Executive Summary – Enforcement Matter – Case No. 66026
Freer Water Control and Improvement District
RN101440204
Docket No. 2024-0848-PWS-E

Order Type:
Findings Agreed Order
Findings Order Justification:
Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).
Media:
PWS
Small Business:
No
Location(s) Where Violation(s) Occurred:
Freer WCID, 307 East Johnson, Freer, Duval County
Type of Operation:
Public water supply
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: April 18, 2025
Comments Received: No

Penalty Information

Total Penalty Assessed: $5,500
Amount Deferred for Naturally Occurring Inorganic Contaminants: $5,500
Total Paid to General Revenue: $0
Total Due to General Revenue: $0
Payment Plan: N/A
Compliance History Classifications:
Person/CN - Unclassified
Site/RN - N/A
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: April 29, 2024 through May 10, 2024
Date(s) of NOE(s): May 10, 2024

Violation Information

Failed to comply with the maximum contaminant level ("MCL") of 0.010 milligrams per liter for arsenic, based on the running annual average [30 TEX. ADMIN. CODE § 290.106(f)(3)(C) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 180 days, submit an acceptable written plan, including a proposed schedule and any applicable planning materials, to the Executive Director that provides for an alternate water source, treatment technology, or other means of completing the necessary corrective actions to achieve compliance within 1,095 days with the MCL for arsenic;

b. Within 195 days, submit written certification to demonstrate compliance with a.;

c. Within 365 days and on a semi-annual basis thereafter, submit progress reports. These reports shall include information regarding actions taken to provide water which meets the MCL for arsenic;

d. Within 1,095 days, return to compliance with the MCL for arsenic based on a running annual average; and

e. Within 1,110 days, submit written certification to demonstrate compliance with d.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Kaisie Hubschmitt, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1482; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548
Respondent: Carlos L. Garcia, Board President, Freer Water Control and Improvement District, P.O. Box 329, Freer, Texas 78357
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021) *PCW Revision February 11, 2021*

DATES						
Assigned	13-May-2024					
PCW	24-Jun-2024	**Screening**	14-May-2024	**EPA Due**	30-Jun-2023	

RESPONDENT/FACILITY INFORMATION			
Respondent	Freer Water Control and Improvement District		
Reg. Ent. Ref. No.	RN101440204		
Facility/Site Region	16-Laredo	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	66026	**No. of Violations**	1
Docket No.	2024-0848-PWS-E	**Order Type**	Findings
Media Program(s)	Public Water Supply	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Kaisie Hubschmitt
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$50	**Maximum**	$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) ***Subtotal 1*** **$5,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Adjustment ***Subtotals 2, 3, & 7*** **$500**

Notes: Enhancement for two NOVs with the same/similar violations.

Culpability No **0.0%** Enhancement ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments ***Subtotal 5*** **$0**

Economic Benefit **0.0%** Enhancement* ***Subtotal 6*** **$0**

Total EB Amounts $15,596
Estimated Cost of Compliance $40,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 ***Final Subtotal*** **$5,500**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$5,500**

STATUTORY LIMIT ADJUSTMENT ***Final Assessed Penalty*** **$5,500**

DEFERRAL **100.0%** Reduction ***Adjustment*** **-$5,500**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: The Executive Director recommends a conditional deferral for naturally occurring constituents.

PAYABLE PENALTY **$0**

Screening Date	14-May-2024	**Docket No.** 2024-0848-PWS-E	**PCW**
Respondent	Freer Water Control and Improvement District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66026		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101440204		
Media	Public Water Supply		
Enf. Coordinator	Kaisie Hubschmitt		

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 (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	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 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	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) 10%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with the same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 10%

Screening Date	14-May-2024	**Docket No.**	2024-0848-PWS-E	**PCW**
Respondent	Freer Water Control and Improvement District			*Policy Revision 5 (January 28, 2021)*
Case ID No.	66026			*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101440204			
Media	Public Water Supply			
Enf. Coordinator	Kaisie Hubschmitt			

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.106(f)(3)(C) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to comply with the maximum contaminant level ("MCL") of 0.010 milligrams per liter ("mg/L") for arsenic, based on the running annual average. Specifically, the running annual average concentrations for arsenic were 0.016 mg/L for the third quarter of 2022, 0.018 mg/L for the fourth quarter of 2022, 0.019 mg/L for the first quarter of 2023, 0.023 mg/L for the third quarter of 2023, 0.031 mg/L for the fourth quarter of 2023, and 0.038 mg/L for the first quarter of 2024.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual		x	
	Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Exceeding the MCL for arsenic caused the persons served by the Facility to be exposed to a significant amount of pollutants which do not exceed levels protective of human health.

Adjustment $2,500

$2,500

Violation Events

Number of Violation Events: 2 — 547 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $5,000

Two annual events are recommended.

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 $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $15,596

Statutory Limit Test

Violation Final Penalty Total $5,500

This violation Final Assessed Penalty (adjusted for limits) $5,500

Economic Benefit Worksheet

Respondent Freer Water Control and Improvement District
Case ID No. 66026
Reg. Ent. Reference No. RN101440204
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)	$40,000	30-Sep-2022	24-Apr-2028	5.57	$743	$14,853	$15,596
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: The delayed cost includes the estimated amount to investigate, identify, and implement corrective actions to return to compliance with the MCL for arsenic, calculated from the last day of the first quarter of noncompliance to 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 $40,000

TOTAL $15,596

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 CN600636179, RN101440204, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600636179, Freer Water Control and Improvement District **Classification:** UNCLASSIFIED **Rating:** -----

Regulated Entity: RN101440204, FREER WCID **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: 307 EAST JOHNSON IN FREER, DUVAL COUNTY, TEXAS

TCEQ Region: REGION 16 - LAREDO

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0660002

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

Date Compliance History Report Prepared: November 06, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 06, 2019 to November 06, 2024

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

Name: Kaisie Hubschmitt **Phone:** (512) 239-1482

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 June 08, 2022 (1812719)

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: 01/10/2024 (1983308)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 4Q2023 - During the 4th quarter of 2023 the system violated the maximum contaminant level for arsenic with a RAA of 0.031 mg/L. ETT Point Value = 5

2 Date: 04/24/2024 (1983308)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 1Q2024 - During the 1st quarter of 2024 the system violated the maximum contaminant level for arsenic with a RAA of 0.038 mg/L. ETT Point Value = 5

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 NOVs Issued During Component Period 11/6/2019 and 11/6/2024

1 Date: 12/02/2022 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 3Q2022 - During the 3rd quarter of 2022 the system violated the maximum contaminant level for arsenic with a RAA of 0.016 mg/L. ETT Point Value = 5

2 Date: 12/15/2022 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 4Q2022 - During the 4th quarter of 2022 the system violated the maximum contaminant level for arsenic with a RAA of 0.018 mg/L. ETT Point Value = 5

3 Date: 04/28/2023 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 1Q2023 - During the 1st quarter of 2023 the system violated the maximum contaminant level for arsenic with a RAA of 0.019 mg/L. ETT Point Value = 5

4* Date: 11/03/2023 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 3Q2023 - During the 3rd quarter of 2023 the system violated the maximum contaminant level for arsenic with a RAA of 0.023 mg/L. ETT Point Value = 5

5* Date: 01/10/2024 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 4Q2023 - During the 4th quarter of 2023 the system violated the maximum contaminant level for arsenic with a RAA of 0.031 mg/L. ETT Point Value = 5

6* Date: 04/24/2024 (1983308)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.106(f)(3)(C)
Description: ARS MCL 1Q2024 - During the 1st quarter of 2024 the system violated the maximum contaminant level for arsenic with a RAA of 0.038 mg/L. ETT Point Value = 5

* NOVs applicable for the Compliance History rating period 9/1/2019 to 8/31/2024

Appendix B
All Investigations Conducted During Component Period November 06, 2019 and November 06, 2024

Item 1*	June 08, 2022**	(1812719)
Item 2	May 09, 2024**	(1983308)

Item 3	May 10, 2024**	(1987217)

* 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 FREER WATER CONTROL AND IMPROVEMENT DISTRICT RN101440204	**§ § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2024-0848-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Freer Water Control and Improvement District[1] (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. 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 public water supply located at 307 East Johnson in Freer, Duval County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 1,269 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(73).

2. During a record review for the Facility conducted on April 29, 2024 through May 10, 2024, an investigator documented that the running annual average concentrations for arsenic were 0.016 milligrams per liter ("mg/L") for the third quarter of 2022, 0.018 mg/L for the fourth quarter of 2022, 0.019 mg/L for the first quarter of 2023, 0.023 mg/L for the third quarter of 2023, 0.031 mg/L for the fourth quarter of 2023, and 0.038 mg/L for the first quarter of 2024.

[1] The Respondent has been named as "Freer Water Conservation and Improvement District" in previous TCEQ Orders and records.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.010 mg/L for arsenic, based on the running annual average, in violation of 30 TEX. ADMIN. CODE § 290.106(f)(3)(C) and TEX. HEALTH & SAFETY CODE § 341.0315(c).

3. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049(a), 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.

4. An administrative penalty in the amount of $5,500 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The amount of $5,500 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and 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 requirement contained in this Order, the Executive Director may demand payment of all or part of the conditionally deferred 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. 4 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: Freer Water Control and Improvement District, Docket No. 2024-0848-PWS-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 180 days after the effective date of this Order, submit an acceptable written plan, including a proposed schedule and any applicable planning materials, to the Executive Director that provides for an alternate water source, treatment technology, or other means of completing the necessary corrective

actions to achieve compliance within 1,095 days after the effective date of this Order with the MCL for arsenic to the addresses listed in Ordering Provision No. 2.e below.

b. Within 195 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 2.e below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.

c. Within 365 days after the effective date of this Order and on a semi-annual basis thereafter, submit progress reports to the addresses listed in Ordering Provision No. 2.e below. These reports shall include information regarding actions taken to provide water which meets the MCL for arsenic.

d. Within 1,095 days after the effective date of this Order, return to compliance with the MCL for arsenic based on a running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.106.

e. Within 1,110 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. 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:

Drinking Water Special Functions Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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
_____	5/9/2025
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.

_____	3-12-25
Signature	Date
Carlos L. Garcia	Freer WCID Board President
Name (Printed or typed) Authorized Representative of Freer Water Control and Improvement District	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.