

Brooke Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 17, 2025

To: Persons on the Attached Mailing List (via email only)

Re: Executive Director's Request for Remand regarding a Default Order concerning Veronica Rodriguez; TCEQ Docket No. 2023-0995-LII-E

The above-referenced matter is currently scheduled to be considered by the Texas Commission on Environmental Quality at its September 24, 2025, public meeting. However, the Executive Director filed a request to remand this item on September 16, 2025, as the Respondent signed an Agreed Order and submitted a penalty payment. Pursuant to 30 TAC § 10.4, this matter is hereby remanded to the Executive Director.

If you have any questions about this matter, please contact Colleen Ford, Assistant General Counsel at Colleen.Ford@tceq.texas.gov.

Respectfully,

A handwritten signature in black ink that reads "Mary Smith".

Mary Smith
General Counsel

Mailing List

Mailing List
Victoria Rodriguez
TCEQ Docket No. 2023-0995-LII-E

Victoria Rodriguez
2721 Ingram Circle
Mesquite, Texas 75181
214/641-0987
Vrod@hwlandscapeandirrigation.com

Joseph Hopkins, P.G.
TCEQ Waco Regional Office MC R9
6801 Sanger Ave., Suite 2500
Waco, Texas 76710-7826
254/751-0335 FAX 254/772-9241
Joseph.Hopkins@tceq.texas.gov

Melissa Cordell
Michael Parrish
Taner Hengst
Leslie Gann
Stuart Beckley
TCEQ Enforcement Division MC 219
P.O. Box 13087
Austin, Texas 78711-3087
512/239-2545 FAX 512/239-2550
Melissa.cordell@tceq.texas.gov
Michael.parrish@tceq.texas.gov
Taner.Hengst@tceq.texas.gov
Leslie.gann@tceq.texas.gov
Stuart.beckley@tceq.texas.gov

Gitanjali Yadav
Jun Zhang
Katherine Mckenzie
TCEQ Litigation Division MC 175
P.O. Box 13087
Austin, Texas 78711-3087
512/239-0600 FAX 512/239-3434
Gitanjali.Yadav@tceq.texas.gov
Jun.Zhang@tceq.texas.gov
Katherine.mckenzie@tceq.texas.gov

Garrett Arthur
Sheldon Wayne
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
512/239-6363 FAX 512/239-6377
Garrett.arthur@tceq.texas.gov
Sheldon.wayne@tceq.texas.gov

Docket Clerk
TCEQ Office of Chief Clerk MC 105
P.O. Box 13087
Austin, Texas 78711-3087
512/239-3300 FAX 512/239-3311
<https://www14.tceq.texas.gov/epic/eFiling/>

Ryan Vise
TCEQ External Relations Division MC 118
P.O. Box 13087
Austin, Texas 78711-3087
512/239-0010 FAX 512/239-5000
pep@tceq.texas.gov

Kyle Lucas
TCEQ Alternative Dispute Resolution MC 222
P.O. Box 13087
Austin, Texas 78711-3087
512/239-0687 FAX 512-239-4015
Kyle.lucas@tceq.texas.gov

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel
Ron Olson, Assistant General Counsel

Thru: JSR Jess Robinson, Senior Attorney
Litigation Division

From: JZ Jun Zhang, Staff Attorney
Litigation Division

Date: September 16, 2025

Subject: **Request for Remand**
September 24, 2025 Commission Agenda
Item No. 16 – Victoria Rodriguez
Default Order Docket No. 2023-0995-LII-E

The Executive Director respectfully requests that the above-referenced item be remanded to the Executive Director. A signed Agreed Order and penalty payment were received on September 15, 2025.

Respondent Contact:

Victoria Rodriguez
2721 Ingram Circle
Mesquite, Texas 75181
Phone: 214-641-0987

Respondent has been notified of this Request for Remand. Please do not hesitate to call me at (512) 239-6517 if you have any questions regarding this matter.

cc: Taner Hengst, Enforcement Coordinator
Joseph Hopkins, P.G., Technical Programs Team Leader, PSEAD
Sheldon Wayne, Office of Public Interest Counsel
Michael Parrish, Enforcement Division
Leslie Gann, Enforcement Division
Stuart Beckley, Enforcement Division
Gill Valls, Office of the General Counsel

Victoria Rodriguez
RN108521873
Docket No. 2023-0995-LII-E

Order Type:
Default Order

Media:
LII

Small Business:
N/A

Locations Where Violation Occurred:
2721 Ingram Circle Mesquite, Dallas County (the “Business”)
(the “Sites”): 1408 Beall, Denton, Denton County; 1312 Beall, Denton, Denton County
5401 Pagewood, Denton, Denton County; 2617 Chevy Chase, Denton, Denton County
5404 Basham Lane, Denton, Denton County; 2520 Briarbrook Denton, Denton County;
5309 Basham Lane, Denton, Denton County

Type of Operation:
a landscape irrigation bussiness

Other Significant Matters:
Additional Pending Enforcement Actions: None
Past-Due Penalties: None
Past-Due Fees: None
Other: None
Interested Third Parties: None

Texas Register Publication Date: August 15, 2025

Comments Received: None

Penalty Information

Total Penalty Assessed: \$3,500
Total Paid to General Revenue: \$0
Total Due to General Revenue: \$3,500

Compliance History Classifications:
Person/CN - Unclassified
Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: January 28, 2021

Investigation Information

Complaint Date: N/A
Date of Investigation: May 8, 2023
Date of NOV: N/A
Date of NOE: May 8, 2023

Victoria Rodriguez
RN108521873
Docket No. 2023-0995-LII-E

Violation Information

Failed to obtain a permit required to install an irrigation system [30 TEX. ADMIN. CODE § 344.35(d)(2)].

Corrective Actions/Technical Requirements

Corrective Action Completed:

Respondent obtained permits from the City of Denton for all sites, by January 5, 2022.

Technical Requirements:

None

Litigation Information

Date Petitions Filed: March 11, 2025; April 11, 2025

Dates of Service: unclaimed; April 14, 2025

Contact Information

TCEQ Attorneys: Jun Zhang, Litigation Division, (512) 239-3400
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

TCEQ Enforcement Coordinator: Taner Hengst, Enforcement Division, (512) 239-4495

TCEQ Regional Contact: Brent Candler, Dallas/Fort Worth Regional Office, (817) 588-5800

Respondent Contact: Victoria Rodriguez, 2721 Ingram Circle, Mesquite, Texas 75181

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	24-Jul-2023	Screening	28-Jul-2023	EPA Due	
	PCW	28-Jul-2023				

RESPONDENT/FACILITY INFORMATION

Respondent	Victoria Rodriguez
Reg. Ent. Ref. No.	RN108521873
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	64392	No. of Violations	1
Docket No.	2023-0995-LII-E	Order Type	1660
Media Program(s)	Irrigators	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Nick Lohret-Froio
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,500
---	-------------------	---------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
---------------------------	------	-------------------	--------------------------------	-----

Notes: No adjustment for compliance history.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
--------------------	----	------	--------------------	-------------------	-----

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
--	-------------------	-----

Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
-------------------------	------	---------------------	-------------------	-----

Total EB Amounts: \$53
Estimated Cost of Compliance: \$1,225
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,500
-----------------------------	-----------------------	---------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$3,500
-----------------------------	---------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,500
-----------------------------------	-------------------------------	---------

DEFERRAL	0.0%	Reduction	Adjustment	\$0
-----------------	------	------------------	-------------------	-----

Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$3,500
------------------------	---------

Screening Date	28-Jul-2023	Docket No.	2023-0995-LII-E	PCW
Respondent	Victoria Rodriguez			
Case ID No.	64392			
Reg. Ent. Reference No.	RN108521873			
Media	Irrigators			
Enf. Coordinator	Nick Lohret-Froio			

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>)	0	0%
	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) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 28-Jul-2023 Respondent Victoria Rodriguez Case ID No. 64392 Reg. Ent. Reference No. RN108521873 Media Irrigators Enf. Coordinator Nick Lohret-Froio	Docket No. 2023-0995-LII-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

Violation Number	1		
Rule Cite(s)	30 Tex. Admin. Code § 344.35(d)(2)		
Violation Description	Failed to obtain a permit required to install an irrigation system. Specifically, the Respondent did not obtain permits from the City of Denton prior to installing irrigation systems at 1408 Beall, 1312 Beall, 5401 Pagewood, 2617 Chevy Chase, 5404 Basham Lane, 2520 Briarbrook, and 5309 Basham Lane, in Denton, Denton County, Texas.		
Base Penalty		\$5,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential				
		Percent			0.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			
		Percent			10.0%
Matrix Notes	100% of the rule requirement was not met.				
Adjustment				\$4,500	

	\$500
--	-------

Violation Events

Number of Violation Events	7	1	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
Seven single events are recommended.			
Violation Base Penalty		\$3,500	

Good Faith Efforts to Comply

	0.0%		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		
Notes	Respondent does not meet the good faith criteria for this violation.		
Violation Subtotal		\$3,500	

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$53
Violation Final Penalty Total	\$3,500
This violation Final Assessed Penalty (adjusted for limits)	
\$3,500	

Economic Benefit Worksheet

Respondent Victoria Rodriguez
Case ID No. 64392
Reg. Ent. Reference No. RN108521873
Media Irrigators
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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)	\$1,225	24-Feb-2021	5-Jan-2022	0.86	\$53	n/a	\$53
Actual cost to obtain the permits from the City of Denton for installing irrigation systems in Denton County, Texas. The Date Required is the date of issuance for the first permit, and the Final Date is the date of compliance.							

Notes for DELAYED costs

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

\$1,225

TOTAL

\$53



Compliance History Report

Compliance History Report for CN604867713, RN108521873, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604867713, Victoria Rodriguez

Classification: UNCLASSIFIED

Rating: -----

Regulated Entity: RN108521873, RODRIGUEZ, VICTORIA

Classification: NOT APPLICABLE

Rating: N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 2721 INGRAM CIRCLE NEAR MESQUITE, DALLAS COUNTY, TEXAS

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

LANDSCAPE IRRIGATION LICENSING LICENSE
LI0022118

BACKFLOW PREVENTION ASSEMBLY TESTER LICENSING LICENSE BP0019006

Compliance History Period: September 01, 2019 to August 31, 2024

Rating Year: 2024

Rating Date: 09/01/2024

Date Compliance History Report Prepared: October 22, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 22, 2019 to October 22, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name:

Nick Lohret-Froio

Phone: (512) 239-4495

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.):

N/A

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

Component Appendices

Appendix A

All NOVs Issued During Component Period 10/22/2019 and 10/22/2024

N/A

Appendix B

All Investigations Conducted During Component Period October 22, 2019 and October 22, 2024

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
VICTORIA RODRIGUEZ;
RN108521873**

**§
§
§
§
§**

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

DEFAULT ORDER DOCKET NO. 2023-0995-LII-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to TEX. WATER CODE chs. 7 and 37, TEX. OCC. CODE ch. 1903, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty. The respondent made the subject of this Order is Victoria Rodriguez ("Respondent").

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent owns and operates a business located at 2721 Ingram Circle in Mesquite, Dallas County, Texas (the "Business"). Respondent holds TCEQ irrigator license No. LI0022118 and sells, designs, offers consultations regarding, installs, maintains, alters, repairs, and/or services landscape irrigation systems. Therefore, Respondent is subject to TCEQ jurisdiction pursuant to TEX. WATER CODE ch. 37 and TEX. OCC. CODE ch. 1903.
2. During a record review conducted on and around May 8, 2023, an investigator documented that Respondent failed to obtain a permit required to install an irrigation system. Specifically, Respondent did not obtain permits from the City of Denton prior to installing irrigation systems at 1408 Beall, 1312 Beall, 5401 Pagewood, 2617 Chevy Chase, 5404 Basham Lane, 2520 Briarbrook, and 5309 Basham Lane, in Denton, Denton County, Texas.
3. The Executive Director recognizes that Respondent obtained permits from the City of Denton for all sites at issue, by January 5, 2022.
4. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against Victoria Rodriguez" (the "EDPRP") in the TCEQ Chief Clerk's office on March 11, 2025.
5. The EDPRP was mailed to Respondent's last known address on March 11, 2025, via certified mail, return receipt requested, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed."
6. The Executive Director re-filed the EDPRP in the TCEQ Chief Clerk's office on April 11, 2025.
7. By letter dated April 11, 2025, sent to Respondent's last known address via certified mail, return receipt requested, postage prepaid, and via first class mail, postage prepaid, the Executive Director served Respondent with notice of the EDPRP. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed." The first class mail has not been returned, indicating that Respondent received notice of the EDPRP.
8. More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 37, TEX. OCC. CODE ch. 1903, and the rules of TCEQ.
2. As evidenced by Finding of Fact No. 2, Respondent failed to obtain a permit required to install an irrigation system, in violation of 30 TEX. ADMIN. CODE § 344.35(d)(2).
3. As evidenced by Findings of Fact Nos. 4 through 7, the Executive Director timely served Respondent with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
4. As evidenced by Finding of Fact No. 8, Respondent failed to file a timely answer as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of \$3,500 is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. WATER CODE § 7.053.
7. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of \$3,500 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The penalty assessed by this Order shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: Victoria Rodriguez; Docket No. 2023-0995-LII-E" to:

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

9. All relief not expressly granted in this Order is denied.
10. The provisions of this Order shall apply to and be binding upon Respondent.
11. 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

12. If 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, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
13. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
14. 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.
15. 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.
16. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

S I G N A T U R E P A G E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF JUN ZHANG

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the 'Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against Victoria Rodriguez' (the "EDPRP") was filed in the TCEQ Chief Clerk's office on March 11, 2025.

The EDPRP was mailed to Respondent's last known address on March 11, 2025, via certified mail, return receipt requested, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed."

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the EDPRP was re-filed in the TCEQ Chief Clerk's office on April 11, 2025.

The EDPRP was mailed to Respondent's last known address on April 11, 2025, via certified mail, return receipt requested, and via first class mail, postage prepaid. The United States Postal Service returned the EDPRP sent by certified mail as "unclaimed." The first class mail has not been returned, indicating that Respondent received notice of the EDPRP in accordance with 30 TEX. ADMIN. CODE § 70.104(c)(2).

More than 20 days have elapsed since Respondent received notice of the EDPRP. Respondent failed to file an answer and failed to request a hearing."

"My name is Jun Zhang, and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Travis County,
State of Texas,
on the 17th day June, 2025

A handwritten signature in cursive script that reads "Jun Zhang".

Declarant