

Executive Summary – Enforcement Matter – Case No. 65620
Mauriceville Municipal Utility District
RN102286952
Docket No. 2024-0395-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Mauriceville WWTP, 8100 Zavala Road, Orange, Orange 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: October 4, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$15,750

Amount Deferred for Expedited Settlement: \$3,150

Total Paid to General Revenue: \$12,600

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: December 20, 2023

Date(s) of NOE(s): February 15, 2024

**Executive Summary – Enforcement Matter – Case No. 65620
Mauriceville Municipal Utility District
RN102286952
Docket No. 2024-0395-MWD-E**

Violation Information

Failed to comply with permitted effluent limitations for residual chlorine, daily average flow, and ammonia nitrogen [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013839001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 2].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By December 31, 2023, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in TPDES Permit No. WQ0013839001.

Technical Requirements:

N/A

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: Nelda Burton, Board President, Mauriceville Municipal Utility District, P.O. Box 1000, Mauriceville, Texas 77626-1000

Bradley Haeggquist, General Manager, Mauriceville Municipal Utility District, P.O. Box 1000, Mauriceville, Texas 77626-1000

Respondent's Attorney: Joseph D. Alford, Peveto Law Firm, 18 Border Street, Orange, Texas 77630



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Feb-2024	Screening	29-Feb-2024	EPA Due	5-Mar-2024
	PCW	14-Mar-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	Mauriceville Municipal Utility District
Reg. Ent. Ref. No.	RN102286952
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	65620	No. of Violations	1
Docket No.	2024-0395-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	\$15,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	30.0%	Adjustment	Subtotals 2, 3, & 7	\$4,500
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Notes	Enhancement for six months of self-reported effluent 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	-\$3,750
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$750	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$15,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$15,750
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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	
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Final Penalty Amount	\$15,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$15,750
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,150
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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	\$12,600
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Screening Date 29-Feb-2024

Docket No. 2024-0395-MWD-E

PCW

Respondent Mauriceville Municipal Utility District

Policy Revision 5 (January 28, 2021)

Case ID No. 65620

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102286952

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>)	6	30%
	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) 30%

>> 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 six months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 30%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 30%

Screening Date	29-Feb-2024	Docket No.	2024-0395-MWD-E	PCW
Respondent	Mauriceville Municipal Utility District	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
Case ID No.	65620			
Reg. Ent. Reference No.	RN102286952			
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 Permit No. WQ0013839001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 2			
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
	Potential			
				Percent 15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes
 A simplified model was used to evaluate ammonia nitrogen to determine whether the discharged amounts of pollutants exceeded protective levels. Chlorine residual and flow were also considered. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$15,000

Four quarterly events are recommended for the quarters containing the months of December 2022 and February, March, July, August, and September 2023.

Good Faith Efforts to Comply Reduction

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

Notes
 The Respondent achieved compliance by December 31, 2023.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$750"/>	Violation Final Penalty Total <input type="text" value="\$15,750"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$15,750"/>	

Economic Benefit Worksheet

Respondent Mauriceville Municipal Utility District
Case ID No. 65620
Reg. Ent. Reference No. RN102286952
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)	\$15,000	31-Dec-2022	31-Dec-2023	1.00	\$750	n/a	\$750

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 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 \$15,000

TOTAL \$750

Mauriceville Municipal Utility District

TPDES Permit No. WQ0013839001

Case No. 65620

Docket No. 2024-0395-MWD-E

Effluent Violation Table

	Chlorine Residual Monthly Minimum Conc.	Flow Daily Average	Ammonia Nitrogen Daily Average Conc.	Ammonia Nitrogen Daily Maximum Conc.
Monitoring Period	Limit = 1.0 mg/L	Limit = 0.95 MGD	Limit = 4.0 mg/L	Limit = 7.0 mg/L
December 2022	c	1.16	c	c
February 2023	c	1.01	c	c
March 2023	c	c	5.006	7.38
July 2023	c	c	7.588	8.66
August 2023	c	c	7.984	11.5
September 2023	0.0	c	9.385	10.6

mg/L = milligram per liter MGD = million gallons per day

c = compliant Conc. = concentration



Compliance History Report

Compliance History Report for CN600634885, RN102286952, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN600634885, Mauriceville Municipal Utility District **Classification:** SATISFACTORY **Rating:** 1.92

Regulated Entity: RN102286952, MAURICEVILLE WWTP **Classification:** SATISFACTORY **Rating:** 1.92

Complexity Points: 8 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 8100 Zavala Road, Orange, Orange County, Texas

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):
WASTEWATER PERMIT WQ0013839001 **WASTEWATER EPA ID** TX0114839

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

Date Compliance History Report Prepared: July 15, 2024

Agency Decision Requiring Compliance History: Enforcement

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

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:

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 18, 2019	(1594797)	Item 14	November 24, 2020	(1717198)
Item 2	September 13, 2019	(1608009)	Item 15	December 07, 2020	(1717199)
Item 3	December 17, 2019	(1628014)	Item 16	January 19, 2021	(1717200)
Item 4	January 17, 2020	(1635641)	Item 17	March 16, 2021	(1730280)
Item 5	February 18, 2020	(1642259)	Item 18	April 15, 2021	(1730281)
Item 6	March 11, 2020	(1648769)	Item 19	May 19, 2021	(1742425)
Item 7	April 14, 2020	(1655123)	Item 20	July 19, 2021	(1753270)
Item 8	May 18, 2020	(1661684)	Item 21	September 17, 2021	(1767975)
Item 9	June 15, 2020	(1668219)	Item 22	October 19, 2021	(1778533)
Item 10	July 17, 2020	(1675165)	Item 23	November 18, 2021	(1785201)
Item 11	September 18, 2020	(1688511)	Item 24	December 09, 2021	(1792236)
Item 12	September 28, 2020	(1681933)	Item 25	January 13, 2022	(1800084)
Item 13	October 16, 2020	(1694871)	Item 26	February 14, 2022	(1807916)

Item 27	March 08, 2022	(1814959)	Item 36	December 06, 2022	(1876908)
Item 28	April 12, 2022	(1821528)	Item 37	February 16, 2023	(1891532)
Item 29	May 17, 2022	(1830425)	Item 38	May 11, 2023	(1914059)
Item 30	June 10, 2022	(1836674)	Item 39	June 14, 2023	(1920667)
Item 31	July 13, 2022	(1843859)	Item 40	July 14, 2023	(1927651)
Item 32	August 15, 2022	(1850020)	Item 41	January 18, 2024	(1969619)
Item 33	September 19, 2022	(1857791)	Item 42	March 18, 2024	(1985260)
Item 34	October 11, 2022	(1864143)	Item 43	April 09, 2024	(1991803)
Item 35	November 10, 2022	(1871053)	Item 44	May 15, 2024	(1998237)

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: 07/31/2023 (1934594)
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: 08/31/2023 (1940770)
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: 09/30/2023 (1947571)
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: 10/31/2023 (1953258)
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

- 5 Date: 11/30/2023 (1963044)
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

- 6 Date: 01/31/2024 (1978699)
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

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

Component Appendices

Appendix A

All NOV's Issued During Component Period 7/15/2019 and 7/15/2024

- | | | | |
|----|----------------------------|---|----------|
| 1 | Date: 09/30/2019 (1614876) | | |
| | 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: 10/31/2019 (1620665) | | |
| | 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: 01/31/2021 (1730279) | | |
| | 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: 05/31/2021 (1742426) | | |
| | 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 | |
| | | | |
| 5 | Date: 06/14/2021 (1709830) | | |
| | Self Report? NO | Classification: | Moderate |
| | Citation: | | |
| | | PC 2g, Pg. 9 PERMIT | |
| | Description: | Failure by Mauriceville Municipal Utility District to prevent the unauthorized discharge of wastewater. | |
| | Self Report? NO | Classification: | Moderate |
| | Citation: | | |
| | | 30 TAC Chapter 290, SubChapter D 290.46(m)(4) | |
| | Description: | Failure by Mauriceville Municipal Utility District to maintain all water distribution lines in a water tight condition. | |
| | | | |
| 6 | Date: 07/31/2021 (1758671) | | |
| | 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 | |
| | | | |
| 7* | Date: 12/31/2022 (1883719) | | |
| | 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

- 8* Date: 01/02/2023 (1861761)
Self Report? NO Classification: Moderate
Citation: PC, No. 2(g), Pg. 9 PERMIT
Description: Failure by Mauriceville Municipal Utility District (Mauriceville) to prevent the unauthorized discharge of wastewater or any other waste into or adjacent to water in the state at any location not permitted as an outfall.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 317 317.7(e)
OpR, No. 1, Pg. 13 PERMIT
Description: Failure by Mauriceville Municipal Utility District (Mauriceville) to properly maintain the wastewater treatment plant fence and maintain Hazard signs stating "Danger--Open Tanks--No Trespassing" that must be secured to the fence, within visible sighting of each other, as well as on all gates and levees.
Self Report? NO Classification: Moderate
Citation: OpR, No. 1, Pg. 13 PERMIT
Description: Failure by Mauriceville Municipal Utility District (Mauriceville) to ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.
Self Report? NO Classification: Moderate
Citation: OT, No. 7, Pg. 35 PERMIT
Description: Failure by Mauriceville Municipal Utility District (Mauriceville) to submit sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee within 60 days of permit issuance.

- 9* Date: 02/28/2023 (1900104)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 10* Date: 03/31/2023 (1906906)
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

- 11* Date: 07/31/2023 (1934594)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 12* Date: 08/31/2023 (1940770)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 13 Date: 09/30/2023 (1947571)

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

14 Date: 10/31/2023 (1953258)
 Self Report? YES Classification: Moderate
 Citation:
 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

15 Date: 11/30/2023 (1963044)
 Self Report? YES Classification: Moderate
 Citation:
 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

16 Date: 01/31/2024 (1978699)
 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

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B
All Investigations Conducted During Component Period July 15, 2019 and July 15, 2024

Item 1*	July 18, 2019**	(1594797)
Item 2*	September 13, 2019**	(1608009)
Item 3	October 18, 2019**	(1614876)
Item 4	November 18, 2019**	(1620665)
Item 5*	December 17, 2019**	(1628014)
Item 6*	January 17, 2020**	(1635641)
Item 7*	February 18, 2020**	(1642259)
Item 8*	March 11, 2020**	(1648769)
Item 9*	April 14, 2020**	(1655123)
Item 10*	May 18, 2020**	(1661684)
Item 11*	June 15, 2020**	(1668219)
Item 12*	July 17, 2020**	(1675165)
Item 13*	September 18, 2020**	(1688511)
Item 14*	September 28, 2020**	(1681933)
Item 15*	October 16, 2020**	(1694871)
Item 16*	November 24, 2020**	(1717198)
Item 17*	December 07, 2020**	(1717199)
Item 18*	January 19, 2021**	(1717200)
Item 19*	March 16, 2021**	(1730280)
Item 20*	April 15, 2021**	(1730281)
Item 21*	May 19, 2021**	(1742425)
Item 22	May 26, 2021**	(1730279)

Item 23	June 14, 2021**	(1709830)
Item 24	June 15, 2021**	(1742426)
Item 25*	July 19, 2021**	(1753270)
Item 26	August 18, 2021**	(1758671)
Item 27*	September 17, 2021**	(1767975)
Item 28*	October 19, 2021**	(1778533)
Item 29*	November 18, 2021**	(1785201)
Item 30*	December 09, 2021**	(1792236)
Item 31*	January 13, 2022**	(1800084)
Item 32*	February 14, 2022**	(1807916)
Item 33*	March 08, 2022**	(1814959)
Item 34*	April 12, 2022**	(1821528)
Item 35*	May 17, 2022**	(1830425)
Item 36*	June 10, 2022**	(1836674)
Item 37*	July 13, 2022**	(1843859)
Item 38*	August 15, 2022**	(1850020)
Item 39*	September 19, 2022**	(1857791)
Item 40*	October 11, 2022**	(1864143)
Item 41*	November 10, 2022**	(1871053)
Item 42*	December 06, 2022**	(1876908)
Item 43	December 29, 2022**	(1861761)
Item 44	January 13, 2023**	(1883719)
Item 45*	February 16, 2023**	(1891532)
Item 46	March 15, 2023**	(1900104)
Item 47	April 17, 2023**	(1906906)
Item 48*	May 11, 2023**	(1914059)
Item 49*	June 14, 2023**	(1920667)
Item 50*	July 14, 2023**	(1927651)
Item 51	August 16, 2023**	(1934594)
Item 52	August 24, 2023**	(1918432)
Item 53	September 14, 2023	(1940770)
Item 54	October 19, 2023	(1947571)
Item 55	November 20, 2023	(1953258)
Item 56	December 19, 2023	(1963044)
Item 57*	January 18, 2024	(1969619)
Item 58	February 17, 2024	(1978699)
Item 59	February 20, 2024	(1949847)
Item 60*	March 18, 2024	(1985260)
Item 61*	April 09, 2024	(1991803)
Item 62*	May 15, 2024	(1998237)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MAURICEVILLE MUNICIPAL UTILITY
DISTRICT
RN102286952

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2024-0395-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 Mauriceville Municipal Utility District (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 Joe D. Alford of the law firm of Peveto Law Firm, together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 8100 Zavala Road in Orange, Orange 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 \$15,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,600 of the penalty and \$3,150 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 December 31, 2023, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013839001.

II. ALLEGATIONS

During a record review for the Facility conducted on December 20, 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 TPDES Permit No. WQ0013839001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 2, as shown in the effluent violation table below:

Effluent Violation Table				
	Chlorine Residual Monthly Minimum Conc.	Flow Daily Average	Ammonia Nitrogen Daily Average Conc.	Ammonia Nitrogen Daily Maximum Conc.
Monitoring Period	Limit = 1.0 mg/L	Limit = 0.95 MGD	Limit = 4.0 mg/L	Limit = 7.0 mg/L
December 2022	c	1.16	c	c
February 2023	c	1.01	c	c
March 2023	c	c	5.006	7.38
July 2023	c	c	7.588	8.66
August 2023	c	c	7.984	11.5
September 2023	0.0	c	9.385	10.6

mg/L = milligram per liter MGD = million gallons per day

c = compliant Conc. = concentration

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: Mauriceville Municipal Utility District, Docket No. 2024-0395-MWD-E" to:

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

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. 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.
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

11/8/2024

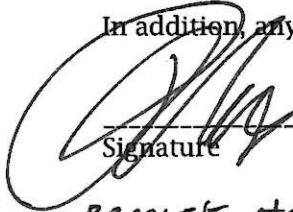
Date

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

8/13/2024

Date

BRADLEY HAEGGQUIST

Name (Printed or typed)
Authorized Representative of
Mauriceville Municipal Utility District

GENERAL 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.