

**Executive Summary – Enforcement Matter – Case No. 65299**

**City of Teague**

**RN101607935**

**Docket No. 2024-0126-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

City of Teague North Plant, located approximately 3,000 feet east of the intersection of Farm-to-Market Road 1367 and U.S. Highway 84, Teague, Freestone 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:** April 12, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$15,412

**Amount Deferred for Expedited Settlement:** \$3,082

**Total Paid to General Revenue:** \$12,330

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** August 31, 2023

**Date(s) of NOE(s):** December 14, 2023

**Executive Summary – Enforcement Matter – Case No. 65299**

**City of Teague**

**RN101607935**

**Docket No. 2024-0126-MWD-E**

***Violation Information***

1. Failed to comply with permitted effluent limitations for dissolved oxygen, pH, *Escherichia coli*, and biochemical oxygen demand [30 TEX. ADMIN. CODE § 305.121(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010300003, Interim Effluent Limitations and Monitoring Requirements Nos. 1, 3, and 6].

2. Failed to pay the associated late fees for TCEQ Financial Administration account No. 23001862 [30 TEX. ADMIN. CODE § 21.4 and TEX. WATER CODE § 5.702].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to, within 130 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010300003, including specific corrective action that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Taylor Williamson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2097; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** The Honorable David Huffman, Mayor, City of Teague, 105 South 4th Avenue, Teague, Texas 75860

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	8-Jan-2024		
	<b>PCW</b>	26-Jan-2024	<b>Screening</b>	11-Jan-2024
			<b>EPA Due</b>	

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	City of Teague			
<b>Reg. Ent. Ref. No.</b>	RN101607935			
<b>Facility/Site Region</b>	9-Waco	<b>Major/Minor Source</b>	Minor	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	65299	<b>No. of Violations</b>	2
<b>Docket No.</b>	2024-0126-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Taylor Williamson
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$11,250
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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.

<b>Compliance History</b>	37.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$4,162
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<b>Notes</b>	Enhancement for seven self-reported effluent violations and one NOV with dissimilar violations.			
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<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondent does not meet the culpability criteria.			
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$2,760	<i>*Capped at the Total EB \$ Amount</i>
Estimated Cost of Compliance	\$25,000	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$15,412
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$15,412
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$3,082
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.			
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<b>PAYABLE PENALTY</b>	\$12,330
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Screening Date

11-Jan-2024

Docket No.

2024-0126-MWD-E

PCW

Respondent

City of Teague

Case ID No.

65299

Reg. Ent. Reference No.

RN101607935

Media

Water Quality

Enf. Coordinator

Taylor Williamson

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> )	7	35%
	Other written NOVs	1	2%
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)

37%

>> 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 seven self-reported effluent violations and one NOV with dissimilar violations.

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

37%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100%

37%

<b>Screening Date</b>	11-Jan-2024	<b>Docket No.</b>	2024-0126-MWD-E	<b>PCW</b>
<b>Respondent</b>	City of Teague	<i>Policy Revision 5 (January 28, 2021)</i>		
<b>Case ID No.</b>	65299	<i>PCW Revision February 11, 2021</i>		
<b>Reg. Ent. Reference No.</b>	RN101607935			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Taylor Williamson			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.121(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010300003, Interim Effluent Limitations and Monitoring Requirements Nos. 1, 3, and 6			
<b>Violation Description</b>	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
<b>Base Penalty</b>				\$25,000
>> Environmental, Property and Human Health Matrix				
OR	<b>Release</b>	Major	Moderate	Minor
	Actual			x
	Potential			
<b>Percent</b>				15.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
<b>Percent</b>				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. <i>Escherichia coli</i> , dissolved oxygen, and pH 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.			
<b>Adjustment</b>				\$21,250
				\$3,750
Violation Events				
Number of Violation Events		3	181	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 December 2022, and February, March, April, May, and June 2023.				
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				\$11,250
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount		\$2,760	Violation Final Penalty Total \$15,413	
This violation Final Assessed Penalty (adjusted for limits)				\$15,413

# Economic Benefit Worksheet

**Respondent** City of Teague  
**Case ID No.** 65299  
**Reg. Ent. Reference No.** RN101607935  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	31-Dec-2022	16-Mar-2025	2.21	\$2,760	n/a	\$2,760

**Notes for DELAYED costs** Estimated other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the estimated date of compliance.

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance	\$25,000	<b>TOTAL</b>	\$2,760
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Screening Date11-Jan-2024

RespondentCity of Teague

Case ID No.65299

Reg. Ent. Reference No.RN101607935

MediaWater Quality

Enf. CoordinatorTaylor Williamson

Docket No.2024-0126-MWD-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number2

Rule Cite(s)30 Tex. Admin. Code § 21.4 and Tex. Water Code § 5.702

Violation DescriptionFailed to pay associated late fees for TCEQ Financial Administration account No. 23001862.

Base Penalty

\$25,000

>> Environmental, Property and Human Health Matrix

OR

	Release	Harm		
		Major	Moderate	Minor
Actual				
Potential				

Percent0.0%

>>Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent0.0%

Matrix NotesAll penalties and interest will be determined by the Financial Administration Division at the next billing cycle.

Adjustment

\$25,000

\$0

Violation Events

Number of Violation Events

Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty

\$0

All penalties and interest will be determined by the Financial Administration Division at the next billing cycle.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

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

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

Violation Subtotal

\$0

Economic Benefit (EB) for this violation

Estimated EB Amount

\$0

Statutory Limit Test

Violation Final Penalty Total

\$0

This violation Final Assessed Penalty (adjusted for limits)

\$0

Economic Benefit Worksheet

Respondent City of Teague  
Case ID No. 65299  
Reg. Ent. Reference No. RN101607935  
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
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	N/A						

Avoided CostsANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	\$0	TOTAL	\$0
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City of Teague  
 TPDES Permit No. WQ0010300003  
 Case No. 65299  
 Docket No. 2024-0126-MWD-E

Effluent Violation Table					
	BOD Daily Avg. Conc.	<i>E. coli</i> Daily Avg. Conc.	<i>E. coli</i> Single Grab Conc.	DO Monthly Minimum	pH Maximum
Monitoring Period	Limit = 30 mg/L	Limit = 126 CFU/100ml	Limit = 399 CFU/100ml	Limit = 4.0 mg/L	Limit = 9.0 SU
December 2022	30.25	274.93	816	c	c
February 2023	c	c	435	c	c
March 2023	35.75	c	c	c	c
April 2023	32.75	c	c	c	c
May 2023	30.8	c	c	2	9.4
June 2023	c	c	c	c	9.3

BOD = biochemical oxygen demand 5-day DO = dissolved oxygen Avg. = average  
 Conc. = concentration mg/L = milligrams per liter SU = standard units c = compliant  
*E. coli* = *Escherichia coli* CFU/100ml = colony forming units per 100 milliliters



# Compliance History Report

Compliance History Report for CN600513121, RN101607935, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN600513121, City of Teague  
**Classification:** SATISFACTORY **Rating:** 3.82

**Regulated Entity:** RN101607935, CITY OF TEAGUE  
NORTH PLANT  
**Classification:** SATISFACTORY **Rating:** 3.00

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

**CH Group:** 08 - Sewage Treatment Facilities

**Location:** 3000 FEET EAST OF THE INTERSECTION OF FARM-TO-MARKET ROAD 1367 AND UNITED STATES HIGHWAY 84, FREESTONE COUNTY, TEXAS

**TCEQ Region:** REGION 09 - WACO

**ID Number(s):**  
**WASTEWATER PERMIT** WQ0010300003 **WASTEWATER EPA ID** TX0034495

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

**Date Compliance History Report Prepared:** January 11, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 11, 2019 to January 11, 2024

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Taylor Williamson **Phone:** (512) 239-2097

## 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	January 15, 2019	(1561164)	Item 14	October 19, 2020	(1693745)
Item 2	April 16, 2019	(1572318)	Item 15	November 13, 2020	(1713924)
Item 3	June 14, 2019	(1584249)	Item 16	March 17, 2021	(1726991)
Item 4	July 10, 2019	(1593658)	Item 17	August 16, 2021	(1757641)
Item 5	August 13, 2019	(1599986)	Item 18	September 15, 2021	(1766826)
Item 6	September 19, 2019	(1606887)	Item 19	October 18, 2021	(1777321)
Item 7	November 18, 2019	(1619545)	Item 20	November 16, 2021	(1784119)
Item 8	January 15, 2020	(1634539)	Item 21	December 14, 2021	(1791148)
Item 9	April 17, 2020	(1654018)	Item 22	April 20, 2022	(1820447)
Item 10	June 16, 2020	(1667110)	Item 23	May 18, 2022	(1829283)
Item 11	July 20, 2020	(1674062)	Item 24	June 17, 2022	(1835577)
Item 12	September 15, 2020	(1687406)	Item 25	July 19, 2022	(1842778)
Item 13	October 05, 2020	(1680835)	Item 26	August 19, 2022	(1848907)
			Item 27	September 21, 2022	(1856707)



**J. Early compliance:**  
N/A

**Sites Outside of Texas:**  
N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CITY OF TEAGUE  
RN101607935

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-0126-MWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Teague (the "Respondent") under the authority of TEX. WATER CODE chs. 5, 7, and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately 3,000 feet east of the intersection of Farm-to-Market Road 1367 and United States Highway 84, Freestone County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE chs. 5 and 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$15,412 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,330 of the penalty and \$3,082 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

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

## II. ALLEGATIONS

During a record review for the Facility conducted on August 31, 2023, an investigator documented that the Respondent:

1. Failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.121(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010300003, Interim Effluent Limitations and Monitoring Requirements Nos. 1, 3, and 6, as shown in the effluent violation table below.

Effluent Violation Table					
	BOD Daily Avg. Conc.	<i>E. coli</i> Daily Avg. Conc.	<i>E. coli</i> Single Grab Conc.	DO Monthly Minimum	pH Maximum
Monitoring Period	Limit = 30 mg/L	Limit = 126 CFU/100ml	Limit = 399 CFU/100ml	Limit = 4.0 mg/L	Limit = 9.0 SU
December 2022	30.25	274.93	816	c	c
February 2023	c	c	435	c	c
March 2023	35.75	c	c	c	c
April 2023	32.75	c	c	c	c
May 2023	30.8	c	c	2	9.4
June 2023	c	c	c	c	9.3

BOD = biochemical oxygen demand 5-day DO = dissolved oxygen Avg. = average  
Conc. = concentration mg/L = milligrams per liter SU = standard units c = compliant  
*E. coli* = *Escherichia coli* CFU/100ml = colony forming units per 100 milliliters

2. Failed to pay the associated late fees for TCEQ Financial Administration account No. 23001862, in violation of 30 TEX. ADMIN. CODE § 21.4 and TEX. WATER CODE § 5.702.

### 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: City of Teague, Docket No. 2024-0126-MWD-E" to:

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

2. The Respondent shall, within 30 days after the effective date of this Order, submit payment for all outstanding assessed fees for TCEQ Financial Administration Account No. 23001862. The payment shall be sent to the address listed in Ordering Provision No. 1.
3. The Respondent shall, within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010300003, including specific corrective action that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. This certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager  
Waco Regional Office  
Texas Commission on Environmental Quality  
6801 Sanger Avenue, Suite 2500  
Waco, Texas 76710-7826

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

  
For the Executive Director

5/3/2024

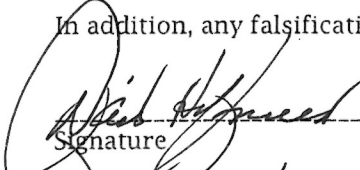
Date

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

2/26/24  
Date

DAVID HARTMAN  
Name (Printed or typed)  
Authorized Representative of  
City of Teague

MAYOR  
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.