

Executive Summary – Enforcement Matter – Case No. 64542

Quail Run Services, LLC

RN106431174

Docket No. 2023-1115-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Pecos WWTP, 529 County Road 337, Pecos, Reeves County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 1, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$18,852

Amount Deferred for Expedited Settlement: \$3,770

Total Paid to General Revenue: \$15,082

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: May 23, 2023

Date(s) of NOE(s): July 28, 2023

Executive Summary – Enforcement Matter – Case No. 64542

Quail Run Services, LLC

RN106431174

Docket No. 2023-1115-MWD-E

Violation Information

1. Failed to comply with permitted effluent limitations for *Escherichia coli*, total suspended solids, and biochemical oxygen demand (5-day) [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1].

2. Failed to collect and analyze effluent samples at the intervals specified in the permit. Specifically, the Respondent did not collect and analyze effluent samples for *Escherichia coli* for the monthly monitoring period ending February 28, 2023 [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements;
- b. Within 45 days, submit a written certification of compliance with a.; and
- c. Within 130 days, submit a written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0015046001, 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.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Kolby Farren, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2098; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Patrick Anderle, President, Peak Rentals, 3333 North IH-35, Suite 200, Gainesville, Texas 76240

Mike Luepnitz, Peak Rentals, 3333 North IH-35, Suite 200, Gainesville, Texas 76240

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	14-Aug-2023	Screening	16-Aug-2023	EPA Due	
	PCW	10-Apr-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	Quail Run Services, LLC				
Reg. Ent. Ref. No.	RN106431174				
Facility/Site Region	7-Midland	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	64542	No. of Violations	3
Docket No.	2023-1115-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kolby Farren
		EC's Team	Enforcement Team 7
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	25.0%	Adjustment	Subtotals 2, 3, & 7	\$3,750
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Notes Enhancement for five months of self-reported effluent violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$805
Estimated Cost of Compliance \$5,350
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$18,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.5%	Adjustment	\$102
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Recommended enhancement to capture the avoided cost of compliance associated with Violation No. 2.

Final Penalty Amount	\$18,852
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$18,852
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,770
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY	\$15,082
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Screening Date	16-Aug-2023	Docket No.	2023-1115-MWD-E	PCW
Respondent	Quail Run Services, LLC	<i>Policy Revision 5 (January 28, 2021)</i>		
Case ID No.	64542	<i>PCW Revision February 11, 2021</i>		
Reg. Ent. Reference No.	RN106431174			
Media	Water Quality			
Enf. Coordinator	Kolby Farren			

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>)	5	25%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)		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) 25%

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for five months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 25%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 25%

Screening Date 16-Aug-2023 Respondent Quail Run Services, LLC Case ID No. 64542 Reg. Ent. Reference No. RN106431174 Media Water Quality Enf. Coordinator Kolby Farren Violation Number 1	Docket No. 2023-1115-MWD-E <div style="text-align: right;"> PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i> </div>
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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. WQ0015046001, Interim I 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
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>> Environmental, Property and Human Health Matrix

OR	Release	Harm						
		Major Moderate Minor						
	Actual Potential	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px; text-align: center;">X</td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>			X			
		X						

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor					
	<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		Percent 0.0%

Matrix Notes	A simplified model was used to evaluate Biochemical Oxygen Demand to determine whether the discharged amounts of pollutants exceeded protective levels. Total suspended solids was 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.
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Adjustment	\$21,250
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Adjustment	\$3,750
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Violation Events

Number of Violation Events	2	Number of violation days	90
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daily weekly monthly quarterly semiannual annual single event	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px; text-align: center;">X</td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> </table>				X				Violation Base Penalty	\$7,500
X										

Two quarterly events are recommended for the quarters containing the months of December 2022, February 2023, and March 2023.

Good Faith Efforts to Comply

0.0%	Reduction	\$0		
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
Extraordinary	<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>	
Ordinary	<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>	
N/A	X	<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="height: 20px;"></td></tr></table>		
Notes	The Respondent does not meet the good faith criteria for this violation.			

Violation Subtotal	\$7,500
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$677	Statutory Limit Test
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Violation Final Penalty Total	\$9,426
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This violation Final Assessed Penalty (adjusted for limits)	\$9,426
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Economic Benefit Worksheet

Respondent Quail Run Services, LLC
Case ID No. 64542
Reg. Ent. Reference No. RN106431174
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				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)	\$5,000	30-Nov-2022	15-Aug-2025	2.71	\$677	n/a	\$677
Notes for DELAYED costs	Estimated 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 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	\$5,000	TOTAL	\$677
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Screening Date 16-Aug-2023 Respondent Quail Run Services, LLC Case ID No. 64542 Reg. Ent. Reference No. RN106431174 Media Water Quality Enf. Coordinator Kolby Farren	Docket No. 2023-1115-MWD-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2	
Rule Cite(s)		30 Tex. Admin. Code §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1
Violation Description		Failed to collect and analyze effluent samples at the intervals specified in the permit. Specifically, the Respondent did not collect and analyze effluent samples for E. coli for the monthly monitoring period ending February 28, 2023.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 5.0%
	Potential		X		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events	1	28	Number of violation days
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	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	X	

Violation Base Penalty \$1,250

One single event is recommended.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount \$128	Violation Final Penalty Total \$1,571
This violation Final Assessed Penalty (adjusted for limits) \$1,571	

Economic Benefit Worksheet

Respondent Quail Run Services, LLC
Case ID No. 64542
Reg. Ent. Reference No. RN106431174
Media Water Quality
Violation No. 2

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	\$250	23-May-2023	25-Jun-2025	2.09	\$26	n/a	\$26				
Remediation/Disposal				0.00	\$0	n/a	\$0				
Permit Costs				0.00	\$0	n/a	\$0				
Other (as needed)				0.00	\$0	n/a	\$0				
Notes for DELAYED costs Estimated Training/Sampling cost to develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements. The Date Required is the investigation date, and the Final Date is the estimated 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)	\$100	28-Feb-2023	16-Aug-2023	0.46	\$2	\$100	\$102				
Notes for AVOIDED costs Estimated avoided cost to collect and analyze effluent samples. The Date Required is the initial date of noncompliance, and the Final Date is the screening date.											
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> Approx. Cost of Compliance </td> <td style="width: 50%; text-align: right;"> TOTAL </td> </tr> <tr> <td style="text-align: right;">\$350</td> <td style="text-align: right;">\$128</td> </tr> </table>								Approx. Cost of Compliance	TOTAL	\$350	\$128
Approx. Cost of Compliance	TOTAL										
\$350	\$128										

Screening Date 16-Aug-2023 Respondent Quail Run Services, LLC Case ID No. 64542 Reg. Ent. Reference No. RN106431174 Media Water Quality Enf. Coordinator Kolby Farren Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1 Violation Description Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.	Docket No. 2023-1115-MWD-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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	Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes: A simplified model was used to evaluate Biochemical Oxygen Demand to determine whether the discharged amounts of pollutants exceeded protective levels. Escherichia coli and total suspended solids were also considered. Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

	Adjustment	\$18,750
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	\$6,250
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Violation Events

Number of Violation Events	1	30	Number of violation days
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	daily		
	weekly		
	monthly	X	
	quarterly		
	semiannual		
	annual		
	single event		

One monthly event is recommended for November 2022.

Good Faith Efforts to Comply	0.0%	Reduction	\$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	X		
Notes	The Respondent does not meet the good faith criteria for this violation.		

	Violation Subtotal	\$6,250
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Economic Benefit (EB) for this violation

	Statutory Limit Test
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Estimated EB Amount	\$0	Violation Final Penalty Total	\$7,855
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This violation Final Assessed Penalty (adjusted for limits)	\$7,855
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Economic Benefit Worksheet

Respondent Quail Run Services, LLC
Case ID No. 64542
Reg. Ent. Reference No. RN106431174
Media Water Quality
Violation No. 3

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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Costs captured in Economic Benefit sheet No. 1						

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 \$0

TOTAL \$0

Quail Run Services, LLC
 TPDES Permit No. WQ0010546001
 Docket No. 2023-1115-MWD-E
 Case No. 64542

Effluent Violation Table

	<i>E. coli</i>	<i>E. coli</i>	Total Suspended Solids	Biochemical Oxygen Demand (5-day)
	Daily Avg. Conc.	Single Grab	Daily Avg. Conc.	Daily Avg. Conc.
Monitoring Period	Limit = 126 CFU/100 mL	Limit = 399 CFU/100 mL	Limit = 15 mg/L	Limit = 10 mg/L
November 2022	1414	1414	20	14.6
December 2022	c	c	17.5	10.7
February 2023	c	c	17.2	c
March 2023	c	c	29.5	c

mg/L = milligrams per liter CFU/100 ml = colony forming unit per 100 milliliters

E. coli = Escherichia coli Avg. = average Conc. = concentration c = compliant



Compliance History Report

Compliance History Report for CN604553545, RN106431174, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604553545, Quail Run Services, LLC **Classification:** SATISFACTORY **Rating:** 1.75

Regulated Entity: RN106431174, PECOS WWTP **Classification:** SATISFACTORY **Rating:** 4.33

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 529 County Road 337, Pecos, Reeves County, Texas

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):
WASTEWATER EPA ID TX0133663 **WASTEWATER** PERMIT WQ0015046001

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: March 04, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 04, 2020 to March 04, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Kolby Farren **Phone:** (512) 239-2098

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	March 23, 2020	(1649402)	Item 15	July 26, 2021	(1753893)
Item 2	May 27, 2020	(1662309)	Item 16	August 27, 2021	(1768652)
Item 3	June 28, 2020	(1668854)	Item 17	October 27, 2021	(1779399)
Item 4	July 23, 2020	(1675801)	Item 18	February 28, 2022	(1774384)
Item 5	August 26, 2020	(1671431)	Item 19	May 05, 2022	(1815590)
Item 6	September 27, 2020	(1689142)	Item 20	May 24, 2022	(1831053)
Item 7	October 05, 2020	(1682595)	Item 21	June 22, 2022	(1837300)
Item 8	October 26, 2020	(1695506)	Item 22	July 27, 2022	(1844488)
Item 9	November 29, 2020	(1719113)	Item 23	August 22, 2022	(1850697)
Item 10	January 27, 2021	(1719115)	Item 24	September 29, 2022	(1858427)
Item 11	March 03, 2021	(1732183)	Item 25	October 27, 2022	(1864770)
Item 12	April 05, 2021	(1732184)	Item 26	November 28, 2022	(1871680)
Item 13	April 30, 2021	(1732185)	Item 27	February 27, 2023	(1892159)
Item 14	June 28, 2021	(1748705)	Item 28	May 27, 2023	(1914678)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
QUAIL RUN SERVICES, LLC
RN106431174

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2023-1115-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 Quail Run Services, LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 529 County Road 337 in Pecos, Reeves 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 \$18,852 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,082 of the penalty and \$3,770 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During a record review for the Facility conducted on May 23, 2023, an investigator documented that the Respondent:

1. 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. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

	<i>E. coli</i>	<i>E. coli</i>	Total Suspended Solids	Biochemical Oxygen Demand (5-day)
	Daily Avg. Conc.	Single Grab	Daily Avg. Conc.	Daily Avg. Conc.
Monitoring Period	Limit = 126 CFU/100 mL	Limit = 399 CFU/100 mL	Limit = 15 mg/L	Limit = 10 mg/L
November 2022	1414	1414	20	14.6
December 2022	c	c	17.5	10.7
February 2023	c	c	17.2	c
March 2023	c	c	29.5	c

mg/L = milligrams per liter CFU/100 ml = colony forming unit per 100 milliliters

E. coli = Escherichia coli Avg. = average Conc. = concentration c = compliant

2. Failed to collect and analyze effluent samples at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0015046001, Interim I Effluent Limitations and Monitoring Requirements No. 1. Specifically, the Respondent did not collect and analyze effluent samples for *E. coli* for the monthly monitoring period ending February 28, 2023.

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: Quail Run Services, LLC, Docket No. 2023-1115-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 Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this order, develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements.
 - b. Within 45 days after the effective date of this order, submit a written certification of compliance with Ordering Provision No. 2.a, in accordance with Ordering Provision 2.c below.
 - c. Within 130 days after the effective date of this Order, submit a written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0015046001, 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 detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Midland Regional Office
Texas Commission on Environmental Quality
9900 West IH-20, Suite 100
Midland, Texas 79706

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. 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.
7. 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.

8. 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

Krista Mero-Jurack

For the Executive Director

09/07/2025

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.

Pat Anderle

Signature

6-18-2025

Date

Pat Anderle

Name (Printed or typed)
Authorized Representative of
Quail Run Services, LLC

President

Title

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

*Peak Rentals
Attn: Mike Luepnitz
3333 N-I35 Suite 200
Gainesville, TX 76240*

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.