

Executive Summary – Enforcement Matter – Case No. 65124

Entergy Texas, Inc.

RN102513041

Docket No. 2023-1728-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Sabine Plant, 1000 Powerhouse Road, Orange, Orange County

Type of Operation:

Gas-fired power plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: January 3, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$11,875

Amount Deferred for Expedited Settlement: \$2,375

Total Paid to General Revenue: \$9,500

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

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: November 6, 2023

Date(s) of NOE(s): November 30, 2023

Executive Summary – Enforcement Matter – Case No. 65124
Entergy Texas, Inc.
RN102513041
Docket No. 2023-1728-AIR-E

Violation Information

Failed to comply with the maximum daily cap. Specifically, the Respondent exceeded the nitrogen oxides maximum daily cap of 45,098 pounds ("lbs") by 14,071.10 lbs on November 13, 2022 and by 18,632.40 lbs on November 14, 2022 [30 TEX. ADMIN. CODE §§ 117.1020(c)(2) and 122.143(4), Federal Operating Permit No. O69, General Terms and Conditions and Special Terms and Conditions No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By January 4, 2024, the Respondent conducted training for the operators on utilizing the nitrogen oxides predictor tool and installed a deviation alarm on the induced flue gas recirculation system to promptly notify operations if the damper position deviates from the setpoint in order to comply with the nitrogen oxides maximum daily cap.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Christina Ferrara, Enforcement Division, Enforcement Team 2, MC R-12, (512) 239-5081; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Benjamin Privett, Senior Plant Manager, Entergy Texas, Inc., 1000 Powerhouse Road, Bridge City, Texas 77611

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	5-Dec-2023	Screening	12-Dec-2023	EPA Due	
	PCW	22-Jun-2024				

RESPONDENT/FACILITY INFORMATION

Respondent	Entergy Texas, Inc.
Reg. Ent. Ref. No.	RN102513041
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	65124	No. of Violations	1
Docket No.	2023-1728-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Christina Ferrara
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$12,500
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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	5.0%	Adjustment	Subtotals 2, 3, & 7	\$625
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Notes	Enhancement for one NOV with same or similar violations.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,250
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$171
Estimated Cost of Compliance	\$3,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$11,875
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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	\$11,875

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$11,875
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,375
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$9,500
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Screening Date	12-Dec-2023	Docket No.	2023-1728-AIR-E	PCW
Respondent	Entergy Texas, Inc.			
Case ID No.	65124			
Reg. Ent. Reference No.	RN102513041			
Media	Air			
Enf. Coordinator	Christina Ferrara			

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

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

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same or 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 12-Dec-2023 Respondent Entergy Texas, Inc. Case ID No. 65124 Reg. Ent. Reference No. RN102513041 Media Air Enf. Coordinator Christina Ferrara Violation Number 1	Docket No. 2023-1728-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Rule Cite(s)	30 Tex. Admin. Code §§ 117.1020(c)(2) and 122.143(4), Federal Operating Permit No. O69, General Terms and Conditions and Special Terms and Conditions No. 1.A., and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to comply with the maximum daily cap. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") maximum daily cap of 45,098 pounds ("lbs") by 14,071.10 lbs on November 13, 2022 and by 18,632.40 lbs on November 14, 2022.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as result of the violation.				

Adjustment \$12,500

\$12,500

Violation Events

Number of Violation Events	1		2	Number of violation days
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	daily		Violation Base Penalty \$12,500
	weekly	x	
	monthly		
	quarterly		
	semiannual		
	annual		
	single event		

One weekly event is recommended for the instances of non-compliance that occurred on November 13, 2022 and November 14, 2022.

Good Faith Efforts to Comply

	10.0%		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			Reduction \$1,250
Ordinary		x	
N/A			
Notes	The Respondent completed the corrective measures by January 4, 2024, after the Notice of Enforcement dated November 30, 2023.		

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$171
Violation Final Penalty Total	\$11,875
This violation Final Assessed Penalty (adjusted for limits)	\$11,875

Economic Benefit Worksheet

Respondent Entergy Texas, Inc.
Case ID No. 65124
Reg. Ent. Reference No. RN102513041
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)	\$3,000	13-Nov-2022	4-Jan-2024	1.14	\$171	n/a	\$171

Notes for DELAYED costs

Estimated cost to conduct training for the operators on utilizing the NOx predictor tool and install a deviation alarm on the induced flue gas recirculation system to promptly notify operations if the damper position deviates from the setpoint in order to comply with the NOx maximum daily cap. The Date Required is the first date of non-compliance 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

\$3,000

TOTAL

\$171

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 CN603282054, RN102513041, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN603282054, Entergy Texas, Inc.

Classification: SATISFACTORY

Rating: 0.64

Regulated Entity: RN102513041, SABINE PLANT

Classification: SATISFACTORY

Rating: 0.12

Complexity Points: 26

Repeat Violator: NO

CH Group: 06 - Electric Power Generation

Location: 1000 POWERHOUSE ROAD, ORANGE, ORANGE COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

AIR OPERATING PERMITS PERMIT 69

AIR OPERATING PERMITS PERMIT 4500

AIR NEW SOURCE PERMITS PERMIT 45604

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX719

AIR NEW SOURCE PERMITS REGISTRATION 100815

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1598

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX210

WASTEWATER PERMIT WQ0000336000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER OC00130

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 31274

AIR OPERATING PERMITS ACCOUNT NUMBER OC00130

AIR NEW SOURCE PERMITS PERMIT 2329

AIR NEW SOURCE PERMITS AFS NUM 4836100007

AIR NEW SOURCE PERMITS ACCOUNT NUMBER OC00130

AIR NEW SOURCE PERMITS REGISTRATION 136042

AIR NEW SOURCE PERMITS PERMIT 166032

PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 54894

WASTEWATER EPA ID TX0006696

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD980626030

Compliance History Period: September 01, 2018 to August 31, 2023

Rating Year: 2023

Rating Date: 09/01/2023

Date Compliance History Report Prepared: June 22, 2024

Agency Decision Requiring Compliance History: Enforcement

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

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

Name: Christina Ferrara

Phone: (512) 239-5081

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	July 16, 2019	(1571569)
Item 2	July 17, 2019	(1593158)
Item 3	August 19, 2019	(1599504)
Item 4	September 17, 2019	(1606409)
Item 5	October 15, 2019	(1598493)
Item 6	October 17, 2019	(1613255)
Item 7	November 18, 2019	(1619069)
Item 8	December 18, 2019	(1626421)
Item 9	January 18, 2020	(1634062)
Item 10	February 18, 2020	(1640681)
Item 11	March 18, 2020	(1647201)
Item 12	April 17, 2020	(1653537)
Item 13	April 29, 2020	(1639326)
Item 14	April 30, 2020	(1644859)
Item 15	May 19, 2020	(1660124)
Item 16	June 12, 2020	(1651527)
Item 17	June 17, 2020	(1666628)
Item 18	June 19, 2020	(1652645)
Item 19	July 19, 2020	(1673585)
Item 20	August 18, 2020	(1680361)
Item 21	September 17, 2020	(1686929)
Item 22	October 16, 2020	(1678227)
Item 23	November 18, 2020	(1712518)
Item 24	December 17, 2020	(1712519)
Item 25	January 07, 2021	(1678231)
Item 26	January 18, 2021	(1712520)
Item 27	February 18, 2021	(1725573)
Item 28	March 15, 2021	(1725574)
Item 29	April 17, 2021	(1725575)
Item 30	May 17, 2021	(1740089)
Item 31	June 17, 2021	(1747593)
Item 32	June 18, 2021	(1723855)
Item 33	July 19, 2021	(1751725)
Item 34	August 18, 2021	(1757189)
Item 35	September 18, 2021	(1766269)
Item 36	October 13, 2021	(1699049)
Item 37	October 15, 2021	(1776732)
Item 38	November 16, 2021	(1783641)
Item 39	November 17, 2021	(1771083)
Item 40	December 16, 2021	(1790667)
Item 41	January 18, 2022	(1798461)
Item 42	February 11, 2022	(1806335)
Item 43	March 16, 2022	(1813402)
Item 44	April 19, 2022	(1819973)
Item 45	May 17, 2022	(1828812)
Item 46	June 19, 2022	(1835105)
Item 47	July 17, 2022	(1842309)
Item 48	August 16, 2022	(1848442)
Item 49	September 12, 2022	(1834899)
Item 50	September 17, 2022	(1856240)
Item 51	October 18, 2022	(1862597)
Item 52	November 18, 2022	(1869511)
Item 53	December 15, 2022	(1875360)
Item 54	January 17, 2023	(1867986)
Item 55	January 19, 2023	(1882181)
Item 56	January 20, 2023	(1872853)
Item 57	February 07, 2023	(1868776)
Item 58	February 17, 2023	(1889997)
Item 59	April 17, 2023	(1905344)

Item 60	May 19, 2023	(1912528)
Item 61	June 19, 2023	(1919130)
Item 62	July 19, 2023	(1926095)
Item 63	August 16, 2023	(1933058)
Item 64	September 19, 2023	(1939195)
Item 65	October 18, 2023	(1946045)
Item 66	November 07, 2023	(1938611)
Item 67	November 20, 2023	(1951737)
Item 68	December 19, 2023	(1961499)
Item 69	January 20, 2024	(1968094)
Item 70	February 19, 2024	(1977158)
Item 71	March 14, 2024	(1983723)
Item 72	April 18, 2024	(1990253)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	11/30/2023	(1937942)	
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter C 117.1020(c)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to maintain NOx emissions at or below the Maximum Daily Emissions Cap.		

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
ENTERGY TEXAS, INC.
RN102513041

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-1728-AIR-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 Entergy Texas, Inc. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a gas-fired power plant located at 1000 Powerhouse Road in Orange, Orange County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
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. 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 \$11,875 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$9,500 of the penalty and \$2,375 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by January 4, 2024, the Respondent conducted training for the operators on utilizing the nitrogen oxides ("NOx") predictor tool and installed a deviation alarm on the induced flue gas recirculation system to promptly notify operations if the damper position deviates from the setpoint in order to comply with the NOx maximum daily cap.

II. ALLEGATIONS

During a record review for the Plant conducted on November 6, 2023, an investigator documented that the Respondent failed to comply with the maximum daily cap, in violation of 30 TEX. ADMIN. CODE §§ 117.1020(c)(2) and 122.143(4), Federal Operating Permit No. O69, General Terms and Conditions and Special Terms and Conditions No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx maximum daily cap of 45,098 pounds ("lbs") by 14,071.10 lbs on November 13, 2022 and by 18,632.40 lbs on November 14, 2022.

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: Entergy Texas, Inc., Docket No. 2023-1728-AIR-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 Plant 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

2/10/2025

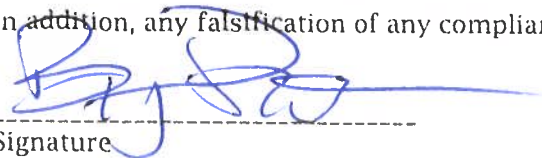
Date

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.



Signature

7/22/24

Date

Benjamin Privett

Name (Printed or typed)
Authorized Representative of
Entergy Texas, Inc.

Sr. Plant Manager

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.