

**Executive Summary – Enforcement Matter – Case No. 66121**  
**GRAND PARKWAY INDUSTRIAL, LP**  
**RN107880536**  
**Docket No. 2024-0884-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

Yes

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

Grand Parkway Industrial Park, 23575 ½ Clay Road, Katy, Harris County

**Type of Operation:**

Wastewater treatment facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** October 11, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$24,000

**Amount Deferred for Expedited Settlement:** \$4,800

**Total Paid to General Revenue:** \$545

**Total Due to General Revenue:** \$18,655

Payment Plan: 35 payments of \$533 each

**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:** January 31, 2024

**Date(s) of NOE(s):** May 13, 2024

**Executive Summary – Enforcement Matter – Case No. 66121  
GRAND PARKWAY INDUSTRIAL, LP  
RN107880536  
Docket No. 2024-0884-MWD-E**

***Violation Information***

Failed to comply with permitted effluent limitations for total suspended solids, daily average flow, dissolved oxygen, and carbonaceous biochemical oxygen demand (5-day) [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015322001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 6].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to, within 130 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0015322001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Taylor Williamson, Enforcement Division, Enforcement Team 1, MC R-12, (512) 239-2097; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Richard Rolland, Manager, GRAND PARKWAY INDUSTRIAL, LP, 7720 Westview Drive, Houston, Texas 77055

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	28-May-2024	<b>Screening</b>	28-May-2024	<b>EPA Due</b>	
	<b>PCW</b>	29-May-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	GRAND PARKWAY INDUSTRIAL, LP				
<b>Reg. Ent. Ref. No.</b>	RN107880536				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Minor		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	66121	<b>No. of Violations</b>	1
<b>Docket No.</b>	2024-0884-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Taylor Williamson
		<b>EC's Team</b>	Enforcement Team 1
<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>	60.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$9,000
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Notes Enhancement for eight months of self-reported effluent violations and one agreed order with a denial of liability.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$2,003
Estimated Cost of Compliance	\$15,000

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$24,000
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$24,000
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$24,000
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$4,800
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$19,200
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<b>Screening Date</b>	28-May-2024	<b>Docket No.</b>	2024-0884-MWD-E	<b>PCW</b>
<b>Respondent</b>	GRAND PARKWAY INDUSTRIAL, LP			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	66121			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN107880536			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Taylor Williamson			

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> )	1	20%
	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) 60%

>> Repeat Violator (Subtotal 3)

No	Adjustment Percentage (Subtotal 3)	0%
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>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer	Adjustment Percentage (Subtotal 7)	0%
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>> Compliance History Summary

Compliance History Notes	Enhancement for eight months of self-reported effluent violations and one agreed order with a denial of liability.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 60%

<b>Screening Date</b>	28-May-2024	<b>Docket No.</b>	2024-0884-MWD-E	<b>PCW</b>
<b>Respondent</b>	GRAND PARKWAY INDUSTRIAL, LP	Policy Revision 5 (January 28, 2021)		
<b>Case ID No.</b>	66121	PCW Revision February 11, 2021		
<b>Reg. Ent. Reference No.</b>	RN107880536			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Taylor Williamson			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015322001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 6			
<b>Violation Description</b>	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
			<b>Base Penalty</b>	\$25,000

  

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

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">15.0%</span>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">0.0%</span>

  

Matrix Notes

A simplified model was used to evaluate carbonaceous biochemical oxygen demand (5-day) to determine whether the discharged amounts of pollutants exceeded protective levels. Total suspended solids, flow, and dissolved oxygen were also considered. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

  

**Adjustment**

\$21,250

\$3,750

  

**Violation Events**

Number of Violation Events	4		306	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

  

**Violation Base Penalty**

\$15,000

  

Four quarterly events are recommended for the quarters containing the months of November and December 2022 and January, March, April, June, July, August, September, and October 2023.

  

**Good Faith Efforts to Comply**

	<b>0.0%</b>		
		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**

\$15,000

  

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

<b>Estimated EB Amount</b>	\$2,003	<b>Violation Final Penalty Total</b>	\$24,000
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$24,000

# Economic Benefit Worksheet

**Respondent** GRAND PARKWAY INDUSTRIAL, LP  
**Case ID No.** 66121  
**Reg. Ent. Reference No.** RN107880536  
**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	30-Nov-2022	1-Aug-2025	2.67	\$2,003	n/a	\$2,003
Notes for DELAYED costs	Estimated cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the estimated date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance \$15,000

**TOTAL** \$2,003

Grand Parkway Industrial Park TPDES Permit No. Case No. 66121 Docket No. 2024-0884-MWD-E
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Effluent Violation Table									
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	TSS Daily Avg. Conc.	TSS Single Grab Conc.	TSS Daily Avg. Loading
Monitoring Period	Limit = 5.0 mg/L	Limit = 30 mg/L	Limit = 0.42 lbs/day
November 2022	c	c	0.5443
December 2022	7.56	c	1.0079
January 2023	9.1	c	1.3247
March 2023	5.1	c	0.6802
April 2023	11.3	c	1.6198
June 2023	c	c	0.4457
July 2023	9.94	c	0.7887
August 2023	7.68	c	1.2737
September 2023	6.49	c	0.641
October 2023	11.08	32.5	0.6824

	CBOD Daily Avg. Loading	Flow Daily Avg.	DO Monthly Minimum Conc.
Monitoring Period	Limit = 0.42 lbs/day	Limit = 0.01 MGD	Limit = 6.0 mg/L
December 2022	0.4649	c	c
March 2023	c	0.0166	c
April 2023	0.4466	0.0172	c
August 2023	0.7332	c	c
September 2023	c	c	5.9

TSS = total suspended solids      CBOD = carbonaceous biochemical oxygen demand (5-day)  
DO = dissolved oxygen      Avg. = average      Conc. = concentration  
mg/L = milligrams per liter      lbs/day = pounds per day      MGD = million gallons per day  
c = compliant



# Compliance History Report

Compliance History Report for CN604696690, RN107880536, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN604696690, GRAND PARKWAY INDUSTRIAL, LP  
**Classification:** SATISFACTORY  
**Rating:** 6.72

**Regulated Entity:** RN107880536, GRAND PARKWAY INDUSTRIAL PARK  
**Classification:** SATISFACTORY  
**Rating:** 6.72

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

**CH Group:** 14 - Other

**Location:** 23575 ½ Clay Road, Katy, in Harris County, Texas

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
**WASTEWATER** EPA ID TX0136051  
**WASTEWATER** PERMIT WQ0015322001

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

**Date Compliance History Report Prepared:** May 28, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 28, 2019 to May 28, 2024

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**  
**Name:** Taylor Williamson  
**Phone:** (512) 239-2097

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 02/02/2021 ADMINORDER 2019-0556-MWD-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: Effluent Limits PERMIT  
Description: Failed to comply with permitted effluent limitations for total suspended solids, ammonia nitrogen, and carbonaceous biochemical oxygen demand (5-day).

### **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 13, 2019	(1587985)	Item 10	November 11, 2020	(1719434)
Item 2	September 18, 2019	(1608748)	Item 11	December 14, 2020	(1719435)
Item 3	September 25, 2019	(1601847)	Item 12	February 19, 2021	(1732516)
Item 4	February 14, 2020	(1642999)	Item 13	March 11, 2021	(1732517)
Item 5	April 17, 2020	(1655883)	Item 14	May 13, 2021	(1743549)
Item 6	May 20, 2020	(1662412)	Item 15	June 01, 2021	(1722685)
Item 7	June 16, 2020	(1668967)	Item 16	June 17, 2021	(1748764)
Item 8	August 31, 2020	(1682703)	Item 17	July 19, 2021	(1754016)
Item 9	October 16, 2020	(1695613)			



Item 18	August 18, 2021	(1759370)	Item 26	June 16, 2022	(1837439)
Item 19	September 16, 2021	(1768773)	Item 27	August 19, 2022	(1851133)
Item 20	November 15, 2021	(1786012)	Item 28	October 19, 2022	(1864899)
Item 21	January 19, 2022	(1800824)	Item 29	November 16, 2022	(1871789)
Item 22	February 15, 2022	(1808644)	Item 30	March 16, 2023	(1900861)
Item 23	March 11, 2022	(1815744)	Item 31	June 19, 2023	(1921422)
Item 24	April 19, 2022	(1822327)	Item 32	March 13, 2024	(1986000)
Item 25	May 16, 2022	(1831161)			

#### E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date: 06/30/2023 (1928397)		
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
2	Date: 07/31/2023 (1935320)		
	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: 08/31/2023 (1941563)		
	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: 09/30/2023 (1948320)		
	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: 10/31/2023 (1953990)		
	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: 11/30/2023 (1963796)		
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
7	Date: 12/31/2023 (1970360)		
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
8	Date: 01/31/2024 (1979441)		
	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

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
GRAND PARKWAY INDUSTRIAL, LP  
RN107880536

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

## AGREED ORDER DOCKET NO. 2024-0884-MWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding GRAND PARKWAY INDUSTRIAL, LP (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 together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 23575 ½ Clay Road in Katy, Harris County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$24,000 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$545 of the penalty and \$4,800 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.

The remaining amount of \$18,655 of the undeferred penalty shall be paid in 35 monthly payments of \$533 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the

terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

## II. ALLEGATIONS

During a record review for the Facility conducted on January 31, 2024, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015322001, Interim Effluent Limitations and Monitoring Requirements Nos. 1 and 6, as shown in the effluent violation table below.

Effluent Violation Table			
	TSS Daily Avg. Conc.	TSS Single Grab Conc.	TSS Daily Avg. Loading
Monitoring Period	Limit = 5.0 mg/L	Limit = 30 mg/L	Limit = 0.42 lbs/day
November 2022	c	c	0.5443
December 2022	7.56	c	1.0079
January 2023	9.1	c	1.3247
March 2023	5.1	c	0.6802
April 2023	11.3	c	1.6198
June 2023	c	c	0.4457
July 2023	9.94	c	0.7887
August 2023	7.68	c	1.2737
September 2023	6.49	c	0.641
October 2023	11.08	32.5	0.6824

	CBOD Daily Avg. Loading	Flow Daily Avg.	DO Monthly Minimum Conc.
Monitoring Period	Limit = 0.42 lbs/day	Limit = 0.01 MGD	Limit = 6.0 mg/L
December 2022	0.4649	c	c
March 2023	c	0.0166	c
April 2023	0.4466	0.0172	c
August 2023	0.7332	c	c
September 2023	c	c	5.9

TSS = total suspended solids      CBOD = carbonaceous biochemical oxygen demand (5-day)  
DO = dissolved oxygen                      Avg. = average                      Conc. = concentration  
mg/L = milligrams per liter      lbs/day = pounds per day      MGD = million gallons per day  
c = compliant

### 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: GRAND PARKWAY INDUSTRIAL, LP, Docket No. 2024-0884-MWD-E" to:

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

2. The Respondent shall, within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0015322001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. This certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Water Section Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Street, Suite H  
Houston, Texas 77023-1452

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate

reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

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

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

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Date

  
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For the Executive Director

10/16/2024

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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.

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Signature

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Date

Richard C. Rolland

-----  
Name (Printed or typed)

Authorized Representative of  
GRAND PARKWAY INDUSTRIAL, LP

-----  
Title

Manager

☐ 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.