

**Executive Summary – Enforcement Matter – Case No. 64027**  
**Hailiang Copper Texas Inc**  
**RN102411352**  
**Docket No. 2023-0715-IWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

IWD

**Small Business:**

No

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

Five Star Properties Sealy, 5000 IH-10 West, Sealy, Austin 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: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

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

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$28,750

**Amount Deferred for Expedited Settlement:** \$5,750

**Total Paid to General Revenue:** \$23,000

**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):** January 5, 2023 and March 9, 2023

**Complaint Information:** Alleged an unauthorized discharge.

**Date(s) of Investigation:** February 2, 2023 through March 13, 2023

**Date(s) of NOE(s):** May 1, 2023

**Executive Summary – Enforcement Matter – Case No. 64027**  
**Hailiang Copper Texas Inc**  
**RN102411352**  
**Docket No. 2023-0715-IWD-E**

***Violation Information***

Failed to prevent the unauthorized discharge of wastewater from the Facility into or adjacent to water in the state. Specifically, on December 23, 2022, multiple defects in the aeration basin structure resulted in an unauthorized discharge of 288,000 gallons of wastewater [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), (4), and (5), and Texas Pollutant Discharge Elimination System Permit No. WQ0002462000, Permit Conditions Nos. 2.d and 2.g].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By August 28, 2023, the Respondent ceased the unauthorized discharges, repaired and resealed the concrete walls of the aeration basin, removed and properly disposed of wastewater debris, and disinfected the affected areas.

**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:** Hu Wang, Chief Executive Officer, Hailiang Copper Texas Inc, 1142 South Diamond Bar Boulevard, Diamond Bar, California 91765-2203

**Respondent's Attorney:** Corbett Parker, Pagel, Davis, & Hill, P.C., 1415 Louisiana Street, 22<sup>nd</sup> Floor, Houston, Texas 77002



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	8-May-2023		
	<b>PCW</b>	2-Jun-2023	<b>Screening</b>	11-May-2023
			<b>EPA Due</b>	

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Hailiang Copper Texas Inc
<b>Reg. Ent. Ref. No.</b>	RN102411352
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	64027	<b>No. of Violations</b>	1
<b>Docket No.</b>	2023-0715-IWD-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 \$ 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>	<b>\$31,250</b>
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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>	<b>2.0%</b> Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$625</b>
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Notes: Enhancement for one NOV with dissimilar violations.

<b>Culpability</b>	No	<b>0.0%</b> Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>-\$3,125</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$7,737  
 Estimated Cost of Compliance: \$165,735  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$28,750</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b> Adjustment	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$28,750</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$28,750</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$5,750</b>
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$23,000</b>
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Screening Date 11-May-2023

Docket No. 2023-0715-IWD-E

PCW

Respondent Hailiang Copper Texas Inc

Policy Revision 5 (January 28, 2021)

Case ID No. 64027

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102411352

Media Water Quality

Enf. Coordinator Mistie Gonzales

### Compliance History Worksheet

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

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	1	2%
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)** 2%

#### >> 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 one NOV with dissimilar violations.

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

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 2%

**Screening Date** 11-May-2023  
**Respondent** Haijiang Copper Texas Inc  
**Case ID No.** 64027  
**Reg. Ent. Reference No.** RN102411352  
**Media** Water Quality  
**Enf. Coordinator** Mistie Gonzales

**Docket No.** 2023-0715-IWD-E

**PCW**

*Policy Revision 5 (January 28, 2021)*

*PCW Revision February 11, 2021*

**Violation Number** 1

**Rule Cite(s)** Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), (4), and (5), and Texas Pollutant Discharge Elimination System Permit No.WQ0002462000, Permit Conditions Nos. 2.d and 2.g

**Violation Description** Failed to prevent the unauthorized discharge of wastewater from the Facility into or adjacent to water in the state. Specifically, on December 23, 2022, multiple defects in the aeration basin structure resulted in an unauthorized discharge of 288,000 gallons of wastewater.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		25.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$18,750

\$6,250

**Violation Events**

Number of Violation Events 5 139 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$31,250

Five monthly events are recommended, calculated from the December 22, 2023 unauthorized discharge date to the May 11, 2023 screening date.

**Good Faith Efforts to Comply**

10.0%

Reduction \$3,125

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	

Notes

The Respondent achieved compliance on August 28, 2023.

**Violation Subtotal** \$28,125

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

Estimated EB Amount \$7,737

Violation Final Penalty Total \$28,750

**This violation Final Assessed Penalty (adjusted for limits)** \$28,750

# Economic Benefit Worksheet

**Respondent** Hailiang Copper Texas Inc  
**Case ID No.** 64027  
**Reg. Ent. Reference No.** RN102411352  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$155,000	23-Dec-2022	28-Aug-2023	0.68	\$351	\$7,021	\$7,372
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	\$10,735	23-Dec-2022	28-Aug-2023	0.68	\$365	n/a	\$365
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated Engineering and Construction cost to repair/reseal the concrete walls of the aeration basin. The Date Required is the start date of the unauthorized discharge, and the Final Date is the date of compliance.

Estimated Remediation and Disposal cost to haul and properly dispose of untreated wastewater during facility repair and to remediate, disinfect, and properly dispose of wastewater debris from unauthorized discharges. The Date Required is the start date of the unauthorized discharge, 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

\$165,735

**TOTAL**

\$7,737



# Compliance History Report

Compliance History Report for CN605607233, RN102411352, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN605607233, Hailiang Copper Texas Inc **Classification:** SATISFACTORY **Rating:** 0.47  
**Regulated Entity:** RN102411352, FIVE STAR PROPERTIES SEALY **Classification:** SATISFACTORY **Rating:** 0.47  
**Complexity Points:** 13 **Repeat Violator:** NO  
**CH Group:** 14 - Other  
**Location:** 5000 Interstate Highway 10 West in Sealy, Austin County, Texas  
**TCEQ Region:** REGION 12 - HOUSTON

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER AH0065E **AIR OPERATING PERMITS** PERMIT 4421  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0080030 **AIR NEW SOURCE PERMITS** ACCOUNT NUMBER AH0065E  
**AIR NEW SOURCE PERMITS** AFS NUM 4801500021 **AIR NEW SOURCE PERMITS** PERMIT 158389  
**AIR NEW SOURCE PERMITS** REGISTRATION 172027 **PETROLEUM STORAGE TANK REGISTRATION**  
REGISTRATION 4533  
**WASTEWATER** PERMIT WQ0002462000 **WASTEWATER** EPA ID TX0085936  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER AH0065E

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

**Date Compliance History Report Prepared:** November 20, 2023

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** November 20, 2018 to November 20, 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? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) Who is the current owner/operator?  
A. J. Hurt, Jr., Incorporated OWNER OPERATOR since 8/31/2006  
BAE Systems Tactical Vehicle Systems LP OWNER OPERATOR since 8/1/2007  
BAE Systems Resolution Inc. OWNER since 1/1/1800  
Hailiang Copper Texas Inc OWNER OPERATOR since 12/14/2018
- 4) Who was/were the prior owner(s)/operator(s)? FIVE STAR PROPERTIES SEALY, LLC, OWNER, 2/24/2015 to 12/19/2018

## 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	December 19, 2018	(1546348)	Item 30	June 29, 2021	(1735874)
Item 2	February 19, 2019	(1563118)	Item 31	August 20, 2021	(1758232)
Item 3	March 20, 2019	(1563119)	Item 32	September 20, 2021	(1767498)
Item 4	April 18, 2019	(1572970)	Item 33	October 20, 2021	(1778009)
Item 5	May 20, 2019	(1585542)	Item 34	November 19, 2021	(1784748)
Item 6	June 18, 2019	(1556500)	Item 35	December 17, 2021	(1791780)
Item 7	June 19, 2019	(1585543)	Item 36	January 19, 2022	(1799618)
Item 8	July 19, 2019	(1594331)	Item 37	February 17, 2022	(1807452)
Item 9	August 19, 2019	(1600622)	Item 38	March 18, 2022	(1814505)
Item 10	September 26, 2019	(1607527)	Item 39	April 20, 2022	(1821073)
Item 11	October 18, 2019	(1614405)	Item 40	May 19, 2022	(1829911)
Item 12	November 19, 2019	(1620196)	Item 41	June 16, 2022	(1836208)
Item 13	December 19, 2019	(1627543)	Item 42	July 20, 2022	(1843406)
Item 14	January 17, 2020	(1635176)	Item 43	August 29, 2022	(1849570)
Item 15	February 20, 2020	(1641791)	Item 44	September 20, 2022	(1857340)
Item 16	March 19, 2020	(1648305)	Item 45	October 20, 2022	(1863693)
Item 17	April 20, 2020	(1654657)	Item 46	November 15, 2022	(1870602)
Item 18	May 19, 2020	(1661223)	Item 47	December 19, 2022	(1876458)
Item 19	June 19, 2020	(1667752)	Item 48	January 19, 2023	(1883271)
Item 20	July 20, 2020	(1674698)	Item 49	February 21, 2023	(1891087)
Item 21	August 19, 2020	(1681470)	Item 50	March 20, 2023	(1899656)
Item 22	September 17, 2020	(1688047)	Item 51	April 20, 2023	(1906458)
Item 23	October 19, 2020	(1694403)	Item 52	May 22, 2023	(1913612)
Item 24	November 18, 2020	(1715817)	Item 53	June 20, 2023	(1920222)
Item 25	December 17, 2020	(1715818)	Item 54	July 20, 2023	(1927189)
Item 26	January 21, 2021	(1715819)	Item 55	August 18, 2023	(1934151)
Item 27	March 22, 2021	(1728891)	Item 56	September 20, 2023	(1940292)
Item 28	April 20, 2021	(1728892)			
Item 29	May 20, 2021	(1741750)			

**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:	08/29/2023	(1916682)		
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)			
	Description:	Failure to maintain the flow measuring device.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) Other Requirements, No. 6(B), (E), & (G) PERMIT			
	Description:	Failure to comply with the non-standard items in the Other Requirements section in the TPDES permit.			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) Other Requirements, No. 6(F) PERMIT			
	Description:	Failure to comply with the non-standard items in the Other Requirements section in the TPDES permit.			

**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  
HAILIANG COPPER TEXAS INC  
RN102411352

§           BEFORE THE  
§           TEXAS COMMISSION ON  
§           ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2023-0715-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 Hailiang Copper Texas 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, represented by Pagel, Davis & Hill, P.C., together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 5000 Interstate Highway 10 West in Sealy, Austin 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 \$28,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$23,000 of the penalty and \$5,750 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.
9. The Executive Director recognizes that by August 28, 2023, the Respondent ceased the unauthorized discharges, repaired/resealed the concrete walls of the aeration basin, removed and properly disposed of wastewater debris, and disinfected the affected areas.

## **II. ALLEGATIONS**

During an investigation at the Facility conducted from February 2, 2023 through March 13, 2023, an investigator documented that the Respondent failed to prevent the unauthorized discharge of wastewater from the Facility into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), (4), and (5), and Texas Pollutant Discharge Elimination System Permit No. WQ0002462000, Permit Conditions Nos. 2.d and 2.g. Specifically, on December 23, 2022, multiple defects in the aeration basin structure resulted in an unauthorized discharge of 288,000 gallons of wastewater.

## **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: Hailiang Copper Texas Inc, Docket No. 2023-0715-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

10/16/2024

-----  
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.

  
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Signature

Oct. 8, 2024  
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Date

Corbett Daniel Parker  
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Name (Printed or typed)  
Authorized Representative of  
Hailiang Copper Texas Inc

Attorney with express authority to  
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Title execute for HCTI

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.