

**Executive Summary – Enforcement Matter – Case No. 65662**  
**South Texas Electric Cooperative, Inc.**  
**RN106534407**  
**Docket No. 2024-0430-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Red Gate Power Plant, 3428 West Farm-to-Market Road 490, Edinburg, Hidalgo County

**Type of Operation:**

215 megawatt electric generating plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** April 5, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$15,300

**Amount Deferred for Expedited Settlement:** \$3,060

**Total Paid to General Revenue:** \$12,240

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

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - High

**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:** February 29, 2024 through March 4, 2024

**Date(s) of NOE(s):** March 6, 2024

**Executive Summary – Enforcement Matter – Case No. 65662**  
**South Texas Electric Cooperative, Inc.**  
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**Docket No. 2024-0430-AIR-E**

***Violation Information***

Failed to submit an application for renewal at least six months prior to the expiration of the permit. Specifically, the Respondent did not submit a renewal application for New Source Review ("NSR") Permit No. 106544 by June 20, 2023, NSR Permit No. 106544 expired on December 20, 2023, and the Respondent continued to operate the air emission sources at the Plant from December 20, 2023 to February 22, 2024 without the proper authorization [30 TEX. ADMIN. CODE §§ 116.110(a), 116.315(a), and 122.143(4), Federal Operating Permit No. O3810, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On February 22, 2024, the Respondent ceased operating the air emission sources.

**Technical Requirements:**

The Order will require the Respondent to:

- a. Immediately, until such time authorization to operate is obtained, comply with the conditions in expired NSR Permit No. 106544;
- b. Within 30 days, submit an administratively complete permit application to authorize the operation of the air emission sources at the Plant and the associated air emissions;
- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application by any deadline specified in writing;
- d. Within 45 days, submit written certification demonstrating compliance with a. and b.; and
- e. Within 180 days, submit written certification that either the authorization has been obtained or that operation has ceased until such time that the appropriate authorization has been obtained.

**Executive Summary – Enforcement Matter – Case No. 65662**  
**South Texas Electric Cooperative, Inc.**  
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**Docket No. 2024-0430-AIR-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Johnnie Wu, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2524; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Clif Lange, General Manager, South Texas Electric Cooperative, Inc., P.O. Box 119, Nursery, Texas 77976-0119

**Respondent's Attorney:** Benjamin Rhem, Jackson Walker L.L.P., 100 Congress Avenue, Suite 1100, Austin, Texas 78701



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	6-Mar-2024	<b>Screening</b>	6-Mar-2024	<b>EPA Due</b>	
	<b>PCW</b>	12-Mar-2024				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	South Texas Electric Cooperative, Inc.
<b>Reg. Ent. Ref. No.</b>	RN106534407
<b>Facility/Site Region</b>	15-Harlingen
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	65662	<b>No. of Violations</b>	1
<b>Docket No.</b>	2024-0430-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Johnnie Wu
		<b>EC's Team</b>	Enforcement Team 2
<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>	\$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.

<b>Compliance History</b>	2.0%	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$300
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<b>Notes</b>	Enhancement for one NOV with dissimilar violations.
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<b>Culpability</b>	No	0.0%	Enhancement	<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%	Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$321	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$5,000	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$15,300
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
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<b>Final Penalty Amount</b>	\$15,300
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$15,300
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<b>DEFERRAL</b>	20.0%	Reduction	Adjustment	-\$3,060
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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>	\$12,240
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Screening Date 6-Mar-2024

Docket No. 2024-0430-AIR-E

PCW

Respondent South Texas Electric Cooperative, Inc.

Policy Revision 5 (January 28, 2021)

Case ID No. 65662

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN106534407

Media Air

Enf. Coordinator Johnnie Wu

### 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> )	0	0%
	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) 2%

#### >> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

#### >> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

#### >> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with dissimilar violations.

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

#### >> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 2%

**Screening Date** 6-Mar-2024 **Docket No.** 2024-0430-AIR-E **PCW**  
**Respondent** South Texas Electric Cooperative, Inc. *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 65662 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN106534407  
**Media** Air  
**Enf. Coordinator** Johnnie Wu

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 116.110(a), 116.315(a), and 122.143(4), Federal Operating Permit No. O3810, General Terms and Conditions, and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)

**Violation Description** Failed to submit an application for renewal at least six months prior to the expiration of the permit. Specifically, the Respondent did not submit a renewal application for New Source Review ("NSR") Permit No. 106544 by June 20, 2023, NSR Permit No. 106544 expired on December 20, 2023, and the Respondent continued to operate the air emission sources at the Plant from December 20, 2023 to February 22, 2024 without the proper authorization.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="20.0%"/>

Matrix Notes

100% of the rule requirements were not met.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input checked="" type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

**Violation Base Penalty**

Three monthly events are recommended from the date NSR Permit No. 106544 expired on December 20, 2023 to the date the air emission sources at the Plant ceased operating on February 22, 2024.

**Good Faith Efforts to Comply**

Reduction

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>

Notes

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

**Violation Subtotal**

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

# Economic Benefit Worksheet

**Respondent** South Texas Electric Cooperative, Inc.  
**Case ID No.** 65662  
**Reg. Ent. Reference No.** RN106534407  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$5,000	20-Dec-2023	1-Apr-2025	1.28	\$321	n/a	\$321
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**  
 Estimated cost to obtain authorization to operate the air emission sources at the Plant and the associated air emissions. The Date Required is the date NSR Permit No. 106544 expired 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** \$5,000

**TOTAL** \$321

The TCEQ is committed to accessibility.

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



# Compliance History Report

Compliance History Report for CN600131254, RN106534407, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN600131254, South Texas Electric Cooperative, Inc. **Classification:** SATISFACTORY **Rating:** 1.26

**Regulated Entity:** RN106534407, RED GATE POWER PLANT **Classification:** HIGH **Rating:** 0.00

**Complexity Points:** 11 **Repeat Violator:** NO

**CH Group:** 06 - Electric Power Generation

**Location:** 3428 WEST FARM-TO-MARKET ROAD 490, EDINBURG, HIDALGO COUNTY, TEXAS

**TCEQ Region:** REGION 15 - HARLINGEN

**ID Number(s):**

**AIR OPERATING PERMITS** PERMIT 3810 **AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1322  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX63 **AIR NEW SOURCE PERMITS** AFS NUM 4821500710  
**WASTEWATER** PERMIT WQG100017 **AIR EMISSIONS INVENTORY** ACCOUNT NUMBER HNA026Z  
**TAX RELIEF** ID NUMBER 20491 **TAX RELIEF** ID NUMBER 20490  
**TAX RELIEF** ID NUMBER 20489 **TAX RELIEF** ID NUMBER 20492  
**TAX RELIEF** ID NUMBER 20493

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

**Date Compliance History Report Prepared:** March 06, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** March 06, 2019 to March 06, 2024

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

**Name:** Johnnie Wu

**Phone:** (512) 239-2524

**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	November 22, 2019	(1610242)
Item 2	November 10, 2020	(1686316)
Item 3	November 19, 2021	(1774007)
Item 4	November 22, 2021	(1774269)
Item 5	November 22, 2022	(1860596)





# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
SOUTH TEXAS ELECTRIC  
COOPERATIVE, INC.  
RN106534407

§ BEFORE THE  
§ TEXAS COMMISSION ON  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-0430-AIR-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding South Texas Electric Cooperative, Inc. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, represented by Benjamin Rhem of the law firm of Jackson Walker L.L.P., together stipulate that:

1. The Respondent owns and operates a 215 megawatt electric generating plant located at 3428 West Farm-to-Market Road 490 in Edinburg, Hidalgo County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$15,300 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,240 of the penalty and \$3,060 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 on February 22, 2024, the Respondent ceased operating the air emission sources at the Plant.

## **II. ALLEGATIONS**

During a record review for the Plant conducted from February 29, 2024 through March 4, 2024, an investigator documented that the Respondent failed to submit an application for renewal at least six months prior to the expiration of the permit, in violation of 30 TEX. ADMIN. CODE §§ 116.110(a), 116.315(a), and 122.143(4), Federal Operating Permit No. 03810, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b). Specifically, the Respondent did not submit a renewal application for New Source Review ("NSR") Permit No. 106544 by June 20, 2023, NSR Permit No. 106544 expired on December 20, 2023, and the Respondent continued to operate the air emission sources at the Plant from December 20, 2023 to February 22, 2024 without the proper authorization.

## **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: South Texas Electric Cooperative, Inc., Docket No. 2024-0430-AIR-E" to:

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

2. The Respondent shall undertake the following technical requirements at the Plant:
- a. Immediately upon the effective date of this Order, until such time authorization to operate is obtained, comply with the conditions in expired NSR Permit No. 106544.
  - b. Within 30 days after the effective date of this Order, submit an administratively complete permit application to authorize the operation of the air emission sources at the Plant and the associated air emissions, in accordance with 30 TEX. ADMIN. CODE § 116.111, to:

Air Permits Division, MC 163  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application by any deadline specified in writing.
- d. Within 45 days after the effective date of this Order, submit written certification demonstrating compliance with Ordering Provision Nos. 2.a. and 2.b., as described in Ordering Provision No. 2.e.
- e. Within 180 days after the effective date of this Order, submit written certification that either the authorization has been obtained or that operation has ceased until such time that the appropriate authorization has been obtained. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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:

Air Section Manager  
Harlingen Regional Office  
Texas Commission on Environmental Quality  
1804 West Jefferson Avenue  
Harlingen, Texas 78550-5247

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 Plant 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.

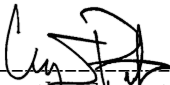
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

  
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4/2/2024  
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For the Executive Director


Date

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

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

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

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

  
-----  
Signature

March 27, 2024  
-----

Date

Clif Lange

General Manager  
-----

-----  
Name (Printed or typed)

-----  
Title

Authorized Representative of  
South Texas Electric Cooperative, Inc.

*If mailing address has changed, please check this box and provide the new address below:*

**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.