Executive Summary – Enforcement Matter – Case No. 63893 JRM Land & Cattle Co. LLC RN111078879 Docket No. 2023-0521-WQ-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A **Media:** WQ

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Maravilla Estates PH 3 & 4, located at the north end of Overlook Drive, Annetta South,

Parker County

Type of Operation:

Construction site

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:** March 15, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$8,750

Amount Deferred for Expedited Settlement: \$1,750

Total Paid to General Revenue: \$7,000 Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): May 17, 2021 and May 2, 2023

Complaint Information: Alleged failing stormwater controls that caused flooding on complainant's property and the hillside at the north end of the development was

inactive and had not been stabilized.

Date(s) of Investigation: October 19, 2022 and May 25, 2023 **Date(s) of NOE(s):** November 18, 2022 and August 22, 2023

Executive Summary – Enforcement Matter – Case No. 63893 JRM Land & Cattle Co. LLC RN111078879 Docket No. 2023-0521-WQ-E

Violation Information

- 1. Failed to utilize a sediment basin or equivalent impoundment. Specifically, a designated sediment basin was not installed, and alternate controls were not sufficient to achieve sediment removal [30 Tex. Admin. Code § 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") Construction General Permit No. TXR1506CV, Part III, Section F, 2(c)(i)(A)(1)].
- 2. Failed to initiate or maintain soil stabilization measures. Specifically, the investigator noted that the operator did not immediately install protective cover over portions of the Site where construction activities have ceased [30 Tex. Admin. Code § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F. 2(b)(iii)].
- 3. Failed to properly select, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. Specifically, the investigator observed that the hay bales and silt fences were not properly maintained by the operator and required repair, replacement, and/or upgrades [30 Tex. ADMIN. CODE § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F, 2(a)(ii) and Part IV, Section A].
- 4. Failed to remove sediment from silt fencing before sediment reaches 50% of above-ground capacity. Specifically, there was a section of silt fence with more than 50% of the capacity reduced by built up sediment rendering the control ineffective [30 Tex. Admin. Code § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F, 6(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately, install protective cover over portions of the Site where construction activities have ceased.
- b. Within 30 days:
- i. Install and maintain a properly engineered sediment basin or equivalent impoundment;

Executive Summary – Enforcement Matter – Case No. 63893 JRM Land & Cattle Co. LLC RN111078879 Docket No. 2023-0521-WQ-E

- ii. Design, install, and maintain effective erosion and sediment controls to minimize the discharge of pollutants; and
- iii. Remove and dispose of accumulated sediment from perimeter controls such that the design capacity has been reduced by 50%.
- c. Within 45 days, submit written certification to demonstrate compliance with a. through b.iii.

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: Jim Martin, President, JRM Land & Cattle Co. LLC, P.O. Box 1840, Aledo,

Texas 76008

Respondent's Attorney: N/A



DEFERRAL

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

PAYABLE PENALTY

SOOMMISSI SILINGONMENTAL O	Policy Rev	Pe ision 5 (January 28, 20	nalty Calc	ulatio	n Worksh	eet (PC	•	February 11, 2021
DATES	Assigned	21-Nov-2022						
		17-Apr-2023	Screening 14-	Apr-2023	EPA Due			
RESPO		TY INFORMATIO						
ъ-		JRM Land & Cattle	e Co. LLC PCW No	. 1 of 2				
	g. Ent. Ref. No.	4-Dallas/Fort Wo	-th		Major/M	inor Source	Minor	
гасііі	ty/Site Region	4-Dallas/Fort Wo	UI		мајог/ м	mor Source	MILLIOI	
CASE I	NFORMATION							
	f./Case ID No.	63893			No. o	f Violations	1	
		2023-0521-WQ-E				Order Type		
Med	dia Program(s)				Government			
	Multi-Media				Enf.	Coordinator	Mark Gamble	
					· 	EC's Team	Enforcement Team	1
Adı	min. Penalty \$	Limit Minimum	\$0 Maxi	imum	\$25,000			
			Penalty (Calcula	tion Sectio	n		
TOTA	I BACE DENA	LTY (Sum of	•				Subtotal 1	\$1,250
IOIA	L DASE PENA	ALIT (Sulli OI	violation base	e penait	ies <i>)</i>		Subtotal 1	\$1,230
ADJU	STMENTS (+	/-) TO SUBTO	TAL 1					
	Subtotals 2-7 are of	otained by multiplying	the Total Base Penalty	(Subtotal 1)	by the indicated per			
	Compliance Hi	story		0.0%	Adjustment	Subtot	tals 2, 3, & 7	\$0
	Notes		No adjustment fo	r Compliar	nce History.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	, , , , , , , , , , , , , , , , , , ,							, -
	Notes	The Re	spondent does not	t meet the	culpability criter	ria.		
	Good Faith Eff	ort to Comply To	tal Adjustments				Subtotal 5	\$0
	Economic Ben	efit		0.0%	Enhancement*		Subtotal 6	\$0
	Leononne Den	Total EB Amounts	\$589		d at the Total EB \$ A	mount		Ψ0
	Estimated	d Cost of Compliance	\$5,000					
SUM (OF SUBTOTA	LS 1-7				Fi	nal Subtotal	\$1,250
		AS JUSTICE M			0.0%		Adjustment	\$0
Reduces of	or enhances the Fina	Subtotal by the indica	ited percentage.					
	Notes							
						Fig. 15	-11	11 353
						rınai Pen	alty Amount	\$1,250
CTAT	ITODY I TATE		_					44 252
SIAIL	DIOKY LIMI	T ADJUSTMEN				Final Asses	ssed Penalty	\$1,250

Deferral offered for expedited settlement.

20.0%

Reduction

-\$250

\$1,000

Adjustment

Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021

Respondent JRM Land & Cattle Co. LLC PCW No. 1 of 2

Case ID No. 63893

Reg. Ent. Reference No. RN111078879

Media Water Quality

Enf. Coordinator Mark Gamble

	Compliance History Worksheet		
Compliance His Component	story <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
Orders	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%
	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated		0%
Decrees	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 (number of events)	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 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
			· · · · · · · · · · · · · · · · · · ·
	Environmental management systems in place for one year or more	No	0%
Other	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 Per	centage (Sul	ototal 2)
Repeat Violato			_
	Adjustment Per	centage (Sul	ototal 3)
Compliance His	story Person Classification (Subtotal 7)		
Satisfactor	y Performer Adjustment Per	centage (Sul	ototal 7)
Compliance His	story Summary		
Compliance History Notes	No adjustment for Compliance History.		
	Total Compliance History Adjustment Percentage (See History Adjustment	Subtotals 2,	3, & 7)

Case ID No. Reg. Ent. Reference No.	63893	tle Co. LLC PCW No. 1 o	of 2 Policy	
Reg. Ent. Reference No. Media Enf. Coordinator				Revision 5 (January 28, 2021)
Media Enf. Coordinator	RN111078879		PC	W Revision February 11, 2021
Enf. Coordinator				
	Water Quality			
Violation Number	Mark Gamble			
	1			_
Rule Cite(s)	30 Tex. Admir	n. Code § 281.25(a)(4)	and Texas Pollutant Discharge Elimination	
Rule elle(3)	System Co	nstruction General Perm	nit No. TXR1506CV, Part III, Section F,	
		2(c)	(i)(A)(1)	
	Failed to utili	ze a sediment basin or	equivalent impoundment. Specifically, a	
Violation Description			nstalled, and alternate controls were not	
		sufficient to achie	ve sediment removal.	
			Base Penalty	\$25,000
>> Environmental, Prope	rty and Hum			
Release	e Major	Harm Moderate Minor		
OR Actual		Moderate Millor	7	
Potential		Х	Percent 5.0%	
rocential	1	^	3.0 70	
>>Programmatic Matrix				
Falsification	Major	Moderate Minor		
T diomedian	, iajei	Tiodelate Timor	Percent 0.0%	
	<u> </u>		0.070	
Human hoalt	th or the environ	mont will or could be ov	posed to significant amounts of pollutants	1
			iman health or environmental receptors as	
Notes Notes	ot exceed levels	a result of the vic		
		a result of the vic	nacioni.	
			Adjustment \$23,750	1
			Aujustinent \$25,750	1
				\$1,250
Violation Events				
	_			
	Violation Events	1	177 Number of violation days	
		1	177 Number of violation days	
	daily	1	177 Number of violation days	
	daily weekly	1	177 Number of violation days	
	daily weekly monthly	1		
	daily weekly monthly quarterly	1	177 Number of violation days Violation Base Penalty	\$1,250
	daily weekly monthly quarterly semiannual	1 x		\$1,250
	daily weekly monthly quarterly semiannual annual	1		\$1,250
	daily weekly monthly quarterly semiannual	1 X		\$1,250
	daily weekly monthly quarterly semiannual annual	1		\$1,250
Number of \	daily weekly monthly quarterly semiannual annual single event		Violation Base Penalty	\$1,250
Number of \	daily weekly monthly quarterly semiannual annual single event		Violation Base Penalty restigation date (October 19, 2022) to the	\$1,250
Number of \	daily weekly monthly quarterly semiannual annual single event	ommended from the inv	Violation Base Penalty restigation date (October 19, 2022) to the	\$1,250
Number of N	daily weekly monthly quarterly semiannual annual single event	ommended from the inv screening date (April	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023).	
Number of \	daily weekly monthly quarterly semiannual annual single event	ommended from the inv screening date (April	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	\$1,250 \$1,250
Number of N	daily weekly monthly quarterly semiannual annual single event	ommended from the inv screening date (April	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	ommended from the inv screening date (April	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	ommended from the invocement of the screening date (April of the screening	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	ommended from the inv screening date (April	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	ommended from the invocement of the screening date (April O.0%) O.0% efore NOE/NOV NOE/NOV to	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	Onmended from the investment of the screening date (April O.0%) O.0% efore NOE/NOV NOE/NOV to X The Respondent does in the investment of the investment o	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	Onmended from the investment of the screening date (April O.0%) O.0% efore NOE/NOV NOE/NOV to X The Respondent does in the investment of the investment o	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria	
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	Onmended from the investment of the screening date (April O.0%) O.0% efore NOE/NOV NOE/NOV to X The Respondent does in the investment of the investment o	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria his violation.	\$0
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco	Onmended from the investment of the screening date (April O.0%) O.0% efore NOE/NOV NOE/NOV to X The Respondent does in the investment of the investment o	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria	\$0
One semian Good Faith Efforts to Com	daily weekly monthly quarterly semiannual annual single event nual event is reco Extraordinary Ordinary N/A Notes	ommended from the invocation of the screening date (April of the screening	Violation Base Penalty Pestigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria his violation. Violation Subtotal	\$0
Number of N	daily weekly monthly quarterly semiannual annual single event nual event is reco Extraordinary Ordinary N/A Notes	ommended from the invocation of the screening date (April of the screening	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria his violation.	\$0
One semian Good Faith Efforts to Com Economic Benefit (EB) for	daily weekly monthly quarterly semiannual annual single event nual event is reco Extraordinary Ordinary N/A Notes	ommended from the invocation of the screening date (April of the screening	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria his violation. Violation Subtotal Statutory Limit Test	\$1,250
One semian Good Faith Efforts to Com Economic Benefit (EB) for	daily weekly monthly quarterly semiannual annual single event nual event is reco ply Extraordinary Ordinary N/A Notes r this violatio	ommended from the invocate (April O.0% efore NOE/NOV NOE/NOV to X The Respondent does if for the second of the se	Violation Base Penalty restigation date (October 19, 2022) to the 14, 2023). Reduction EDPRP/Settlement Offer not meet the good faith criteria his violation. Violation Subtotal Statutory Limit Test	\$1,250 \$1,250

	E	conomic	Benefit	Wor	rksheet		
Respondent	JRM Land & Ca	attle Co. LLC PCW	No. 1 of 2				
Case ID No.							
Reg. Ent. Reference No.	RN111078879	1					
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
·							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	±5.000	20.1 2022	25.14 2024	0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	20-Jul-2022	25-Mar-2024	1.68	\$28	\$561	\$589
Land				0.00	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System 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	equivalent im	poundment. The I and th	Date Required is ne Final Date is	the inv	vestigation date ini imated date of con	•	the violation,
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs							7.7
Approx. Cost of Compliance		\$5,000			TOTAL		\$589



THE THE PROPERTY OF THE PROPER	Policy Rev	Pe	enalty Calc	ulation	Workshee	•	ion February 11, 2021
DATES	Assigned	28-Aug-2023					
	PCW	27-Sep-2023	Screening 27-	Sep-2023	EPA Due		
RESPO		TY INFORMATI		2 - 6 2			
Por	kesponaent g. Ent. Ref. No.		le Co. LLC PCW No	o. 2 or 2			
		4-Dallas/Fort Wo	orth		Major/Minor	Source Minor	
i aciii	ty/ Site Region	T Dallas/Torc WC	or Cit		Major / Millor	Source inition	
CASE I	NFORMATION						
En	f./Case ID No.	63893			No. of Vic	olations 3	
	Docket No.	2023-0521-WQ-	E		Ord	er Type 1660	
Med	lia Program(s)				Government/Noi		
	Multi-Media					dinator Mark Gamble	
				. —		s Team Enforcement Tea	am 1
Adr	min. Penalty \$	Limit Minimum	\$0 Max	imum	\$25,000		
			Penalty (Calculatio	n Section		
TOTA	L BASE PENA	LTY (Sum of	violation bas			Subtotal 1	\$7,500
		/ > === =====				_	
ADJUS	STMENTS (+	/-) TO SUBT)TAL 1 , the Total Base Penalty	. (Cubtatal 1) b	the indicated personts		
	Compliance Hi		the rotal base Penalty		the indicated percenta Adjustment	Subtotals 2, 3, & 7	\$0
	compliance in	Story		0.0 /0	Aujustinent		
	Notes		No adjustment fo	or Compliance	History.		
			-	·	,		
	Culpability	No		0.0 % E	'n han aan an b	Subtotal 4	\$0
	Culpability	INO		0.0%	nhancement	Subtotal 4	<u>\$0</u>
	Notes	The Re	espondent does no	t meet the cu	lpability criteria.		
	110100				.,		
	Good Faith Eff	ort to Comply T	otal Adjustment	S		Subtotal 5	\$0
	Economic Ben	ofi+		0.0% Enh	ancomont*	Subtotal 6	\$0
	Legionnic Ben	Total EB Amounts	\$829		the Total EB \$ Amount		<u>\$0</u>
	Estimated	l Cost of Compliance	\$11,500	,,	,		
SUM (OF SUBTOTA	LS 1-7				Final Subtotal	\$7,500
0=::=	D = 1.0F0 D C :						
MATHE	R EVCLUBS I	NG HIGTICE N	IAV DECLITRE		0.0%	Adjustment	\$ በ

		_	
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$
Reduces or enhances the Final Subtotal by the indicated percentage.	-	-	
Notes			

\$7,500

Notes Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$7,500 **DEFERRAL** 20.0% -\$1,500 Reduction Adjustment Reduces the Final Assessed Penalty by the indicated percentage. Deferral offered for expedited settlement. Notes **PAYABLE PENALTY** \$6,000

PCW

Respondent JRM Land & Cattle Co. LLC PCW No. 2 of 2

Case ID No. 63893

Reg. Ent. Reference No. RN111078879

Media Water Quality

Enf. Coordinator Mark Gamble

PCW Revision February 11, 2021

	ory Sita Enhancament (Subtotal 2)						
Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.				
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%				
	Other written NOVs	0	0%				
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%				
Orders	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	d Consent		0%				
Decrees 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 (number of events)	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 (number of audits for which notices were submitted)	0	0%				
Addies	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%				
		NI -	00/				
	Environmental management systems in place for one year or more	No	0%				
Other	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 Perd	centage (Su	btotal 2)				
Repeat Violator	(Subtotal 3)						
No	Adjustment Per	centage (Sul	btotal 3)				
Compliance Hist	cory Person Classification (Subtotal 7)						
Satisfactory	Performer Adjustment Pere	centage (Sul	btotal 7)				
Compliance Hist	cory Summary						
Compliance History Notes	No adjustment for Compliance History.						
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%							
	History Adjustment						

		ening Date				2023-0521-WQ-E		PCW
		•		attle Co. LLC PC	W No. 2 of 2		Policy Revis	sion 5 (January 28, 2021)
		ase ID No.					PCW Re	evision February 11, 2021
Reg.	Ent. Ref		RN111078879					
			Water Quality					
		oordinator		a				
	Viola	ition Number	1					
		Rule Cite(s)	30 Tex. Adm	in. Code § 281.	25(a)(4) and Texas Po	ollutant Discharge Elim	nination	
						TXR1506CV, Part III,		
			,	·	F, 2(b)(iii)			
						G 16 11		
	Violetie	n Dosseintion				neasures. Specifically,		
	Violatio	n Description	_		•	diately install protectiv activities have ceased		
			over p		ice where construction	delivities have ecased		
						Base	Penalty	\$25,000
							,	
>> Env	vironme	ntal, Prope	rty and Hun	nan Health	Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual		Moderate	MINO			
		Potential		X		Percent 5.0%		
				<u> </u>		3.070		
>>Pro	gramma	tic Matrix						
•		Falsification	Major	Moderate	Minor			
						Percent 0.0%		
							1	
		Human healt	h or the enviro	nment will or co	ould be exposed to sig	nificant amounts of po	llutants	
	Matrix					or environmental rece		
	Notes			a result	of the violation.			
					Ad	justment	\$23,750	
								\$1,250
							·	
Violatio	on Evon	te						
Violatio	on Even	ts						
Violatio	on Even		/iolation Events	2	125	Number of violation d	lays	
Violatio	on Even		/iolation Events	2	125	Number of violation d	lays	
Violatio	on Even		/iolation Events daily	2	125	Number of violation d	lays	
Violation	on Even		daily weekly	2	125	Number of violation d	lays	
Violatio	on Even		daily weekly monthly	2	125		<u></u>	
Violatio	on Even		daily weekly monthly quarterly	2 X	125	Number of violation d Violation Base	<u></u>	\$2,500
Violatio	on Even		daily weekly monthly quarterly semiannual		125		<u></u>	\$2,500
Violatio	on Even		daily weekly monthly quarterly semiannual annual		125		<u></u>	\$2,500
Violatio	on Even		daily weekly monthly quarterly semiannual		125		<u></u>	\$2,500
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	X		Violation Base	Penalty	\$2,500
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x x recommended to	from the investigation	Violation Base date (May 25, 2023) t	Penalty	\$2,500
Violatio	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x x recommended to		Violation Base date (May 25, 2023) t	Penalty	\$2,500
		Number of \	daily weekly monthly quarterly semiannual annual single event	x x recommended to screening date	from the investigation	Violation Base date (May 25, 2023) t).	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event	recommended to screening date	From the investigation (September 27, 2023	Violation Base date (May 25, 2023) t).	Penalty	\$2,500
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are	recommended to screening date 0.0% Before NOE/NOV	from the investigation	Violation Base date (May 25, 2023) t).	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are	recommended to screening date 0.0% Before NOE/NOV	From the investigation (September 27, 2023	Violation Base date (May 25, 2023) t).	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary	recommended of screening date 0.0% Before NOE/NOV	From the investigation (September 27, 2023	Violation Base date (May 25, 2023) t).	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are	recommended to screening date 0.0% Before NOE/NOV	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlem	Violation Base date (May 25, 2023) to the content of the content	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommended of screening date 0.0% Before NOE/NOV The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the	Violation Base date (May 25, 2023) t). Reserved to the content of the content	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary	recommended of screening date 0.0% Before NOE/NOV The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlem	Violation Base date (May 25, 2023) t). Reserved to the content of the content	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommended of screening date 0.0% Before NOE/NOV The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the	Violation Base date (May 25, 2023) t). Reserved to the content of the content	Penalty to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommended of screening date 0.0% Before NOE/NOV The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the	Violation Base date (May 25, 2023) t). Reserved to the content of the content	Penalty to the	
Good F	aith Eff	Two quarte	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A Notes	recommended of screening date 0.0% Before NOE/NOV X The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the	Violation Base date (May 25, 2023) to the second faith criteria Violation S	Penalty to the eduction	\$0
Good F	aith Eff	Two quarte	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommended of screening date 0.0% Before NOE/NOV X The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the	date (May 25, 2023) to the control of the control o	Penalty to the eduction	\$0
Good F	aith Eff	Two quarte	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A Notes	recommended of screening date O.0% Before NOE/NOV X The Respond	From the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the for this violation.	Violation Base date (May 25, 2023) to the second faith criteria Violation S	Penalty to the eduction Subtotal	\$2,500
Good F	aith Eff	Two quarte	daily weekly monthly quarterly semiannual annual single event erly events are Ply Extraordinary Ordinary N/A Notes	recommended of screening date 0.0% Before NOE/NOV X The Respond	from the investigation (September 27, 2023 NOE/NOV to EDPRP/Settlement does not meet the for this violation. \$357	Violation Base date (May 25, 2023) t). Rent Offer Violation S Statutory Limit	Penalty to the eduction Subtotal Test Ity Total	\$0

	E	conomic	Benefit '	Wor	rksheet		
Respondent	JRM Land & Ca	attle Co. LLC PCW	No. 2 of 2				
Case ID No.	63893						
Reg. Ent. Reference No.	RN111078879						
	Water Quality					Percent Interest	Years of Depreciation
Violation ito	_					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	20011 0050	Date Required	i iiiai Bate		211101 051 54104	00000 00100	2D / miodile
Item Description							
Delayed Costs							
Equipment		1		0.00	\$0	\$0	\$0
 Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	25-May-2023	31-May-2024	1.02	\$17	\$340	\$357
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)		<u> </u>		0.00	\$0	n/a	\$0
Notes for DELAYED costs			ased. The Date F	Require		ver portions of the on date, and the Fir	
Avoided Costs	ANNU	ALIZE avoided co	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$357

	Screening Dat				ket No. 2023-0521	L-WQ-E	PCW
		t JRM Land & Cat	tle Co. LLC PC	CW No. 2 of 2			Policy Revision 5 (January 28, 2021)
	Case ID No	63893					PCW Revision February 11, 2021
Reg.	Ent. Reference No	RN111078879					
	Medi	Water Quality					
	Enf. Coordinato	r Mark Gamble	_				
	Violation Numbe	r 2					
	Rule Cite(s) 20 Toy Admir	Codo S 201	2E(2)(4) and	TPDES Construction (Conoral Bormi	t No.
			_	` , ` ,	2)(a)(ii) and Part IV,		INO.
		TXXI	Joocv, rait i	ii, Section i , (Section A	
		Failed to pr	conerly select	install and ma	aintain effective erosi	on controls ar	nd l
		sediment c			narge of pollutants.		
	Violation Descriptio	n			es and silt fences we	•	
				•	repair, replacement,		•
			,			,	
						Base Pe	enalty \$25,000
> F		andre and Herm	an Haalth	Matrix			
>> En	vironmental, Prop	erty and Hum	Harm	Matrix			
	Releas	e Major	Moderate	Minor			
OR	Actu		Moderate	1411101			
O.K	Potenti		X		Percent	5.0%	
	1 occirc	11	^		rerecite	5.0 70	
>>Pro	grammatic Matrix						
//110	Falsification		Moderate	Minor			
					Percent	0.0%	
						010 70	
	Human ho	alth or the enviro	nmont will or	could be expec	ed to significant amo	unts of pollut	ants
					health or environme		
	Notes Modia	iot exceed levels		of the violation		entai receptors	, as a
			resuit	or the violatio	111		
					Adjustment	ф Э	23,750
					Aujustillelit	Ψ 2	.5,750
							\$1,250
							ψ1/230
Violati	on Events						
	Number of	Violation Events	2		125 Number of	violation days	5
		_					
		daily					
		weekly					
		monthly					
		quarterly	Х		Viola	tion Base Pe	enalty \$2,500
		semiannual					
		annual					
		single event					
	Two gua	rtarly events are	recommended	from the inve	stigation date (May 2	25 2023) to th	30
	Two qua	•		e (September		.5, 2025) to ti	
			ber cerning date	е (вертенняе			
Good I	Faith Efforts to Co		0.0%			Redi	uction \$0
			efore NOE/NOV	NOE/NOV to EDP	RP/Settlement Offer		
		Extraordinary					
		Ordinary					
		N/A	Х				
			The Deepend			itawia fau	
		Notes	The Responde		eet the good faith cr olation.	iteria for	
				this vi	olation.		
		L					
						Violation Sul	s 2,500
Econo	mic Benefit (EB) fo	or this violation	on		Statuto	ry Limit Te	st
		ted ED A		6140	\/!-!-·· -	Smal Barrie	Total
	ESTIMA	ted EB Amount		\$140	violation f	inal Penalty	Total \$2,500
			This viol	ation Final A	sessed Penalty (a	djusted for li	mits) \$2,500
					in the second se		Ψ2/300

	E	conomic	Benefit	Wor	ksheet		
Respondent	JRM Land & Ca	attle Co. LLC PCW	No. 2 of 2				
Case ID No.	63893						
Reg. Ent. Reference No.	RN111078879						
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
•							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	14.500	25.14	21.0	0.00	\$0	\$0	\$0
Engineering/Construction	\$1,500	25-May-2023	21-Sep-2024	1.33	\$7	\$133	\$140
Land				0.00	\$0 \$0	n/a	\$0
Record Keeping System Training/Sampling				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Remediation/Disposal				0.00	\$0 \$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	sediment cont	rols to minimize th the	ne discharge of Final Date is th	pollutar e estim	nts. The Date Requated date of comp		ation date, and
Avoided Costs	ANNU	ALIZE avoided co	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0
Notes for AVOIDED costs		,				, , , , , , , , , , , , , , , , , , ,	
Approx. Cost of Compliance		\$1,500			TOTAL		\$140

	Scre		•		DOCK	et No. 2023-0521-W	∠ ∟	PCW
	R	espondent	JRM Land & Ca	ttle Co. LLC P	CW No. 2 of 2		Policy Re	evision 5 (January 28, 2021)
		Case ID No.	63893				PCW	Revision February 11, 2021
Reg.	Ent. Ref	erence No.	RN111078879					
		Media	Water Quality					
	Enf. C	coordinator	Mark Gamble					
	Viola	ation Number	3]				
		Rule Cite(s)	30 Tex Admi	n Code 8 281	1 25(a)(4) and TP	DES Construction Gene	eral Permit No	
			So rext rtarm	_	506CV, Part III, S		orar r orrine rror	
						, ()()		
			Failed to remo	ve sediment fi	rom silt fencina b	efore sediment reaches	50% of above-	
	Violatio	n Description				ction of silt fence with		
		•			-	nt rendering the contro		
								+25,000
							Base Penalty	\$25,000
>> Env	vironme	ntal. Prope	rty and Hun	nan Health	n Matrix			
, , <u>-</u>			icy and man	Harm	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential		Х		Percent !	5.0%	
>>Pro	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor	_		
						Percent (0.0%	
	Matrix					to significant amounts		
	Notes	that would no	t exceed levels			ealth or environmenta	I receptors as a	
				resu	It of the violation.			
						Adiustment	ታ ጋጋ 750	
						Adjustment	\$23,750	
							Г	\$1,250
							_	1 ,
Violati	on Even	ts						
Violati	on Even							
Violati	on Even		/iolation Events	2		125 Number of vio	lation days	
Violati	on Even			2		125 Number of vio	lation days	
Violati	on Even		daily	2		125 Number of vio	lation days	
Violati	on Even		daily weekly	2		125 Number of vio	lation days	
Violati	on Even		daily weekly monthly				· _	¢2.500
Violati	on Even		daily weekly monthly quarterly	2 x			lation days n Base Penalty	\$2,500
Violati	on Even		daily weekly monthly quarterly semiannual				· _	\$2,500
Violati	on Even		daily weekly monthly quarterly semiannual annual				· _	\$2,500
Violati	on Even		daily weekly monthly quarterly semiannual				· _	\$2,500
Violati	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	X		Violatio	n Base Penalty	\$2,500
Violati	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x	d from the invest	Violation igation date (May 25, 2	n Base Penalty	\$2,500
Violati	on Even	Number of \	daily weekly monthly quarterly semiannual annual single event	x		Violation igation date (May 25, 2	n Base Penalty	\$2,500
		Number of \	daily weekly monthly quarterly semiannual annual single event	x x recommende screening da	d from the invest te (September 27	Violation igation date (May 25, 2	n Base Penalty 2023) to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event	recommende screening da	d from the invest te (September 27	Violation igation date (May 25, 2 7, 2023).	n Base Penalty	\$2,500
		Number of \	daily weekly monthly quarterly semiannual annual single event	recommende screening da	d from the invest te (September 27	Violation igation date (May 25, 2 7, 2023).	n Base Penalty 2023) to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are	recommende screening da	d from the invest te (September 27	Violation igation date (May 25, 2 7, 2023).	n Base Penalty 2023) to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27	Violation igation date (May 25, 2 7, 2023).	n Base Penalty 2023) to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27	Violation igation date (May 25, 2 7, 2023).	n Base Penalty 2023) to the	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27	Violation date (May 25, 20, 2023).	Penalty 2023) to the Reduction	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27	Violation igation date (May 25, 27, 2023). /Settlement Offer et the good faith criteri	Penalty 2023) to the Reduction	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 27, 2023). /Settlement Offer et the good faith criteri	Penalty 2023) to the Reduction	
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 2 2, 2023). /Settlement Offer et the good faith criteriation.	Reduction	\$0
		Number of \	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommende screening da 0.0% Before NOE/NOV	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 2 2, 2023). /Settlement Offer et the good faith criteriation.	Penalty 2023) to the Reduction	
Good F	aith Eff	Two quart	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A	recommende screening da 0.0% Before NOE/NOV X The Respond	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 2 2, 2023). /Settlement Offer et the good faith criteriation.	Reduction a for ation Subtotal	\$0
Good F	aith Eff	Two quart orts to Com	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A Notes	recommende screening da O.0% Before NOE/NOV X The Respond	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 27, 2023). /Settlement Offer et the good faith criteriation. Viol	Reduction a for ation Subtotal Limit Test	\$2,500
Good F	aith Eff	Two quart orts to Com	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A Notes	recommende screening da O.0% Before NOE/NOV X The Respond	d from the invest te (September 27 NOE/NOV to EDPRP	Violation igation date (May 25, 27, 2023). /Settlement Offer et the good faith criteriation. Viol	Reduction a for ation Subtotal	\$2,500
Good F	aith Eff	Two quart orts to Com	daily weekly monthly quarterly semiannual annual single event erly events are Extraordinary Ordinary N/A Notes	recommende screening da 0.0% Before NOE/NOV X The Respond	d from the invest te (September 27) NOE/NOV to EDPRP dent does not med this viol	Violation igation date (May 25, 27, 2023). /Settlement Offer et the good faith criteriation. Viol	Reduction a for lation Subtotal Limit Test I Penalty Total	\$2,500 \$2,500

	E	conomic	Benefit	Woı	rksheet		
Respondent	JRM Land & Ca	attle Co. LLC PCW	No. 2 of 2				
Case ID No.							
Reg. Ent. Reference No.	RN111078879	1					
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.	5					- ol	-
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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	\$5,000	25-May-2023	21-Sep-2024	1.33	\$332	n/a	\$332
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	repair/replac Date Re	e/upgrade the fai quired is the inve	ling controls suc stigation date, a	h that t nd the	the design capacity Final Date is the e	meter controls (silt) / has been reduced stimated date of cor	by 50%. The npliance.
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoided	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$332

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605584218, RN111078879, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, CN605584218, JRM Land & Cattle Co. LLC Classification: SATISFACTORY Rating: 1.71

or Owner/Operator:

Regulated Entity: RN111078879, MARAVILLA ESTATES PH Classification: SATISFACTORY Rating: 4.00

3 & 4

Complexity Points: 3 Repeat Violator: NO

CH Group: 14 - Other

Location: North end of Overlook Drive, in Annetta South, Parker County, Texas

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

STORMWATER PERMIT TXR1506CV

Compliance History Period: September 01, 2017 to August 31, 2022 Rating Year: 2022 Rating Date: 09/01/2022

Date Compliance History Report Prepared: August 29, 2023 **Agency Decision Requiring Compliance History:** Enforcement

Component Period Selected: August 29, 2018 to August 29, 2023

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? NO

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.):
- 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	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
JRM LAND & CATTLE CO. LLC	§	
RN111078879	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-0521-WQ-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	g JRM Land & Cattle Co. LLC (the "Respondent") under the authority of Tex.
WATER CODE chs.	7 and 26. The Executive Director of the TCEQ, through the Enforcement
Division, and th	e Respondent together stipulate that:

- 1. The Respondent owns and operates a large construction site located at north end of Overlook Drive in Annetta South, Parker County, Texas (the "Site"). The Site 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 TCEO.
- 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 \$8,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$7,000 of the penalty and \$1,750 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.

II. ALLEGATIONS

- 1. During an investigation at the Site conducted on October 19, 2022, an investigator documented that the Respondent failed to utilize a sediment basin or equivalent impoundment, in violation of 30 Tex. Admin. Code § 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") Construction General Permit No. TXR1506CV, Part III, Section F, 2(c)(i)(A)(1). Specifically, a designated sediment basin was not installed, and alternate controls were not sufficient to achieve sediment removal.
- 2. During an investigation at the Site conducted on May 25, 2023, an investigator documented that the Respondent:
 - a. Failed to initiate or maintain soil stabilization measures, in violation of 30 Tex. Admin. Code § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F. 2(b)(iii). Specifically, the investigator noted that the operator did not immediately install protective cover over portions of the Site where construction activities have ceased.
 - b. Failed to properly select, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants, in violation of 30 Tex. ADMIN. CODE § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F, 2(a)(ii) and Part IV, Section A. Specifically, the investigator observed that the hay bales and silt fences were not properly maintained by the operator and required repair, replacement, and/or upgrades.
 - c. Failed to remove sediment from silt fencing before sediment reaches 50% of above-ground capacity, in violation of 30 Tex. Admin. Code § 281.25(a)(4) and TPDES Construction General Permit No. TXR1506CV, Part III, Section F, 6(c). Specifically, there was a section of silt fence with more than 50% of the capacity reduced by built up sediment rendering the control ineffective.

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: JRM Land & Cattle Co. LLC, Docket No. 2023-0521-WO-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order, install protective cover over portions of the Site where construction activities have ceased, in accordance with TPDES Construction General Permit No. TXR1506CV, Part III, Section F.
 - b. Within 30 days after the effective date of this Order:
 - Install and maintain a properly engineered sediment basin or equivalent impoundment, in accordance with TPDES Construction General Permit No. TXR1506CV, Part III, Section F;
 - Design, install, and maintain effective erosion and sediment controls to minimize the discharge of pollutants in accordance with TPDES Construction General Permit No. TXR1506CV, Part III, Section F and Part IV, Section A; and
 - iii. Remove and dispose of accumulated sediment from perimeter controls such that the design capacity has been reduced by 50%, in accordance with TPDES Construction General Permit No. TXR1506CV, Part III, Section F.
 - c. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a through 2.b.iii. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
- 5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 7. 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

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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.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Custo	4/8/2024
For the Executive Director	Date

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

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

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

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

Name (Printed or typed)

Signature

Authorized Representative of JRM Land & Cattle Co. LLC

7:41

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