

Executive Summary - Enforcement Matter - Case No. 65483
Texas Water Utilities, L.P.
RN102286259
Docket No. 2024-0775-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Harbor Point, located at 133 Lakeside Loop, Trinity, Trinity County

Type of Operation:

Wastewater treatment

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 17, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$112,366

Total Paid to General Revenue: \$112,366

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: May 5, 2023

Date(s) of NOE(s): July 27, 2023

Executive Summary – Enforcement Matter – Case No. 65483
Texas Water Utilities, L.P.
RN102286259
Docket No. 2024-0775-MWD-E

Violation Information

1. Failed to collect and analyze effluent samples at the intervals specified in the permit [30 TEX. ADMIN. CODE §§ 305.125(1), 319.5(b), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013547001, Sampling and Analysis Requirements].
2. Failed to comply with permitted effluent limitations for *Escherichia coli*, pH, dissolved oxygen, and biochemical oxygen demand (5-day) [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0013547001, 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:

- a. Within 30 days, develop and implement procedures and conduct employee training to ensure samples are collected and analyzed;
- b. Within 45 days, submit written certification a.; and
- c. Within 130 days, submit written certification of compliance with the effluent limitations of TPDES permit No. WQ0013547001, 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 months of compliance with all permitted effluent limitations.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Kolby Farren, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2098; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: Eric Sabolsice, President, Texas Water Utilities, L.P., 1620 Grand Parkway, Suite 140, Pflugerville, Texas 78660

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	12-Jun-2023	Screening	7-Aug-2023	EPA Due	
	PCW	8-May-2025				

RESPONDENT/FACILITY INFORMATION	
Respondent	Texas Water Utilities, L.P.
Reg. Ent. Ref. No.	RN102286259
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	65483	No. of Violations	4
Docket No.	2024-0775-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kolby Farren
		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	\$80,000
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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	40.0%	Adjustment	Subtotals 2, 3, & 7	\$32,000
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Notes	Enhancement for eight 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	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$3,228	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$15,606	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$112,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.3%	Adjustment	\$366
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Recommened enhancement to capture the avoided cost of compliance associated with Violation No. 2.
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Final Penalty Amount	\$112,366
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$112,366
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	No deferral is recommended for Findings Orders.
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PAYABLE PENALTY	\$112,366
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Screening Date 7-Aug-2023

Docket No. 2024-0775-MWD-E

PCW

Respondent Texas Water Utilities, L.P.

Policy Revision 5 (January 28, 2021)

Case ID No. 65483

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102286259

Media Water Quality

Enf. Coordinator Kolby Farren

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>)	8	40%
	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) 40%

>> 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 eight months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 40%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 40%

Screening Date 7-Aug-2023	Docket No. 2024-0775-MWD-E	PCW
Respondent Texas Water Utilities, L.P.		<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No. 65483		<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No. RN102286259		
Media Water Quality		
Enf. Coordinator Kolby Farren		

Violation Number

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. WQ0013547001, 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

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	x
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="15.0%"/>

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

Matrix Notes

A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amounts of pollutants exceeded protective levels. *Escherichia coli* was 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

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Two quarterly events are recommended for the quarters containing the months of February, March, and May 2022.

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	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 Texas Water Utilities, L.P.
Case ID No. 65483
Reg. Ent. Reference No. RN102286259
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	28-Feb-2022	9-Dec-2025	3.78	\$2,836	n/a	\$2,836

Notes for DELAYED costs

Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Plant, 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

\$15,000

TOTAL

\$2,836

Screening Date 7-Aug-2023 **Docket No.** 2024-0775-MWD-E **PCW**
Respondent Texas Water Utilities, L.P. *Policy Revision 5 (January 28, 2021)*
Case ID No. 65483 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102286259
Media Water Quality
Enf. Coordinator Kolby Farren

Violation Number

Rule Cite(s)
 30 Tex. Admin. Code §§ 305.125(1), 319.5(b), and TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements Nos. 1, 3 and 6

Violation Description
 Failed to collect and analyze effluent samples at the intervals specified in the permit. Specifically, the Respondent did not collect and analyze ammonia nitrogen for the months of May and December 2022, and biochemical oxygen demand, ammonia nitrogen, dissolved oxygen, pH, and total suspended solids for January 2023.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="5.0%"/>
Potential	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes
 Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Three single events are recommended, one for each monthly monitoring period.

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input 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 Texas Water Utilities, L.P.
Case ID No. 65483
Reg. Ent. Reference No. RN102286259
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	\$250	7-Aug-2023	31-Aug-2025	2.07	\$26	n/a	\$26
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

Estimate Training/Sampling cost to develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements. The Date Required is the record review date 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	\$300	31-May-2022	7-Aug-2023	1.19	\$10	\$356	\$366
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

Estimated Avoided Cost to collect and analyze effluent samples (\$100 for each month of missed samples). The Date Required is the initial date of noncompliance, and the Final Date is the screening date.

Approx. Cost of Compliance

\$606

TOTAL

\$392

Screening Date 7-Aug-2023 **Docket No.** 2024-0775-MWD-E **PCW**
Respondent Texas Water Utilities, L.P. *Policy Revision 5 (January 28, 2021)*
Case ID No. 65483 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102286259
Media Water Quality
Enf. Coordinator Kolby Farren

Violation Number 3
Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements Nos. 1, 3, and 6
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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		25.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes *Escherichia coli* was evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Dissolved Oxygen and pH were also considered. Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$18,750

\$6,250

Violation Events

Number of Violation Events 3 92 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$18,750

Three monthly events are recommended for the months of July, August, and November 2022.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$18,750

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$26,336

This violation Final Assessed Penalty (adjusted for limits) \$26,336

Economic Benefit Worksheet

Respondent Texas Water Utilities, L.P.
Case ID No. 65483
Reg. Ent. Reference No. RN102286259
Media Water Quality
Violation No. 3

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 Worksheet 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 \$0

TOTAL \$0

Screening Date 7-Aug-2023 **Docket No.** 2024-0775-MWD-E **PCW**
Respondent Texas Water Utilities, L.P. *Policy Revision 5 (January 28, 2021)*
Case ID No. 65483 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102286259
Media Water Quality
Enf. Coordinator Kolby Farren

Violation Number 4
Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0013547001, Effluent Limitations and Monitoring Requirements Nos. 1 and 6
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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	X			50.0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes
 A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amounts of pollutants exceeded protective levels. *Escherichia coli* and dissolved oxygen were also considered. Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$12,500
 \$12,500

Violation Events

Number of Violation Events 4 122 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$50,000

Four monthly events are recommended for the months of April, September, and December 2022, and January 2023.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$50,000

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$70,229

This violation Final Assessed Penalty (adjusted for limits) \$70,229

Economic Benefit Worksheet

Respondent Texas Water Utilities, L.P.
Case ID No. 65483
Reg. Ent. Reference No. RN102286259
Media Water Quality
Violation No. 4

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 Worksheet 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 \$0

TOTAL \$0

Effluent Violation Table
Texas Water Utilities, L.P. - Harbor Point
TPDES Permit No. WQ0013547001
Case No. 65483 Docket No. 2024-0775-MWD-E

Monitoring Period	BOD (5-day) Daily Average Conc. Limit= 10 mg/L	BOD (5-day) Single Grab Conc. Limit= 35 mg/L	<i>E. coli</i> Daily Average Conc. Limit= 126 CFU/100mL	<i>E. coli</i> Single Grab Conc. Limit= 399 CFU/100mL	DO Monthly Min. Conc. Limit= 4.0 mg/L	PH Daily Min. Limit= 6.0 SU
February 2022	14	c	c	c	c	c
March 2022	13.2	c	127.6	977	c	c
April 2022	c	c	c	4,839	c	c
May 2022	c	c	c	745	c	c
July 2022	c	c	259.4	1,961	c	c
August 2022	c	c		3,466	3.8	5.3
September 2022	36.25	123	247.8	4,839	3.4	c
November 2022	14	c	c	2,599	c	c
December 2022	12.75	c	207	4,839	c	c
January 2023	c	c	4,838	4,838	c	c

BOD= Biochemical Oxygen Demand Conc.= Concentration mg/L= milligram per liter
CFU/100mL= Colony Forming Units per 100 milliliters DO= Dissolved Oxygen
Min.= Minimum SU= Standard Units c= compliance



Compliance History Report

Compliance History Report for CN602740706, RN102286259, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN602740706, Texas Water Utilities, L.P. **Classification:** SATISFACTORY **Rating:** 2.84

Regulated Entity: RN102286259, HARBOR POINT **Classification:** SATISFACTORY **Rating:** 5.78

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

CH Group: 08 - Sewage Treatment Facilities

Location: 133 Lakeside Loop, Trinity, in Trinity County, Texas

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

WASTEWATER PERMIT WQ0013547001

WASTEWATER EPA ID TX0106704

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: July 16, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 16, 2020 to July 16, 2025

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

Name: Mark Gamble

Phone: (512) 239-2587

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 17, 2020	(1675084)	Item 17	January 14, 2022	(1800002)
Item 2	September 20, 2020	(1688428)	Item 18	July 20, 2022	(1843778)
Item 3	September 29, 2020	(1681851)	Item 19	November 22, 2022	(1870973)
Item 4	October 20, 2020	(1694789)	Item 20	April 21, 2023	(1906827)
Item 5	November 20, 2020	(1716951)	Item 22	May 20, 2023	(1913979)
Item 6	December 21, 2020	(1716952)	Item 23	June 20, 2023	(1920587)
Item 7	January 20, 2021	(1716953)	Item 24	July 20, 2023	(1927573)
Item 8	February 19, 2021	(1730033)	Item 25	September 20, 2023	(1940691)
Item 9	March 19, 2021	(1730034)	Item 26	October 20, 2023	(1947493)
Item 10	April 20, 2021	(1730035)	Item 27	January 20, 2024	(1969540)
Item 11	May 20, 2021	(1742304)	Item 28	February 20, 2024	(1978621)
Item 12	June 20, 2021	(1748356)	Item 29	April 19, 2024	(1991725)
Item 13	July 19, 2021	(1753188)	Item 30	May 20, 2024	(1998159)
Item 14	August 19, 2021	(1758592)	Item 31	February 20, 2025	(2058227)
Item 15	November 30, 2021	(1785120)	Item 32	March 20, 2025	(2066792)
Item 16	December 21, 2021	(1792153)			

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: 07/31/2024 (2018509)
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: 08/31/2024 (2025295)
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: 09/30/2024 (2031405)
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: 10/31/2024 (2037725)
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: 11/30/2024 (2044116)
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: 12/31/2024 (2050676)
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: 03/31/2025 (2073601)
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: 04/30/2025 (2079986)
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

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: 03/31/2022 (1821446)
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: 04/30/2022 (1830343)
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

9 Date: 05/31/2022 (1836593)
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: 07/31/2022 (1849939)
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: 08/31/2022 (1857710)
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: 09/30/2022 (1864063)
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: 11/30/2022 (1876829)
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: 12/31/2022 (1883640)
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: 01/31/2023 (1891453)
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: 02/28/2023 (1900025)
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

17 Date: 07/31/2023 (1934514)
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

18* Date: 09/13/2023 (1923882)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 217, SubChapter E 217.128
Description: Failure by Monarch Harbor Point to ensure that the dissolved oxygen concentration maintained in the liquid in the equalization basins is at least 1.0 milligrams per liter.
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
OPR Pg. 13, No. 1 PERMIT
Description: Failure by Monarch Harbor Point to properly store bar screen screenings.
Self Report? NO Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
PC Pg. 10, No. 2(g) PERMIT
Description: Failure by Monarch Harbor Point to prevent Unauthorized Discharges (UDs) into or adjacent to the waters of the state at any location not permitted as an outfall.
Self Report? NO Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.039(b)
30 TAC Chapter 305, SubChapter F 305.125(1)
MRR, Pg. 7, No. 7(a) PERMIT
Description: Failure by Monarch Harbor Point to report an unauthorized discharge (UD) to the TCEQ Regional Office and Enforcement Division (MC224) within five days after becoming aware of the non-compliance.

19* Date: 10/31/2023 (1953178)
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

20* Date: 11/30/2023 (1962965)

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

21*

Date: 12/07/2023 (1938975)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 217, SubChapter E 217.128

Description: Failure by Monarch Harbor Point to ensure that the dissolved oxygen concentration maintained in the liquid in the equalization basins is at least 1.0 milligrams per liter.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
OPR Pg. 13, No. 1 PERMIT

Description: Failure by Monarch Harbor Point to properly store bar screen screenings.

Self Report? NO Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.039(b)
30 TAC Chapter 305, SubChapter F 305.125(1)
MRR, Pg. 7, No. 7(a) PERMIT

Description: Failure by Monarch Harbor Point to report an unauthorized discharge (UD) to the TCEQ Regional Office and Enforcement Division (MC224) within five days after becoming aware of the non-compliance.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
MRR Pg. 6, No. 3(B) PERMIT

Description: Failure by Monarch Harbor Point (HP) to properly retain monitoring records and have them readily available for review by a TCEQ representative.

Self Report? NO Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
ELMR Pg. 2, No. 1 PERMIT

Description: Failure by Monarch Harbor Point (HP) to discharge effluent that is compliant with permitted limitations for E. coli.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(19)
PC Pg. 9, No. 1(a) PERMIT

Description: Failure by Monarch Harbor Point (HP) to properly report results on the Discharge Monitoring Reports (DMR).

Self Report? NO Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
PC Pg. 10, No. 2(g) PERMIT

Description: Failure by Monarch Harbor Point (HP) to prevent Unauthorized Discharges (UDs) into or adjacent to the waters of the state at any location not permitted as an outfall.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
MRR Pg. 7 No. 7(C) PERMIT

Description: Failure by the Monarch Harbor Point (HP) to submit a report for effluent violations that deviated from the permitted effluent limitation by more than 40% in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(19)
PC Pg. 7, No. 1(a) PERMIT

Description: Failure by Monarch Harbor Point (HP) to properly report results on the Discharge Monitoring Reports (DMR).

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.5(b)
ELMR Pg. 2, No. 1 PERMIT
ELMR Pg. 2, No. 3 PERMIT
ELMR Pg. 2, No. 6 PERMIT

Description: Failure by Monarch Harbor Point (HP) to conduct effluent sampling at the measurement frequency specified in the permit.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
MRR Pg. 6, No. 5 PERMIT

Description: Failure by Monarch Harbor Point (HP) to retain copies of the flow meter calibration verification records and retain them at the facility site and-or be readily available for review by a TCEQ representative for a period of three years.

22* Date: 02/29/2024 (1985181)

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

23* Date: 05/31/2024 (2005126)

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

24* Date: 06/30/2024 (2012693)

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

25* Date: 07/31/2024 (2018509)

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

26* Date: 08/31/2024 (2025295)

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

27 Date: 09/30/2024 (2031405)

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

28	Date: 10/31/2024 (2037725)		
	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		
29	Date: 11/30/2024 (2044116)		
	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		
30	Date: 12/31/2024 (2050676)		
	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		
31	Date: 03/31/2025 (2073601)		
	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		
32	Date: 04/30/2025 (2079986)		
	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 9/1/2019 to 8/31/2024

Appendix B
All Investigations Conducted During Component Period July 16, 2020 and July 16, 2025

Item 1*	July 17, 2020**	(1675084)
Item 2*	September 20, 2020**	(1688428)
Item 3	September 21, 2020**	(1676826)
Item 4*	September 29, 2020**	(1681851)
Item 5*	October 20, 2020**	(1694789)
Item 6*	November 20, 2020**	(1716951)
Item 7*	December 21, 2020**	(1716952)
Item 8*	January 20, 2021**	(1716953)
Item 9	January 27, 2021**	(1698965)
Item 10*	February 19, 2021**	(1730033)
Item 11*	March 19, 2021**	(1730034)
Item 12*	April 20, 2021**	(1730035)
Item 13*	May 20, 2021**	(1742304)
Item 14*	June 20, 2021**	(1748356)
Item 15*	July 19, 2021**	(1753188)

Item 16	August 10, 2021**	(1746068)
Item 17*	August 19, 2021**	(1758592)
Item 18	September 18, 2021**	(1767889)
Item 19	October 20, 2021**	(1778451)
Item 20*	November 30, 2021**	(1785120)
Item 21*	December 21, 2021**	(1792153)
Item 22*	January 14, 2022**	(1800002)
Item 23	February 16, 2022**	(1807834)
Item 24	March 18, 2022**	(1814877)
Item 25	April 20, 2022**	(1821446)
Item 26	May 12, 2022**	(1830343)
Item 27	June 20, 2022**	(1836593)
Item 28*	July 20, 2022**	(1843778)
Item 29	August 19, 2022**	(1849939)
Item 30	September 20, 2022**	(1857710)
Item 31	October 28, 2022**	(1864063)
Item 32*	November 22, 2022**	(1870973)
Item 33	December 20, 2022**	(1876829)
Item 34	February 13, 2023**	(1883640)
Item 35	March 02, 2023**	(1891453)
Item 36	March 20, 2023**	(1900025)
Item 37*	April 21, 2023**	(1906827)
Item 38*	May 20, 2023**	(1913979)
Item 39*	June 20, 2023**	(1920587)
Item 40*	July 20, 2023**	(1927573)
Item 41	July 28, 2023**	(1897080)
Item 42	August 21, 2023**	(1934514)
Item 43*	September 20, 2023**	(1940691)
Item 44*	October 20, 2023**	(1947493)
Item 45	November 20, 2023**	(1953178)
Item 46	December 06, 2023**	(1938975)
Item 47	December 20, 2023**	(1962965)
Item 48*	January 20, 2024**	(1969540)
Item 49*	February 20, 2024**	(1978621)
Item 50	March 20, 2024**	(1985181)
Item 51*	April 19, 2024**	(1991725)
Item 52*	May 20, 2024**	(1998159)
Item 53	June 20, 2024**	(2005126)
Item 54	July 15, 2024**	(1995799)
Item 55	July 20, 2024**	(2012693)
Item 56	August 21, 2024**	(2018509)
Item 57	September 20, 2024	(2025295)
Item 58	October 20, 2024	(2031405)
Item 59	November 20, 2024	(2037725)
Item 60	December 19, 2024	(2044116)
Item 61	January 20, 2025	(2050676)
Item 62*	February 20, 2025	(2058227)
Item 63*	March 20, 2025	(2066792)
Item 64	April 20, 2025	(2073601)

* 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
TEXAS WATER UTILITIES, L.P.
RN102286259

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-0775-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Texas Water Utilities, L.P. (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 presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that 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. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment located at located at 133 Lakeside Loop, Trinity, in Trinity County, Texas 75862 in Trinity, Trinity 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. During a record review for the Facility conducted on May 5, 2023, an investigator documented that:
 - a. The Respondent did not collect and analyze ammonia nitrogen samples for the months of May and December 2022, and biochemical oxygen demand, ammonia nitrogen, dissolved oxygen, pH, and total suspended solids for January 2023.
 - b. The Respondent did not comply with permitted effluent limitations, as shown in the effluent violation table below:

Effluent Violation Table						
Monitoring Period	BOD (5-day) Daily Average Conc. Limit= 10 mg/L	BOD (5-day) Single Grab Conc. Limit= 35 mg/L	<i>E. coli</i> Daily Average Conc. Limit= 126 CFU/100mL	<i>E. coli</i> Single Grab Conc. Limit= 399 CFU/100mL	DO Monthly Min. Conc. Limit= 4.0 mg/L	PH Daily Min. Limit= 6.0 SU
February 2022	14	c	c	c	c	c
March 2022	13.2	c	127.6	977	c	c
April 2022	c	c	c	4,839	c	c
May 2022	c	c	c	745	c	c
July 2022	c	c	259.4	1,961	c	c
August 2022	c	c	c	3,466	3.8	5.3
September 2022	36.25	123	247.8	4,839	3.4	c
November 2022	14	c	c	2,599	c	c
December 2022	12.7	c	207	4,839	c	c
January 2023	c	c	4,838	4,838	c	c

BOD= Biochemical Oxygen Demand Conc.= Concentration mg/L= milligram per liter
CFU/100mL= Colony Forming Units per 100 milliliters DO= Dissolved Oxygen
Min.= Minimum SU= Standard Units c= compliance

II. CONCLUSIONS OF LAW

- As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
- As evidenced by Finding of Fact No. 2.a, the Respondent failed to collect and analyze effluent samples at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1), 319.5(b), and TPDES Permit No. WQ0013547001, Sampling and Analysis Requirements.
- As evidenced by Finding of Fact No. 2.b, the Respondent failed to comply with permitted effluent limitations, as shown in the attached effluent violation table, 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. WQ0013547001, Effluent Limitations and Monitoring Requirements No. 1.

4. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$112,366 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$112,366 penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas Water Utilities, L.P., Docket No. 2024-0775-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 undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order, develop and implement procedures and conduct employee training to ensure samples are collected and analyzed in accordance with permit requirements.
 - b. Within 45 days after the effective date of this Order submit written certification, demonstrating compliance with Ordering Provision No. 2.a as described in Ordering Provision No. 2.c
 - c. Within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES permit No. WQ0013547001, 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 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
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1830

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. 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 in this Order.
7. 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.

8. 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.
9. 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.
10. 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

Krista Mello-Jurack

11/20/2025

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

Date

Eric Sabolsice

9/24/25

Name (Printed or typed)

Title

Authorized Representative of
Texas Water Utilities, L.P.

President

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 I of this Order.