

**Executive Summary – Enforcement Matter – Case No. 64078**  
**LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT,**  
**INC.**  
**RN110876042**  
**Docket No. 2023-0701-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

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

Love's Travel Stop 575 WWTP Winona, located approximately 750 feet northwest of the intersection of Barber Road (County Road 3101) and IH-20, Winona, Smith County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** April 12, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$12,937

**Amount Deferred for Expedited Settlement:** \$2,587

**Total Paid to General Revenue:** \$10,350

**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):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** March 28, 2023

**Date(s) of NOE(s):** May 3, 2023

**Executive Summary – Enforcement Matter – Case No. 64078**  
**LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT,**  
**INC.**  
**RN110876042**  
**Docket No. 2023-0701-MWD-E**

***Violation Information***

Failed to comply with permitted effluent limitations for ammonia nitrogen, total suspended solids, and *Escherichia coli* [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015832001, Effluent Limitations and Monitoring Requirements No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondents to, within 130 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0015832001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations to demonstrate compliance.

***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:** Gregory M. Love, Chief Executive Officer, LOVE'S TRAVEL STOPS & COUNTRY STORES, INC., P.O. Box 26210, Oklahoma City, Oklahoma 73126  
Kevin Nickell, Environmental Director, LOVE'S TRAVEL STOPS & COUNTRY STORES, INC., P.O. Box 26210, Oklahoma City, Oklahoma 73126  
Ajaz Siddiqui, Director, SUNNYLAND DEVELOPMENT, INC., 7815 Oxfordshire Drive, Spring, Texas 77379

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	15-May-2023			
	<b>PCW</b>	14-Jun-2023	<b>Screening</b>	25-May-2023	<b>EPA Due</b>

<b>RESPONDENT/FACILITY INFORMATION</b>					
<b>Respondent</b>	LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC.				
<b>Reg. Ent. Ref. No.</b>	RN110876042				
<b>Facility/Site Region</b>	5-Tyler	<b>Major/Minor Source</b>	Minor		

<b>CASE INFORMATION</b>					
<b>Enf./Case ID No.</b>	64078	<b>No. of Violations</b>	1		
<b>Docket No.</b>	2023-0701-MWD-E	<b>Order Type</b>	1660		
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No		
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Mistie Gonzales		
		<b>EC's Team</b>	Enforcement Team 1		
<b>Admin. Penalty \$</b>	<b>Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000	

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$11,250
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	15.0%	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$1,687
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<b>Notes</b>	Enhancement for three months of self-reported effluent violations.			
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<b>Culpability</b>	No	0.0%	Enhancement	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondents do not meet the culpability criteria.			
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$640	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$5,500	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$12,937
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
<b>Final Penalty Amount</b>	\$12,937

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$12,937
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<b>DEFERRAL</b>	20.0%	Reduction	Adjustment	-\$2,587
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.
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<b>PAYABLE PENALTY</b>	\$10,350
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Screening Date

25-May-2023

Docket No.

2023-0701-MWD-E

PCW

Respondent

LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC.

Case ID No.

64078

Reg. Ent. Reference No.

RN110876042

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> )	3	15%
	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)

15%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations.

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

15%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100%

15%

Screening Date

25-May-2023

Docket No.

2023-0701-MWD-E

PCW

Respondent

LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC.

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Case ID No.

64078

Reg. Ent. Reference No.

RN110876042

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 Permit No. WQ0015832001, 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

15.0%

>>Programmatic Matrix

Falsification

Major

Moderate

Minor

Percent

0.0%

Matrix Notes

A simplified model was used to evaluate ammonia nitrogen to determine whether the discharged amounts of pollutants exceeded protective levels. Total suspended solids and *Escherichia coli* were also considered. 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

\$21,250

\$3,750

Violation Events

Number of Violation Events

3

184

Number of violation days

daily

weekly

monthly

quarterly

semiannual

annual

single event

x

Violation Base Penalty

\$11,250

Three quarterly events are recommended for the quarters containing the months of March, May, August, September, October, and November 2022.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Before NOE/NOV

NOE/NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

x

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal

\$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$640

Violation Final Penalty Total

\$12,938

This violation Final Assessed Penalty (adjusted for limits)

\$12,938

Economic Benefit Worksheet

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

LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC.  
64078  
RN110876042  
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)	\$5,500	31-Mar-2022	28-Jul-2024	2.33	\$640	n/a	\$640
Notes for DELAYED costs	Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the estimated date of compliance.						

Avoided CostsANNUALIZE 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	\$5,500	TOTAL	\$640
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LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC.  
 TPDES Permit No. WQ0015832001  
 Docket No. 2023-0701-MWD-E; Case No. 64078

Effluent Violation Table

	Ammonia Nitrogen Daily Average Concentration	Total Suspended Solids Daily Average Concentration	Total Suspended Solids Daily Average Loading	<i>Escherichia coli</i> Daily Average Concentration	<i>Escherichia coli</i> Single Grab Concentration
Monitoring Period	Limit = 3.0 mg/L	Limit = 15 mg/L	Limit = 2.5 lbs/day	Limit = 126 CFU/100 mL	Limit = 399 CFU/100 mL
March 2022	c	c	c	1,150	1,150
May 2022	5.73	18.71	c	c	c
August 2022	c	22.07	c	c	c
September 2022	c	26.83	c	c	c
October 2022	c	26.83	c	c	c
November 2022	c	22.16	2.76	c	c

mg/L = milligrams per liter                      c = compliant                      lbs/day = pounds per day  
 CFU/100 mL = Colony Forming Units per 100 milliliters



# Compliance History Report

Compliance History Report for CN601101173, RN110876042, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN601101173, LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. **Classification:** SATISFACTORY **Rating:** 0.18

**Regulated Entity:** RN110876042, LOVES TRAVEL STOP 575 WWTP WINONA **Classification:** SATISFACTORY **Rating:** 2.00

**Complexity Points:** 6 **Repeat Violator:** NO

**CH Group:** 14 - Other

**Location:** approximately 750 feet northwest of the intersection of Barber Road (County Road 3101) and Interstate Highway 20 in Smith County, Texas

**TCEQ Region:** REGION 05 - TYLER

**ID Number(s):**  
**WASTEWATER** EPA ID TX0139645 **WASTEWATER** PERMIT WQ0015832001

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

**Date Compliance History Report Prepared:** November 21, 2023

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** November 21, 2018 to November 21, 2023

**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? 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.):**

Item 1	October 27, 2021	(1765746)	Item 8	February 16, 2023	(1892428)
Item 2	June 06, 2022	(1822466)	Item 9	March 08, 2023	(1901025)
Item 3	July 14, 2022	(1844765)	Item 10	May 19, 2023	(1914954)
Item 4	August 03, 2022	(1833463)	Item 11	June 19, 2023	(1921586)
Item 5	August 18, 2022	(1851298)	Item 12	July 19, 2023	(1928563)
Item 6	September 20, 2022	(1846038)	Item 13	August 15, 2023	(1935479)
Item 7	January 12, 2023	(1884635)			

### **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: 11/30/2022 (1877825)  
Self Report? YES

Classification: Moderate



Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

2 Date: 03/31/2023 (1907819)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

3 Date: 08/31/2023 (1941725)  
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:**

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  
ENFORCEMENT ACTION  
CONCERNING

LOVE'S TRAVEL STOPS & COUNTRY  
STORES, INC. AND SUNNYLAND  
DEVELOPMENT, INC.  
RN110876042

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2023-0701-MWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC. (the "Respondents") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents together stipulate that:

1. The Respondents own and SUNNYLAND DEVELOPMENT, INC. operates a wastewater treatment facility located at approximately 750 feet northwest of the intersection of Barber Road (County Road 3101) and Interstate Highway 20 in Smith 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 Respondents 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 Respondents are 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 Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$12,937 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents paid \$10,350 of the penalty and \$2,587 is deferred contingent upon the Respondents' 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 Respondents fail 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 Respondents 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 Respondents have 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

During a record review for the Facility conducted on March 28, 2023, an investigator documented that the Respondents 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. WQ0015832001, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table					
	Ammonia Nitrogen Daily Average Concentration	Total Suspended Solids Daily Average Concentration	Total Suspended Solids Daily Average Loading	<i>Escherichia coli</i> Daily Average Concentration	<i>Escherichia coli</i> Single Grab Concentration
Monitoring Period	Limit = 3.0 mg/L	Limit = 15 mg/L	Limit = 2.5 lbs/day	Limit = 126 CFU/100 mL	Limit = 399 CFU/100 mL
March 2022	c	c	c	1,150	1,150
May 2022	5.73	18.71	c	c	c
August 2022	c	22.07	c	c	c
September 2022	c	26.83	c	c	c
October 2022	c	26.83	c	c	c
November 2022	c	22.16	2.76	c	c

mg/L = milligrams per liter      c = compliant      lbs/day = pounds per day  
CFU/100 mL = Colony Forming Units per 100 milliliters

### III. DENIALS

The Respondents generally deny each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

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

1. The Respondents are assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondents' 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: LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. and SUNNYLAND DEVELOPMENT, INC., Docket No. 2023-0701-MWD-E" to:

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

2. The Respondents are jointly and severally liable for the violations documented in this Order and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Order.
3. The Respondents shall, within 130 days after the effective date of the Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0015832001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondents 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  
Tyler Regional Office  
Texas Commission on Environmental Quality  
2916 Teague Drive  
Tyler, Texas 75701-3734

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondents.
6. If the Respondents fail 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 Respondents' failure to comply is not a violation of this Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. 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 Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive 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.
8. This Order, issued by the Commission, shall not be admissible against the Respondents 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.
9. 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.

10. 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

03/08/2024  
Date

C. Kevin Nickell  
Name (Printed or typed)

Authorized Representative of  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

Director of Environmental  
Title

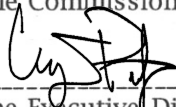
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**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



Date

6/26/2024

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.

Signature

AJAZ R. Siddiqui

Name (Printed or typed)

Authorized Representative of  
SUNNYLAND DEVELOPMENT, INC.

Date

06/18/24

PRESIDENT

Title

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