

Executive Summary – Enforcement Matter – Case No. 63950
Vopak Logistics Services USA Inc.
RN100223007
Docket No. 2023-0572-IWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

IWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Vopak Logistics Services USA Deer Park, 2759 Independence Parkway South, Deer Park,
Harris County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: Yes, \$52

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 21, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,500

Amount Deferred for Expedited Settlement: \$2,100

Total Paid to General Revenue: \$8,400

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - High

Site/RN - Satisfactory

Major Source: Yes

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: January 31, 2023

Date(s) of NOE(s): April 6, 2023

Executive Summary – Enforcement Matter – Case No. 63950
Vopak Logistics Services USA Inc.
RN100223007
Docket No. 2023-0572-IWD-E

Violation Information

Failed to comply with permitted effluent limitations for *Enterococci* [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0001731000, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By March 31, 2023, the Respondent implemented corrective measures and achieved compliance with all permitted effluent limitations.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mistie Gonzales, Enforcement Division, Enforcement Team 1, MC R-09, (254) 761-3056; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Sharon Beemer, Managing Director, U.S. Southern Region, Vopak Logistics Services USA Inc., 2759 Independence Parkway, Deer Park, Texas 77536
Maria E. Ciliberti, President, U.S. Southern Region, Vopak Logistics Services USA Inc., 2759 Independence Parkway, Deer Park, Texas 77536

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	17-Apr-2023		
	PCW	8-May-2023	Screening	21-Apr-2023
			EPA Due	

RESPONDENT/FACILITY INFORMATION				
Respondent	Vopak Logistics Services USA Inc.			
Reg. Ent. Ref. No.	RN100223007			
Facility/Site Region	12-Houston	Major/Minor Source	Major	

CASE INFORMATION				
Enf./Case ID No.	63950	No. of Violations	1	
Docket No.	2023-0572-IWD-E	Order Type	1660	
Media Program(s)	Water Quality	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Mistie Gonzales	
		EC's Team	Enforcement Team 1	
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000	

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$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.

Compliance History	-5.0%	Adjustment	Subtotals 2, 3, & 7	-\$750
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Notes	Enhancement for one month of self-reported effluent violations and a reduction for a High Performer Classification.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$3,750
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$750	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$15,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$10,500
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$10,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$10,500
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,100
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$8,400
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Screening Date

21-Apr-2023

Docket No.

2023-0572-IWD-E

PCW

Respondent

Vopak Logistics Services USA Inc.

Case ID No.

63950

Reg. Ent. Reference No.

RN100223007

Media

Water Quality

Enf. Coordinator

Mistie Gonzales

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	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)5%

>> Repeat Violator (Subtotal 3)

NoAdjustment Percentage (Subtotal 3)0%

>> Compliance History Person Classification (Subtotal 7)

High PerformerAdjustment Percentage (Subtotal 7)-10%

>> Compliance History Summary

Compliance History Notes

Enhancement for one month of self-reported effluent violations and a reduction for a High Performer Classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)-5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%-5%

Screening Date		21-Apr-2023		Docket No.		2023-0572-IWD-E		PCW		
Respondent		Vopak Logistics Services USA Inc.						Policy Revision 5 (January 28, 2021)		
Case ID No.		63950						PCW Revision February 11, 2021		
Reg. Ent. Reference No.		RN100223007								
Media		Water Quality								
Enf. Coordinator		Mistie Gonzales								
Violation Number		1								
Rule Cite(s)		30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001731000, Effluent Limitations and Monitoring Requirements No. 1								
Violation Description		Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.								
								Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix										
OR	Release		Major		Moderate		Minor			
	Actual						x			
	Potential									
									Percent 30.0%	
>> Programmatic Matrix										
		Falsification		Major		Moderate		Minor		
										Percent 0.0%
Matrix Notes		Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.								
								Adjustment	\$17,500	
									\$7,500	
Violation Events										
		Number of Violation Events		2		93		Number of violation days		
		daily								
		weekly								
		monthly								
		quarterly		x				Violation Base Penalty \$15,000		
		semiannual								
		annual								
		single event								
		Two quarterly events are recommended for the quarters containing March, May, and October 2022.								
Good Faith Efforts to Comply		25.0%				Reduction		\$3,750		
		Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer						
		Extraordinary								
		Ordinary		x						
		N/A								
		Notes		The Respondent achieved compliance on March 31, 2023.						
								Violation Subtotal	\$11,250	
Economic Benefit (EB) for this violation					Statutory Limit Test					
Estimated EB Amount		\$750		Violation Final Penalty Total		\$10,500				
This violation Final Assessed Penalty (adjusted for limits)								\$10,500		

Economic Benefit Worksheet

Respondent Case ID No. Reg. Ent. Reference No. Media Violation No.

Vopak Logistics Services USA Inc. 63950 RN100223007 Water Quality 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)	\$15,000	31-Mar-2022	31-Mar-2023	1.00	\$750	n/a	\$750
Notes for DELAYED costs	Estimated cost to determine the cause of noncompliance and make any necessary repairs/adjustments to the Facility to return to compliance with the permitted effluent limitations. Date required is the end date of the first month of noncompliance, and the final date is the date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance	\$15,000	TOTAL	\$750
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Vopak Logistics Services USA Inc.
Docket No. 2023-0572-IWD-E
TPDES Permit No. WQ0001731000

Effluent Violation Table

Monitoring Period	Enterococci Daily Average Concentration Limit = 35 CFU/100mL	Enterococci Daily Maximum Concentration Limit = 104 CFU/100mL
March 2022	c	135
May 2022	59.2	231
October 2022	43.5	c

CFU/100 mL = colony forming units per 100 milliliters

c = compliant



Compliance History Report

Compliance History Report for CN601527955, RN100223007, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN601527955, Vopak Logistics Services USA Inc.	Classification: HIGH	Rating: 0.05
Regulated Entity:	RN100223007, Vopak Logistics Services USA Deer Park	Classification: SATISFACTORY	Rating: 0.13
Complexity Points:	28	Repeat Violator: NO	
CH Group:	11 - Waste Management (Excluding Landfills)		
Location:	2759 Independence Parkway South, Deer Park, Harris County, Texas		
TCEQ Region:	REGION 12 - HOUSTON		
ID Number(s):			
AIR NEW SOURCE PERMITS REGISTRATION 12082		AIR NEW SOURCE PERMITS REGISTRATION 13169	
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0224P		AIR NEW SOURCE PERMITS AFS NUM 4820100372	
AIR NEW SOURCE PERMITS PERMIT 87923		UNDERGROUND INJECTION CONTROL PERMIT WDW157	
UNDERGROUND INJECTION CONTROL PERMIT WDW407		WASTEWATER EPA ID TX0030937	
WASTEWATER PERMIT WQ0001731000		AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0224P	
POLLUTION PREVENTION PLANNING ID NUMBER P00215		INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50025	
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD097673149		INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30567	
SITE DISCOVERY & ASSESSMENT ID NUMBER SDA2955			
Compliance History Period: September 01, 2018 to August 31, 2023		Rating Year: 2023	Rating Date: 09/01/2023
Date Compliance History Report Prepared: April 02, 2024			
Agency Decision Requiring Compliance History: Enforcement			
Component Period Selected: April 02, 2019 to April 02, 2024			
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.			
Name: Mistie Gonzales		Phone: (254) 761-3056	

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five-year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	April 03, 2019	(1553410)	Item 23	September 09, 2022	(1856643)
Item 2	May 29, 2019	(1569786)	Item 24	October 10, 2022	(1863000)
Item 3	September 06, 2019	(1590534)	Item 25	November 09, 2022	(1854400)
Item 4	November 21, 2019	(1611141)	Item 26	December 07, 2022	(1875762)
Item 5	December 17, 2019	(1612194)	Item 27	January 11, 2023	(1882581)
Item 6	March 06, 2020	(1632810)	Item 28	February 10, 2023	(1890394)
Item 7	June 03, 2020	(1651971)	Item 29	February 13, 2023	(1874876)
Item 8	June 17, 2020	(1656861)	Item 30	March 07, 2023	(1898962)
Item 9	September 16, 2020	(1672205)	Item 31	April 13, 2023	(1905748)
Item 10	October 09, 2020	(1652918)	Item 32	May 20, 2023	(1912924)
Item 11	March 05, 2021	(1704418)	Item 33	May 26, 2023	(1903169)
Item 12	May 25, 2021	(1722623)	Item 34	June 12, 2023	(1919532)
Item 13	October 22, 2021	(1770082)	Item 35	July 13, 2023	(1926497)
Item 14	December 10, 2021	(1760601)	Item 36	August 16, 2023	(1933454)
Item 15	January 04, 2022	(1806741)	Item 37	September 20, 2023	(1939595)
Item 16	February 14, 2022	(1806740)	Item 38	November 19, 2023	(1952134)
Item 17	March 11, 2022	(1813806)	Item 39	November 30, 2023	(1943438)
Item 18	May 09, 2022	(1812173)	Item 40	December 13, 2023	(1924251)
Item 19	May 13, 2022	(1829218)	Item 41	December 20, 2023	(1961901)
Item 20	May 31, 2022	(1818066)	Item 42	January 04, 2024	(1938247)
Item 21	July 11, 2022	(1842711)	Item 43	January 17, 2024	(1968495)
Item 22	August 09, 2022	(1848842)			

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.

1	Date:	09/30/2023	(1946443)	
	Self Report?	YES		Classification: Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		

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

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
VOPAK LOGISTICS SERVICES USA INC.
RN100223007

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

AGREED ORDER DOCKET NO. 2023-0572-IWD-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 Vopak Logistics Services USA Inc. (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 owns and operates a wastewater treatment facility located at 2759 Independence Parkway South in Deer Park, Harris 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 \$10,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$8,400 of the penalty and \$2,100 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 by March 31, 2023, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations.

II. ALLEGATIONS

During a record review for the Facility conducted on January 31, 2023, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001731000, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table

Monitoring Period	Enterococci Daily Average Concentration Limit = 35 CFU/100mL	Enterococci Daily Maximum Concentration Limit = 104 CFU/100mL
March 2022	c	135
May 2022	59.2	231
October 2022	43.5	c

CFU/100 mL = colony forming units per 100 milliliters

c = compliant

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: Vopak Logistics Services USA Inc., Docket No. 2023-0572-IWD-E" to:

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

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. 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

For the Commission

Date


For the Executive Director

6/24/2024

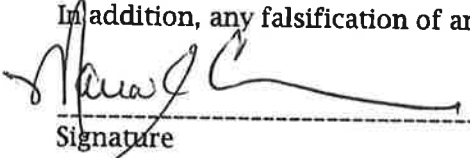
Date

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

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

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

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


Signature

05-22-24
Date

MARIA E. CILBERT

President
Title

Name (Printed or typed)
Authorized Representative of
Vopak Logistics Services USA Inc.

☐ 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.