Ector Co. v. Javelina Envtl, Enrique Villanueva, and Thomas Contreras	>1 Year
47725	Falcons Lair Utility & Reclamation District	>1 Year
47726	Denton County Road Utility District 1	>1 Year
47750	Ector Co. v. Ruiz Enterprises & Aaron Ruiz	>1 Year
47871	Wayne Lee and Paula Lee	>1 Year
47914	Ector Co. v. Freedom Tank Rentals & Mfg.	>1 Year
47937	Ector Co. v. Martin Muniz	>1 Year

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Case No.	Respondent	Projected Resolution FY24
47940	James Travis Lowman	>1 Year
47983	State of Texas v. LGI LAND, LLC.	>1 Year
48071	Ector Co. v. Audie Meade dba Aaa Septic Tank Svcs	>1 Year
48178	Moore, John L. and John C. (contempt)	>1 Year
48690	Travis Co. v. Mohammad Khurshid	>1 Year
49457	Leroy Leonard Limas	>1 Year
49463	Alamo Commercial Properties, Ltd.	>1 Year
49567	Catalpa Water Supply Corporation	>1 Year
49595	Ector Co. v. Fishing Tool Repair & Manufacturing	>1 Year
50114	Vanover, Rhonda	>1 Year
50293	Moody, Leroy	>1 Year
50654	Mitesh C-Store, S A Patel and K V Patel	>1 Year
51354	Sam Rayburn Water Inc.	>1 Year
51455	Village Of Surfside Beach	<1 Year
51736	Las Palomas Water Services Company (52379 & 53739 merged w/this case)	> 1 Year
51907	Saeed A. Ally FKA Jeffco Reclamation & Storage, LLC	>1 Year
52084	Travis Co. v. John Schleis	>1 Year
52184	Corey Steven Abel	>1 Year
52773	Fort Bend Co. v. Volkswagen/Audi et al	>1 Year
52774	Dallas Co. v. Volkswagen/Robert Bosch, LLC et al	>1 Year
52775	Montgomery Co. v. Volkswagen et al	>1 Year
52776	Victoria Co. v. Volkswagen et al	>1 Year
52777	Harris Co. v. Volkswagen et al	>1 Year
52778	Webb Co. v. Volkswagen et al	>1 Year
52779	State & Travis Co. v. Volkswagen et al	>1 Year
52780	Bexar Co. v. Volkswagen et al	>1 Year
52781	Ector Co. v. Volkswagen at al	>1 Year
52782	El Paso Co. v. Volkswagen et al	>1 Year
52783	Hunt Co. v. Volkswagen et al	>1 Year
52784	Tarrant Co. v. Volkswagen, et al	>1 Year
52785	Nueces Co. v. Volkswagen et al	>1 Year
52786	Hidalgo Co. v. Volkswagen et al	>1 Year
52870	Travis Co. v. Jesse Alba	<1 Year
53256	BVS Construction Inc.	<1 Year
53703	Angelina County WCID 4	<1 Year
53757	Petro-Tech Environmental, LLC	>1 Year
53821	Ann Robinson	>1 Year
53932	Joe Martinez Sr	>1 Year
54219	David Lee Bronw	>1 Year
54247	THE PREMCOR REFINING GROUP INC. et al	>1 Year
54572	Walker Co. v. Volkswagon et al	>1 Year
54573	Taylor Co. v. Volkswagon et al	>1 Year
54574	Lubbock Co. v. Volkswagon et al	>1 Year
54575	Denton Co. v. Volkswagen/Robert Bosch, LLC et al	>1 Year
54576	Jefferson Co. v. Volkswagon et al	>1 Year
54577	Parker Co. v. Volkswagon et al	>1 Year
54578	Brazos Co. v. Volkswagon et al	>1 Year
54683	R&K FABRICATING INC	>1 Year
54863	Raitz Enterprized Inc.	>1 Year
54920	Felipe Posada dba Key Road Subdivision (contempt)	>1 Year
54926	Tire Recycling & Processing LLC dba Santa Anita Reclamation	>1 Year
54999	Smith, Quinn Marshall	>1 Year
55154	Harris Co. v. Joel Burkholder	>1 Year
55294	Harris Co. v. Webb & Webb Construction, LLC	>1 Year
55324	The Dow Chemical Company	>1 Year
55388	Hunt Co. v. Fiat-Chrysler	>1 Year
55388	Harris Co. v. Fiat-Chrysler	>1 Year

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Case No.	Respondent	Projected Resolution FY24
55388	Bee Co. v. Fiat-Chrysler	>1 Year
55388	Tarrant Co. v. Fiat-Chrysler	>1 Year
55388	Dallas Co. v. Fiat-Chrysler	>1 Year
55388	Cameron Co. v. Fiat-Chrysler	>1 Year
55388	El Paso v. Fiat-Chrysler	>1 Year
55388	Randall Co. v. Fiat-Chrysler	>1 Year
55388	Montgomery Co. v. Fiat-Chrysler	>1 Year
55388	Bowie Co. v. Fiat-Chrysler	>1 Year
55389	RESEARCH LABORATORIES, INC. dba Custom Packaging and Joe Yarbrough	>1 Year
55531	Huntsman Petrochemical LLC	>1 Year
55662	Bowie Co. v. Volkswagen et al Investigation No. 1439612	>1 Year
55935	Buchanan Lake Village Inc.	>1 Year
56001	Harris Co. v. Jose A. Flores & Nohemy A. Granados-Flores	>1 Year
56035	Travis Co. V. Robert Grote Jr. and Diamond G Ventures, Inc.	>1 Year
56284	Liberty Co. v. Arkema Inc.	>1 Year
56429	Barbara Burch	>1 Year
56439	Harris Co. v. Arkema, Inc.	>1 Year
56511	TPC Group, LLC	>1 Year
56763	Harris Co. v. Affordable Land Services, LLC	>1 Year
56843	KMCO, LLC	>1 Year
56865	Kenneth Marriott	>1 Year
57063	Maurer, Garrison	>1 Year
57121	Richard Billings / Oak Hills Ranch Water (also case #s 47244 & 49950)	>1 Year
57145	Allen Lee Click, Travis County & TCEQ	>1 Year
57160	Oakhollow MH Park	>1 Year
57620	Craft-Turney Water Supply Corporation & Arrington Lumber & Pallet Company, Inc.	>1 Year
57771	Equistar Chemicals, LP	>1 Year
57911	Villarreal, Juan Martin	>1 Year
57942	Blue Ridge Landfill TX, LP	>1 Year
58332	Exxon Mobil Corporation (previously Case Nos. 57996 and 60880)	>1 Year
58498	KM Liquid Terminals LLC	>1 Year
58540	Triple P.G. Sand Development, L.L.C.; Guniganti Family Property Holdings, L.L.C.; Prabhakar R. Guniganti; and Guniganti Children's 1999 Trust	<1 Year
58822	Dale W. Haggard	>1 Year
58838	Mountain River Water Co., Frank Sparks	>1 Year
59091	Antonial (Tony) Q. Butler	>1 Year
59536	Intercontinental Terminals Company LLC (Case No. 60337 combined)	>1 Year
59627	Chevron Phillips Chemical Co LP (Cedar Bayou Plant)	>1 Year
59656	Inland Recycling, LLC, Inland Environmental and Remediation, Inc., David Polson, Boundary Ventures, and Kenneth Owens	<1 Year
60093	HDZ Swift Construction LLC	>1 Year
60270	Brook ED Burnett	>1 Year
60504	Chevron Phillips Chemical Co LP	>1 Year
60536	Harris Co. v. Project Storm LLC	>1 Year
60567	TPC Group, LLC	>1 Year
60569	Harris Co. v. Osies, Inc.	>1 Year
60578	Harris Co. v. Patricia McKinney	>1 Year
60579	Harris Co. v. Watson Grinding and Manufacturing Co.	>1 Year
60610	Montgomery Co. v. Ector Barrera, Justin R. Hasara, J & H Joint Land Ventures, Hasara Land Services, and Ash-Gram Materials	>1 Year
60626	Harris Co. v. Felix Escobedo	>1 Year
60643	Blackhorn Environmental Services, LLC	>1 Year
60730	Harris Co. v. Wesley Gene Zarsky	>1 Year
60734	Exxon Mobil Corporation	>1 Year
60781	Formosa Plastics Corporation	>1 Year
60828	Harris Co. v. Mario Perez and Teresa Perez	>1 Year
60926	Harris County, Texas and Harris County Flood Control District v. Ricardo F. Romero & Laura Romero & R & L Building Group, Inc.	>1 Year
60948	Shell USA Inc.	>1 Year
61573	Valcor Environmental Services, LLC	>1 Year
62076	Pasadena Refining System, Inc.	>1 Year

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Case No.	Respondent	Projected Resolution FY24
62546	SRC Water Supply Inc	>1 Year
63338	Randall Co. v. Volkswagen et al Investigation No. 1854468	>1 Year
63341	Burnet Co. v. Volkswagen et al Investigation No. 1854491	>1 Year
63344	Leon Co. v. Volkswagen et al Investiation No. 1853278	>1 Year
63562	Sherwin-Williams Manufacturing Company	>1 Year
63681	Harrison Co. v. Volkswagen et al Investigation No. 1847461	>1 Year
63888	Natgasoline LLC	>1 Year
63964	Jeffrey H. Brennan	>1 Year
64452	Undine Texas Environmental LLC (Case No. 61099 combined with Case No. 64452)	>1 Year