

**Executive Summary – Enforcement Matter – Case No. 64894
BOBCAT TRUCKING, INC.
RN111427274
Docket No. 2023-1428-MLM-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM – AIR, WQ

Small Business:

No

Location(s) Where Violation(s) Occurred:

87 Pit, 9661 Loop 106, San Antonio, Bexar County

Type of Operation:

Aggregate production operation

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 13, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,500

Amount Deferred for Expedited Settlement: \$2,700

Total Paid to General Revenue: \$300

Total Due to General Revenue: \$10,500

Payment Plan: 35 payments of \$300 each

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 3, 2023

Date(s) of NOE(s): June 9, 2023

**Executive Summary – Enforcement Matter – Case No. 64894
BOBCAT TRUCKING, INC.
RN111427274
Docket No. 2023-1428-MLM-E**

Violation Information

1. Failed to prevent nuisance dust conditions and prevent a traffic hazard. Specifically, on September 21, 2022, and September 29, 2022, TCEQ staff observed dust leaving the Site that caused nuisance conditions at an off-site property and created traffic hazard conditions [30 TEX. ADMIN. CODE §§ 101.4 and 101.5 and TEX. HEALTH & SAFETY CODE § 382.085(a) and (b)].

2. Failed to install adequate Best Management Practices ("BMPs") to minimize off-site tracking of sediments and the generation of dust. Specifically, there were no BMPs implemented at the entrance/exit of the Site. Additionally, TCEQ staff observed excessive vehicle tracking of sediments on Loop 106 and its right-of-way and the generation of dust [30 TEX. ADMIN. CODE § 281.25(a)(4) and Texas Pollutant Discharge Elimination System General Permit No. TXR05FN77, Part III, Section A.4.a and Part V, Section J.9.d].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By November 1, 2023, the Respondent implemented BMPs such as sweeping and watering roads and installing riprap at the Site entrance/exit to reduce off-site tracking of sediments and the generation of dust.

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: Brandon Eagan, President, BOBCAT TRUCKING, INC., 1434 Havenwood Boulevard, New Braunfels, Texas 78132

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	2-Oct-2023	EPA Due	
	PCW	14-Mar-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	BOBCAT TRUCKING, INC.
Reg. Ent. Ref. No.	RN111427274
Facility/Site Region	13-San Antonio
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	64894	No. of Violations	2
Docket No.	2023-1428-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media	Water Quality	Enf. Coordinator	Mistie Gonzales
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0% Adjustment	Subtotals 2, 3, & 7	\$0
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Notes: No adjustment for Compliance History.

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	-\$1,500
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$527
 Estimated Cost of Compliance: \$15,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,500
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$13,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,500
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DEFERRAL	20.0% Reduction	Adjustment	-\$2,700
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$10,800
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Screening Date 2-Oct-2023

Docket No. 2023-1428-MLM-E

PCW

Respondent BOBCAT TRUCKING, INC.

Policy Revision 5 (January 28, 2021)

Case ID No. 64894

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111427274

Media Air

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	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)

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

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 2-Oct-2023
Respondent BOBCAT TRUCKING, INC.
Case ID No. 64894
Reg. Ent. Reference No. RN111427274
Media Air
Enf. Coordinator Mistie Gonzales

Docket No. 2023-1428-MLM-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.4 and 101.5 and Tex. Health & Safety Code § 382.085 (a) and (b)

Violation Description

Failed to prevent nuisance dust conditions and prevent a traffic hazard. Specifically, on September 21, 2022 and September 29, 2022, TCEQ staff observed dust leaving the Site that caused nuisance conditions at an off-site property and created traffic hazard conditions.

Base Penalty \$25,000

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

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 25.0%

>> **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 2 Number of violation days 2

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$12,500

Two single events are recommended, one for each day dust was observed leaving the Site (September 21, 2022 and September 29, 2022).

Good Faith Efforts to Comply

10.0%

Reduction \$1,250

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

Extraordinary		
Ordinary		x
N/A		

Notes

The Respondent achieved compliance by November 1, 2023.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$278

Violation Final Penalty Total \$11,250

This violation Final Assessed Penalty (adjusted for limits) \$11,250

Economic Benefit Worksheet

Respondent BOBCAT TRUCKING, INC.
Case ID No. 64894
Reg. Ent. Reference No. RN111427274
Media Air
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	21-Sep-2022	1-Nov-2023	1.11	\$278	n/a	\$278
Notes for DELAYED costs	Estimated Other cost to install and maintain Best Management Practices ("BMPs") to minimize dust emissions at the Site from causing nuisance dust conditions that impact off-site property and create traffic hazard conditions. The Date Required is the first day dust was observed leaving the Site, 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 \$5,000

TOTAL \$278

Screening Date 2-Oct-2023 **Docket No.** 2023-1428-MLM-E **PCW**
Respondent BOBCAT TRUCKING, INC. *Policy Revision 5 (January 28, 2021)*
Case ID No. 64894 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111427274
Media Air
Enf. Coordinator Mistie Gonzales

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 281.25(a)(4) and TPDES Permit No. TXR05FN77, Part III, Section A.4.a and Part V, Section J.9.d

Violation Description
 Failed to install adequate Best Management Practices ("BMPs") to minimize off-site tracking of sediments and the generation of dust. Specifically, there were no BMPs implemented at the entrance/exit of the Site. Additionally, TCEQ staff observed excessive vehicle tracking of sediments on Loop 106 and its right-of-way and the generation of dust.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				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.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 2 152 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

Two quarterly events are recommended, calculated from the investigation date (May 3, 2023) to the screening date (October 2, 2023).

Good Faith Efforts to Comply 10.0% Reduction \$250

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

Notes
 The Respondent achieved compliance by November 1, 2023.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$249 **Violation Final Penalty Total** \$2,250

This violation Final Assessed Penalty (adjusted for limits) \$2,250

Economic Benefit Worksheet

Respondent BOBCAT TRUCKING, INC.
Case ID No. 64894
Reg. Ent. Reference No. RN111427274
Media Air
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
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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)	\$10,000	3-May-2023	1-Nov-2023	0.50	\$249	n/a	\$249

Notes for DELAYED costs

Estimated Other cost to install and maintain BMPs to minimize off-site tracking of sediments and the generation of dust. The Date Required is the investigation date, 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

\$10,000

TOTAL

\$249



Compliance History Report

Compliance History Report for CN605163724, RN111427274, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN605163724, BOBCAT TRUCKING, INC. **Classification:** SATISFACTORY **Rating:** 7.72

Regulated Entity: RN111427274, 87 PIT **Classification:** SATISFACTORY **Rating:** 0.50

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 04 - Mining

Location: 9661 Loop 106, San Antonio, Bexar County, Texas

TCEQ Region: REGION 13 - SAN ANTONIO

ID Number(s):

STORMWATER PERMIT TXR05FN77

AGGREGATE PRODUCTION OPERATION REGISTRATION
AP0003668

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

Date Compliance History Report Prepared: March 15, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 15, 2019 to March 15, 2024

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

Name: Mistie Gonzales

Phone: (254) 761-3056

Site and Owner/Operator History:

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

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	March 31, 2023	(1894709)
Item 2	June 21, 2023	(1886113)

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
BOBCAT TRUCKING, INC.
RN111427274

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-1428-MLM-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 BOBCAT TRUCKING, INC. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and 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 operates an aggregate production operation located at 9661 Loop 106 in San Antonio, Bexar County, Texas (the "Site"). The Site consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12). The Site is near or adjacent to water in the states 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, TEX. HEALTH & SAFETY CODE ch. 382, 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 \$13,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$300 of the penalty and \$2,700 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

The remaining amount of \$10,500 of the undeferred penalty shall be paid in 35 monthly payments of \$300 each. The first monthly payment shall be paid within two weeks of the date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the

terms and conditions of this Order and 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 November 1, 2023, the Respondent implemented Best Management Practices ("BMPs") such as sweeping and watering roads and installing riprap at the Site entrance/exit to reduce off-site tracking of sediments and the generation of dust.

II. ALLEGATIONS

During a record review for the Site conducted on May 3, 2023, an investigator documented that the Respondent:

1. Failed to prevent nuisance dust conditions and prevent a traffic hazard, in violation of 30 TEX. ADMIN. CODE §§ 101.4 and 101.5 and TEX. HEALTH & SAFETY CODE § 382.085 (a) and (b). Specifically, on September 21, 2022, and September 29, 2022, TCEQ staff observed dust leaving the Site that caused nuisance conditions at an off-site property and created traffic hazard conditions.
2. Failed to install adequate BMPs to minimize off-site tracking of sediments and the generation of dust, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and Texas Pollutant Discharge Elimination System General Permit No. TXR05FN77, Part III, Section A.4.a and Part V, Section J.9.d. Specifically, there were no BMPs implemented at the entrance/exit of the Site. Additionally, TCEQ staff observed excessive vehicle tracking of sediments on Loop 106 and its right-of-way and the generation of dust.

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: BOBCAT TRUCKING, INC., Docket No. 2023-1428-MLM-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 Site 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

9/18/2024


Date

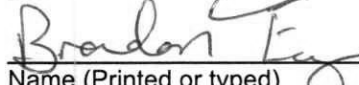
I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

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

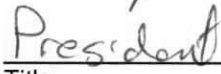
In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature


Name (Printed or typed)
Authorized Representative of
BOBCAT TRUCKING, INC.

09/10/24

Date


Title

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.