

Executive Summary – Enforcement Matter – Case No. 64906
BELLE OAKS WATER AND SEWER CO., INC.
RN103002457
Docket No. 2023-1440-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

MWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Belle Oaks WWTP, located approximately 1.5 miles north of the intersection of Country Club Road and State Highway 73, Beaumont, Jefferson County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 5, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$25,585

Total Paid to General Revenue: \$25,585

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

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: October 28, 2022

Date(s) of NOE(s): December 8, 2022

**Executive Summary – Enforcement Matter – Case No. 64906
BELLE OAKS WATER AND SEWER CO., INC.
RN103002457
Docket No. 2023-1440-MWD-E**

Violation Information

1. Failed to comply with permitted effluent limitations for biochemical oxygen demand (5-day), total suspended solids, and *Escherichia coli* [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1].

2. Failed to collect and analyze effluent samples at the intervals specified in the permit [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On August 15, 2022, the Respondent transferred ownership of the Facility to T & W Water Service Company.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Monica Larina, Enforcement Division, Enforcement Team 1, MC R-14, (361) 881-6965; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Bryan Phelps, President, BELLE OAKS WATER AND SEWER CO., INC., 8385 Chemical Road, Beaumont, Texas 77705

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	19-Dec-2022	Screening	25-Jul-2023	EPA Due	
	PCW	6-Oct-2025				

RESPONDENT/FACILITY INFORMATION	
Respondent	BELLE OAKS WATER AND SEWER CO., INC.
Reg. Ent. Ref. No.	RN103002457
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	64906	No. of Violations	3
Docket No.	2023-1440-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Monica Larina
		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	\$25,000
---	-------------------	----------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	5.0% Adjustment	Subtotals 2, 3, & 7	\$1,250
---------------------------	-----------------	--------------------------------	---------

Notes	Enhancement for one NOV with same/similar violations.
--------------	---

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	\$585	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$562	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$26,250
-----------------------------	-----------------------	----------

OTHER FACTORS AS JUSTICE MAY REQUIRE	2.2%	Adjustment	\$585
---	------	-------------------	-------

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Recommended enhancement to capture the avoided cost of compliance associated with Violation Nos. 1 and 3.
--------------	---

Final Penalty Amount	\$26,835
-----------------------------	----------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$26,835
-----------------------------------	-------------------------------	----------

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

Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.
--------------	---

PAYABLE PENALTY	\$26,835
------------------------	----------

Screening Date 25-Jul-2023

Docket No. 2023-1440-MWD-E

PCW

Respondent BELLE OAKS WATER AND SEWER CO., INC.

Policy Revision 5 (January 28, 2021)

Case ID No. 64906

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN103002457

Media Water Quality

Enf. Coordinator Monica Larina

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>)	1	5%
	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) 5%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 5%

Screening Date 25-Jul-2023

Docket No. 2023-1440-MWD-E

PCW

Respondent BELLE OAKS WATER AND SEWER CO., INC.

Policy Revision 5 (January 28, 2021)

Case ID No. 64906

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN103002457

Media Water Quality

Enf. Coordinator Monica Larina

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	x			50.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0.0%

Matrix Notes Escherichia coli was evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. 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 \$12,500

\$12,500

Violation Events

Number of Violation Events 1 Number of violation days 31

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$12,500

One monthly event is recommended for the month of March 2022.

Good Faith Efforts to Comply

0.0%

Reduction \$0

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

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$12,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$522

Violation Final Penalty Total \$13,418

This violation Final Assessed Penalty (adjusted for limits) \$13,418

Economic Benefit Worksheet

Respondent BELLE OAKS WATER AND SEWER CO., INC.
Case ID No. 64906
Reg. Ent. Reference No. RN103002457
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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							

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	\$500	30-Sep-2021	15-Aug-2022	0.87	\$22	\$500	\$522
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs Estimated avoided 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 date the permit and ownership was transferred.							

Approx. Cost of Compliance \$500

TOTAL \$522

Screening Date	25-Jul-2023	Docket No.	2023-1440-MWD-E	PCW
Respondent	BELLE OAKS WATER AND SEWER CO., INC.			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64906			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN103002457			
Media	Water Quality			
Enf. Coordinator	Monica Larina			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual			X	Percent 15.0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes
 A simplified model was used to evaluate Biochemical Oxygen Demand (5 day) 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 insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3 119 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$11,250

Three quarterly events are recommended for the quarters containing the months of September 2021, February 2022, and June 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

Notes
 The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$11,250

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$12,076

This violation Final Assessed Penalty (adjusted for limits) \$12,076

Economic Benefit Worksheet

Respondent BELLE OAKS WATER AND SEWER CO., INC.
Case ID No. 64906
Reg. Ent. Reference No. RN103002457
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				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							

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 See Economic Benefit Worksheet for Violation 1.							

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date	25-Jul-2023	Docket No.	2023-1440-MWD-E	PCW
Respondent	BELLE OAKS WATER AND SEWER CO., INC.			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64906			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN103002457			
Media	Water Quality			
Enf. Coordinator	Monica Larina			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 305.125(1) and (11)(A), and 319.5(b), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0013565001, 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 the single grab concentration sample for Escherichia coli for the quarterly monitoring period ending on December 31, 2021.			
		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 and 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 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,250

One single event is recommended.

Good Faith Efforts to Comply Reduction \$0

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

Notes
The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,250

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

Estimated EB Amount \$63 **Violation Final Penalty Total** \$1,342

This violation Final Assessed Penalty (adjusted for limits) \$1,342

Economic Benefit Worksheet

Respondent BELLE OAKS WATER AND SEWER CO., INC.
Case ID No. 64906
Reg. Ent. Reference No. RN103002457
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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							

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	\$100	1-Jan-2022	15-Aug-2022	0.62	\$1	\$62	\$63
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 Estimated Avoided Sampling cost to collect and analyze the single grab concentration sample for <i>Escherichia coli</i> for the quarterly monitoring period ending on December 31, 2021. The Date Required is the initial date of noncompliance and the Final Date is the ownership change date.							

Approx. Cost of Compliance \$62

TOTAL \$63

BELLE OAKS WATER AND SEWER CO., INC.
 TPDES Permit No. WQ0013565001
 Docket No. 2023-1440-MWD-E
 Case No. 64906

Effluent Violation Table				
Monitoring Period	Biochemical Oxygen Demand, 5-day	Total Suspended Solids		<i>Escherichia coli</i>
Month/Year	Daily Average Concentration Limit = 20 mg/L	Daily Average Concentration Limit = 20 mg/L	Single Grab Concentration Limit = 65 mg/L	Single Grab Concentration Limit = 399 CFU/100 mL
September 2021	c	c	c	615
December 2021	c	26.2	c	c
February 2022	22	41	c	c
March 2022	c	c	c	4,840
June 2022	c	34.2	101	c

mg/L = milligrams per liter

CFU/100 mL = colony forming units per 100 milliliters mL

c = compliant

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN602563553, RN103002457, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN602563553, BELLE OAKS WATER AND SEWER CO., INC. **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN103002457, BELLE OAKS WWTP **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 08 - Sewage Treatment Facilities

Location: approximately 1.5 miles north of the intersection of Country Club Road and State Highway 73, in Jefferson County, Texas

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

WASTEWATER PERMIT WQ0013565001 **WASTEWATER EPA ID** TX0108138

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

Date Compliance History Report Prepared: July 18, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 18, 2020 to July 18, 2025

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

Name: Monica Larina

Phone: (512) 239-0184

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) Who is the current owner/operator? T & W Water Service Company OWNER since 8/15/2022
- 4) Who was/were the prior owner(s)/operator(s)? Belle Oaks Water and Sewer Co., Inc., OWNER, 3/7/2008 to 8/14/2022

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

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	July 20, 2020	(1675097)	Item 9	July 20, 2021	(1753202)
Item 2	September 18, 2020	(1681864)	Item 10	August 19, 2021	(1758605)
Item 3	September 19, 2020	(1688441)	Item 11	September 17, 2021	(1767902)
Item 4	December 18, 2020	(1716991)	Item 12	November 19, 2021	(1785133)
Item 5	March 19, 2021	(1730072)	Item 13	December 21, 2021	(1792166)
Item 6	April 20, 2021	(1730073)	Item 14	February 16, 2022	(1807847)
Item 7	May 20, 2021	(1742322)	Item 15	May 20, 2022	(1830356)
Item 8	June 21, 2021	(1748364)	Item 16	June 20, 2022	(1836606)

Item 17	August 20, 2022	(1849952)	Item 27	August 18, 2024	(2018521)
Item 18	September 20, 2022	(1857723)	Item 28	September 11, 2024	(2025307)
Item 19	October 20, 2022	(1864076)	Item 29	October 15, 2024	(2031417)
Item 20	November 20, 2022	(1870986)	Item 30	November 15, 2024	(2037737)
Item 21	December 20, 2022	(1876842)	Item 31	December 15, 2024	(2044128)
Item 22	January 20, 2023	(1883653)	Item 32	January 08, 2025	(2050689)
Item 23	February 19, 2023	(1891466)	Item 33	February 18, 2025	(2058239)
Item 24	March 20, 2023	(1900038)	Item 34	March 17, 2025	(2066804)
Item 25	May 20, 2023	(1913992)	Item 35	April 14, 2025	(2073613)
Item 26	May 12, 2024	(1998171)	Item 36	May 11, 2025	(2079998)

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

30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

9 Date: 06/30/2022 (1843791)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

10 Date: 07/12/2022 (1824476)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 317 317.4(a)(8)
Description: Failure by Belle Oaks WWTP to test the reduced-pressure principal backflow prevention assembly (RPBA) annually.
Self Report? NO Classification: Moderate
Citation: PC Pg. 10, No. 2(g) PERMIT
Description: Failure by Belle Oaks WWTP to prevent Unauthorized Discharges (UDs) into or adjacent to the waters of the state at any location not permitted as an outfall.

11 Date: 03/31/2023 (1906840)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

12 Date: 05/31/2023 (1920600)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

13 Date: 06/30/2023 (1927586)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

14 Date: 07/31/2023 (1934527)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

15 Date: 08/31/2023 (1940704)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

16* Date: 09/30/2023 (1947506)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

17* Date: 10/31/2023 (1953191)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

18* Date: 11/30/2023 (1962978)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

19* Date: 12/31/2023 (1969553)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

20* Date: 01/31/2024 (1978633)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

21* Date: 02/29/2024 (1985193)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

22* Date: 03/31/2024 (1991737)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

23* Date: 05/31/2024 (2005138)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

24*	Date: 06/30/2024 (2012705)		
	Self Report? YES	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
25	Date: 03/07/2025 (2047502)		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	PC Pg. 9, No. 1 PERMIT		
	Description: Failure by Belle Oaks WWTP to properly report results on the Discharge Monitoring Reports (DMR).		
	Self Report? NO	Classification: Minor	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.039(b)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	MRR No. 7(A) Pg. 7 PERMIT		
	Description: Failure by the City of Diboll (City) to report an unauthorized discharge (UD) to the Regional Office within 24 hours of becoming aware by phone or facsimile. Failure to submit a written report within five working days of becoming aware of the non-compliance to the TCEQ Region 10 office and Enforcement Division (Mail Code 224).		
	Self Report? NO	Classification: Moderate	
	Citation:		
	2D TWC Chapter 26, SubChapter A 26.121(a)(1)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	PC Pg. 10, No. 2(g) PERMIT		
	Description: Failure by Belle Oaks WWTP to prevent Unauthorized Discharges (UDs) into or adjacent to the waters of the state at any location not permitted as an outfall.		
	Self Report? NO	Classification: Minor	
	Citation:		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
	30 TAC Chapter 305, SubChapter F 305.125(5)		
	30 TAC Chapter 317 317.3(e)(4)(C)		
	OPR Pg. 13, No. 1 PERMIT		
	Description: Failure by Belle Oaks WWTP to properly operate and maintain units of collection, treatment, and disposal, and maintain a fence with controlled access.		

* NOVs applicable for the Compliance History rating period 9/1/2019 to 8/31/2024

Appendix B
All Investigations Conducted During Component Period July 18, 2020 and July 18, 2025

Item 1*	July 20, 2020**	(1675097)
Item 2*	September 18, 2020**	(1681864)
Item 3*	September 19, 2020**	(1688441)
Item 4	October 20, 2020**	(1694802)
Item 5	November 20, 2020**	(1716990)
Item 6*	December 18, 2020**	(1716991)
Item 7	January 17, 2021**	(1716992)
Item 8	February 19, 2021**	(1730071)
Item 9*	March 19, 2021**	(1730072)
Item 10*	April 20, 2021**	(1730073)
Item 11*	May 20, 2021**	(1742322)
Item 12*	June 21, 2021**	(1748364)

Item 13*	July 20, 2021**	(1753202)
Item 14*	August 19, 2021**	(1758605)
Item 15*	September 17, 2021**	(1767902)
Item 16	October 20, 2021**	(1778464)
Item 17*	November 19, 2021**	(1785133)
Item 18*	December 21, 2021**	(1792166)
Item 19	January 20, 2022**	(1800015)
Item 20*	February 16, 2022**	(1807847)
Item 21	March 19, 2022**	(1814890)
Item 22	April 18, 2022**	(1821459)
Item 23*	May 20, 2022**	(1830356)
Item 24*	June 20, 2022**	(1836606)
Item 25	July 12, 2022**	(1824476)
Item 26	July 17, 2022**	(1843791)
Item 27*	August 20, 2022**	(1849952)
Item 28*	September 20, 2022**	(1857723)
Item 29*	October 20, 2022**	(1864076)
Item 30*	November 20, 2022**	(1870986)
Item 31	December 14, 2022**	(1854116)
Item 32*	December 20, 2022**	(1876842)
Item 33*	January 20, 2023**	(1883653)
Item 34*	February 19, 2023**	(1891466)
Item 35*	March 20, 2023**	(1900038)
Item 36	April 20, 2023**	(1906840)
Item 37*	May 20, 2023**	(1913992)
Item 38	June 19, 2023**	(1920600)
Item 39	July 18, 2023**	(1927586)
Item 40	August 20, 2023**	(1934527)
Item 41	September 19, 2023**	(1940704)
Item 42	October 19, 2023**	(1947506)
Item 43	November 20, 2023**	(1953191)
Item 44	December 18, 2023**	(1962978)
Item 45	January 19, 2024**	(1969553)
Item 46	February 13, 2024**	(1978633)
Item 47	March 20, 2024**	(1985193)
Item 48	April 20, 2024**	(1991737)
Item 49*	May 12, 2024**	(1998171)
Item 50	June 20, 2024**	(2005138)
Item 51	July 16, 2024**	(2012705)
Item 52*	August 18, 2024**	(2018521)
Item 53*	September 11, 2024	(2025307)
Item 54*	October 15, 2024	(2031417)
Item 55*	November 15, 2024	(2037737)
Item 56*	December 15, 2024	(2044128)
Item 57*	January 08, 2025	(2050689)
Item 58*	February 18, 2025	(2058239)
Item 59	March 05, 2025	(2047502)
Item 60*	March 17, 2025	(2066804)

Item 61*	April 14, 2025	(2073613)
Item 62*	May 11, 2025	(2079998)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2019 and 08/31/2024.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
BELLE OAKS WATER AND SEWER CO.,
INC.
RN103002457

§
§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-1440-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding BELLE OAKS WATER AND SEWER CO., INC. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that 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. The duties and responsibilities imposed by this Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owned and operated a wastewater treatment facility located approximately 1.5 miles north of the intersection of Country Club Road and State Highway 73 in Jefferson 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. During a record review for Facility conducted on October 28, 2022, an investigator documented that:
 - a. The Respondent did not comply with permitted effluent limitations, as shown in the effluent violation table below:

Effluent Violation Table				
Monitoring Period	Biochemical Oxygen Demand, 5-day	Total Suspended Solids		<i>Escherichia coli</i>
Month/Year	Daily Average Concentration Limit = 20 mg/L	Daily Average Concentration Limit = 20 mg/L	Single Grab Concentration Limit = 65 mg/L	Single Grab Concentration Limit = 399 CFU/100
September 2021	c	c	c	615
December 2021	c	26.2	c	c
February 2022	22	41	c	c
March 2022	c	c	c	4,840
June 2022	c	34.2	101	c

mg/L = milligrams per liter

CFU/100 mL = colony forming units per 100 milliliters

c = compliant

- b. The Respondent did not collect and analyze the single grab concentration sample for *Escherichia coli* for the quarterly monitoring period ending on December 31, 2021.
3. The Executive Director recognizes that on August 15, 2022, the Respondent transferred ownership of the Facility to T & W Water Service Company.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent 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. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1.
3. As evidenced by Finding of Fact No. 2.b, the Respondent 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. WQ0013565001, Effluent Limitations and Monitoring Requirements No. 1.

4. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$25,585 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$25,585 penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the 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 that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: BELLE OAKS WATER AND SEWER CO., INC., Docket No. 2023-1440-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. 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.
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. 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 in this Order.
6. 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.

7. 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.
8. 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.
9. 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 Mello-Jurack
01/19/2026

For the Executive Director
Date

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

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

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

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

Bryan Phelps

Signature
Date
7/31/25

BRYAN Phelps

Name (Printed or typed)
Title
PRESIDENT

Authorized Representative of
BELLE OAKS WATER AND SEWER CO., INC.

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.