

Executive Summary – Enforcement Matter – Case No. 65308
Harris County Water Control and Improvement District No. 21
RN102077807
Docket No. 2024-0145-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Harris County WCID 021, 228 Cedar Lane, Channelview, Harris 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: July 11, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$31,400

Amount Deferred for Expedited Settlement: \$6,280

Total Paid to General Revenue: \$25,120

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 3, 2023

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

Executive Summary – Enforcement Matter – Case No. 65308
Harris County Water Control and Improvement District No. 21
RN102077807
Docket No. 2024-0145-MWD-E

Violation Information

Failed to comply with permitted effluent limitations for total copper and *Enterococci* [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010105001, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to, within 130 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010105001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Smith, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2099; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Jimmy L. Ramsey, President, Harris County Water Control and Improvement District No. 21, 15808 Avenue C, Channelview, Texas 77530
Wesley C. Hutchins, Secretary, Harris County Water Control and Improvement District No. 21, 15808 Avenue C, Channelview, Texas 77530

Respondent's Attorney: JoAnn Matthiesen, Baker Williams & Matthiesen LLP, 5005 Woodway Drive, Suite 201, Houston, Texas 77056



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	2-Jan-2024	Screening	9-Jan-2024	EPA Due	
	PCW	2-Apr-2025				

RESPONDENT/FACILITY INFORMATION					
Respondent	Harris County Water Control and Improvement District No. 21				
Reg. Ent. Ref. No.	RN102077807				
Facility/Site Region	12-Houston	Major/Minor Source	Major		

CASE INFORMATION					
Enf./Case ID No.	65308	No. of Violations	2		
Docket No.	2024-0145-MWD-E	Order Type	1660		
Media Program(s)	Water Quality	Government/Non-Profit	Yes		
Multi-Media		Enf. Coordinator	Samantha Smith		
		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	\$20,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	57.0%	Adjustment	Subtotals 2, 3, & 7	\$11,400
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Notes: Enhancement for three months self-reported effluent violations, one NOV for dissimilar violations, and two agreed orders containing a denial of liability.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$3,342
Estimated Cost of Compliance: \$25,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$31,400
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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	\$31,400
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$31,400
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DEFERRAL	20.0%	Reduction	Adjustment	-\$6,280
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$25,120
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Screening Date	9-Jan-2024	Docket No.	2024-0145-MWD-E	PCW
Respondent	Harris County Water Control and Improvement District No. 21			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	65308			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN102077807			
Media	Water Quality			
Enf. Coordinator	Samantha Smith			

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>)	3	15%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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) 57%

>> 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 three months self-reported effluent violations, one NOV for dissimilar violations, and two agreed orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 57%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 57%

Screening Date	9-Jan-2024	Docket No.	2024-0145-MWD-E	PCW
Respondent	Harris County Water Control and Improvement District No. 21		Policy Revision 5 (January 28, 2021)	
Case ID No.	65308	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN102077807			
Media	Water Quality			
Enf. Coordinator	Samantha Smith			
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. WQ0010105001, 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	30.0%
	Potential	[]	[]	[]		

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	[]	[]	[]	[]	Percent 0.0%

Matrix Notes: Total copper and *Enterococci* were evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment	\$17,500
\$7,500	

Violation Events

Number of Violation Events	1		92	Number of violation days
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daily	[]	Violation Base Penalty	\$7,500
weekly	[]		
monthly	[]		
quarterly	X		
semiannual	[]		
annual	[]		
single event	[]		

One quarterly event is recommended for the quarter containing the months of May, June, and July 2023.

Good Faith Efforts to Comply

0.0%	Reduction	\$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	[]	[]
Ordinary	[]	[]
N/A	X	[]

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

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

Estimated EB Amount	\$3,342	Statutory Limit Test
		Violation Final Penalty Total \$11,775
		This violation Final Assessed Penalty (adjusted for limits) \$11,775

Economic Benefit Worksheet

Respondent Harris County Water Control and Improvement District No. 21
Case ID No. 65308
Reg. Ent. Reference No. RN102077807
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)	\$25,000	30-Apr-2023	31-Dec-2025	2.67	\$3,342	n/a	\$3,342
Notes for DELAYED costs	Estimated cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the estimated date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$25,000			TOTAL		\$3,342	

Screening Date 9-Jan-2024 Respondent Harris County Water Control and Improvement District No. 21 Case ID No. 65308 Reg. Ent. Reference No. RN102077807 Media Water Quality Enf. Coordinator Samantha Smith	Docket No. 2024-0145-MWD-E Base Penalty \$25,000	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2	Rule Cite(s)	
		30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010105001, 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		
		Major	Moderate	Minor	
	Actual		X		Percent 50.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Enterococci was evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to significant amounts of pollutants that do not exceed levels that are protective of human health or the environment as a result of the violation.
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Adjustment \$12,500

\$12,500

Violation Events

Number of Violation Events	1	30	Number of violation days
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	daily		weekly		monthly	X	quarterly		semiannual		annual		single event	
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Violation Base Penalty \$12,500

One monthly event is recommended for the month of April 2023.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal \$12,500

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$0	Violation Final Penalty Total \$19,625
This violation Final Assessed Penalty (adjusted for limits) \$19,625	

Economic Benefit Worksheet

Respondent Harris County Water Control and Improvement District No. 21
Case ID No. 65308
Reg. Ent. Reference No. RN102077807
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	See Economic Benefit Sheet for Violation No. 1.						

Avoided Costs

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

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

Approx. Cost of Compliance

TOTAL

Harris County Water Control and Improvement District No. 21 TPDES Permit No. WQ0010105001 Case No. 65308 Docket No. 2024-0145-MWD-E			
Effluent Violation Table			
	Total Copper Daily Maximum Conc.	Enterococci Daily Average Conc.	Enterococci Daily Maximum Conc.
Monitoring Period	Limit = 0.015 mg/L	Limit = 35 MPN/100 ml	Limit = 104 MPN/100 ml
April 2023	c	c	378
May 2023	0.017	c	c
June 2023	c	c	112
July 2023	c	50.8	261

mg/L = milligrams per liter c = compliant Conc. = concentration
MPN/100ml = most probably number per 100 milliliters



Compliance History Report

Compliance History Report for CN600735864, RN102077807, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN600735864, Harris County Water Control and Improvement District 21	Classification:	SATISFACTORY	Rating:	9.81
Regulated Entity:	RN102077807, HARRIS COUNTY WCID 021	Classification:	SATISFACTORY	Rating:	9.81
Complexity Points:	11	Repeat Violator:	NO		
CH Group:	08 - Sewage Treatment Facilities				
Location:	228 Cedar Lane, Channelview, Harris County, Texas				
TCEQ Region:	REGION 12 - HOUSTON				
ID Number(s):					
WASTEWATER PERMIT	WQ0010105001	WASTEWATER EPA ID	TX0022756		
STORMWATER PERMIT	TXR05FX18				
Compliance History Period:	September 01, 2019 to August 31, 2024	Rating Year:	2024	Rating Date:	09/01/2024
Date Compliance History Report Prepared:	April 02, 2025				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	April 02, 2020 to April 02, 2025				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Samantha Smith	Phone:	(512) 239-2099		

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:

- | | | |
|---|--|--|
| 1 | Effective Date: 06/06/2022 | ADMINORDER 2020-0970-MWD-E (1660 Order-Agreed Order With Denial) |
| | Classification: Moderate | |
| | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1) | |
| | 30 TAC Chapter 305, SubChapter F 305.125(1) | |
| | Rqmt Prov: TPDES PERMIT | |
| | Description: Failed to comply with permitted effluent limitations. | |
| 2 | Effective Date: 10/10/2023 | ADMINORDER 2023-0965-WQ-E (1660 Order-Agreed Order With Denial) |
| | Classification: Major | |
| | Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4) | |
| | Description: Field Citation - Failure to obtain a Multi-Sector General Permit (stormwater) | |

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	April 17, 2020	(1653683)	Item 3	June 16, 2020	(1666776)
Item 2	May 13, 2020	(1660266)	Item 4	July 16, 2020	(1673729)

Item 5	August 18, 2020	(1680507)	Item 27	July 20, 2022	(1842453)
Item 6	September 18, 2020	(1687074)	Item 28	August 19, 2022	(1848585)
Item 7	October 16, 2020	(1693418)	Item 29	September 20, 2022	(1856386)
Item 8	December 18, 2020	(1712950)	Item 30	October 19, 2022	(1862741)
Item 9	January 20, 2021	(1712951)	Item 31	November 15, 2022	(1869655)
Item 10	March 08, 2021	(1726008)	Item 32	December 20, 2022	(1875505)
Item 11	March 19, 2021	(1726009)	Item 33	January 30, 2023	(1882326)
Item 12	April 19, 2021	(1726010)	Item 34	February 16, 2023	(1890139)
Item 13	May 19, 2021	(1740310)	Item 35	April 20, 2023	(1898702)
Item 14	June 09, 2021	(1724445)	Item 36	September 20, 2023	(1939341)
Item 15	June 18, 2021	(1747668)	Item 37	October 20, 2023	(1946189)
Item 16	July 19, 2021	(1751867)	Item 38	January 15, 2024	(1968240)
Item 17	August 13, 2021	(1757330)	Item 39	February 20, 2024	(1977301)
Item 18	September 17, 2021	(1766421)	Item 40	March 19, 2024	(1983868)
Item 19	October 18, 2021	(1776996)	Item 41	April 19, 2024	(1990397)
Item 20	November 16, 2021	(1783787)	Item 42	May 20, 2024	(1996854)
Item 21	December 17, 2021	(1790816)	Item 43	June 19, 2024	(2003806)
Item 22	February 20, 2022	(1806481)	Item 44	September 19, 2024	(2023982)
Item 23	March 17, 2022	(1813549)	Item 45	October 16, 2024	(2030104)
Item 24	April 18, 2022	(1820118)	Item 46	November 18, 2024	(2036423)
Item 25	May 20, 2022	(1828958)	Item 47	January 17, 2025	(2049363)
Item 26	June 15, 2022	(1835251)			

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: 06/30/2024 (2011364)
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
- 2 Date: 07/31/2024 (2016961)
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
- 3 Date: 11/30/2024 (2042536)
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
- 4 Date: 02/04/2025 (2010678)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
Description: Failure to properly operate and maintain the facility. Specifically, during the investigation on September 23, 2024, the thirty-minute settleable solids concentration in aeration basins no. 1 and 3 were 73% and 67%, respectively. The sludge blanket level in clarifier no. 4 was 4 feet in a total water depth of 12 feet. Chlorine contact basin nos. 1 and 2 contained 4 inches of sludge in a total water depth of 12 feet and 1 foot in a total water depth of 12 feet, respectively.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Monitoring and Reporting Requirements PERMIT
Description: Failure to provide notification of any effluent violation which deviates from the permitted effluent limitation by more than 40%. Specifically, during the record review period of September 2023 to August 2024, five violations which exceeded the permitted limit by more than 40% were noted.

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

Item 33*	November 15, 2022**	(1869655)	Item 47*	January 15, 2024**	(1968240)
Item 34*	December 20, 2022**	(1875505)	Item 48*	February 20, 2024**	(1977301)
Item 35*	January 30, 2023**	(1882326)	Item 49*	March 19, 2024**	(1983868)
Item 36	February 07, 2023**	(1861021)	Item 50*	April 19, 2024**	(1990397)
Item 37*	February 16, 2023**	(1890139)	Item 51*	May 20, 2024**	(1996854)
Item 38*	April 20, 2023**	(1898702)	Item 52*	June 19, 2024**	(2003806)
Item 39	May 19, 2023**	(1912671)	Item 53	July 19, 2024**	(2011364)
Item 40	June 26, 2023**	(1919275)	Item 54	August 20, 2024**	(2016961)
Item 41	July 19, 2023**	(1926240)	Item 55*	September 19, 2024	(2023982)
Item 42	August 20, 2023**	(1933200)	Item 56*	October 16, 2024	(2030104)
Item 43*	September 20, 2023**	(1939341)	Item 57*	November 18, 2024	(2036423)
Item 44*	October 20, 2023**	(1946189)	Item 58	December 19, 2024	(2042536)
Item 45	December 18, 2023**	(1951880)	Item 59*	January 17, 2025	(2049363)
Item 46	December 20, 2023**	(1938426)	Item 60	February 04, 2025	(2010678)

* 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
HARRIS COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 21
RN102077807

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

AGREED ORDER DOCKET NO. 2024-0145-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 Harris County Water Control and Improvement District No. 21 (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, represented by JoAnn Matthiesen of the law firm of Baker Williams & Matthiesen LLP, together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 228 Cedar Lane in the City of Channelview, Harris County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$31,400 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$25,120 of the penalty and \$6,280 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 November 3, 2023, an investigator documented that 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. WQ0010105001, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table			
	Total Copper	<i>Enterococci</i>	<i>Enterococci</i>
	Daily Maximum Conc.	Daily Average Conc.	Daily Maximum Conc.
Monitoring Period	Limit = 0.015 mg/L	Limit = 35 MPN/100ml	Limit = 104 MPN/100ml
April 2023	c	c	378
May 2023	0.017	c	c
June 2023	c	c	112
July 2023	c	50.8	261

mg/L = milligrams per liter c = compliant Conc. = concentration
MPN/100ml = most probably number per 100 milliliters

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: Harris County Water Control and Improvement District No. 21, Docket No. 2024-0145-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 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0010105001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent

shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Krista Mello-Jurack

For the Executive Director

Date

08/25/2025

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.

Wesley C. Hopkins

Signature

8/25/25

Date

Wesley C. Hopkins

Name (Printed or typed)

Secretary

Title

Authorized Representative of

Harris County Water Control and Improvement District No. 21

☐ 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.