Executive Summary – Enforcement Matter – Case No. 66370
City of Kerens
RN101426575
Docket No. 2024-1127-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:
City of Kerens PWS, 935 Northwest 2nd Street, Kerens, Navarro 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: February 14, 2025
Comments Received: No

Penalty Information

Total Penalty Assessed: $2,500
Total Paid to General Revenue: $2,500
Total Due to General Revenue: $0
Payment Plan: N/A
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - N/A
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: June 3, 2024 through June 14, 2024 and June 26, 2024 through June 28, 2024
Date(s) of NOE(s): June 14, 2024

Violation Information

Failed to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By December 2, 2024, the Respondent returned to compliance with the maximum contaminant level for total trihalomethanes at Site Nos. 1 and 2 at the Facility.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Nick Lohret-Froio, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-4495; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548
Respondent: The Honorable Jeffrey Saunders, Mayor, City of Kerens, P.O. Box 160, Kerens, Texas 75144
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES					
Assigned	17-Jun-2024				
PCW	24-Jun-2024	**Screening**	10-Jul-2024	**EPA Due**	30-Sep-2024

RESPONDENT/FACILITY INFORMATION			
Respondent	City of Kerens		
Reg. Ent. Ref. No.	RN101426575		
Facility/Site Region	4-Dallas/Fort Worth	**Major/Minor Source**	Minor

CASE INFORMATION			
Enf./Case ID No.	66370	**No. of Violations**	1
Docket No.	2024-1127-PWS-E	**Order Type**	Findings
Media Program(s)	Public Water Supply	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Nick Lohret-Froio
		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***	**$2,500**
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***	**$250**
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***	**-$250**
Economic Benefit	**0.0%** Enhancement*	***Subtotal 6***	**$0**
Total EB Amounts	$323	**Capped at the Total EB $ Amount*	
Estimated Cost of Compliance	$5,000		
SUM OF SUBTOTALS 1-7		***Final Subtotal***	**$2,500**
OTHER FACTORS AS JUSTICE MAY REQUIRE	**0.0%**	***Adjustment***	**$0**
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes			
		Final Penalty Amount	**$2,500**
STATUTORY LIMIT ADJUSTMENT		***Final Assessed Penalty***	**$2,500**
DEFERRAL	**0.0%** Reduction	***Adjustment***	**$0**
Reduces the Final Assessed Penalty by the indicated percentage.			
Notes	No deferral is recommended for Findings Orders.		
PAYABLE PENALTY			**$2,500**

Screening Date	10-Jul-2024	**Docket No.** 2024-1127-PWS-E	**PCW**
Respondent	City of Kerens		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66370		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101426575		
Media	Public Water Supply		
Enf. Coordinator	Nick Lohret-Froio		

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)

Satisfactory Performer

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	10-Jul-2024	**Docket No.** 2024-1127-PWS-E	**PCW**
Respondent	City of Kerens		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66370		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101426575		
Media	Public Water Supply		
Enf. Coordinator	Nick Lohret-Froio		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts at Site 1 were 0.089 mg/L for the fourth quarter of 2023, 0.086 mg/L for the first quarter of 2024, and 0.086 mg/L for the second quarter of 2024 and at Site 2 were 0.095 mg/L for the fourth quarter of 2023, 0.092 mg/L for the first quarter of 2024, and 0.087 mg/L for the second quarter of 2024.

Base Penalty $5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm: Moderate	Minor
Actual		x	
Potential			

Percent 25.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $3,750

$1,250

Violation Events

Number of Violation Events: 2 — 273 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $2,500

Two annual events are recommended, one per site.

Good Faith Efforts to Comply

10.0% Reduction $250

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

Notes: The Respondent achieved compliance on December 2, 2024.

Violation Subtotal $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $323

Statutory Limit Test

Violation Final Penalty Total $2,500

This violation Final Assessed Penalty (adjusted for limits) $2,500

Economic Benefit Worksheet

Respondent City of Kerens
Case ID No. 66370
Reg. Ent. Reference No. RN101426575
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)	$5,000	31-Dec-2023	2-Dec-2024	0.92	$15	$308	$323
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 other (as needed) cost includes the estimated cost to investigate, identify, and implement the necessary corrective actions to return to compliance with the MCL for TTHM, calculated from the last day of the first quarter of noncompliance to the date of compliance.

Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $5,000

TOTAL $323

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 CN600605349, RN101426575, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600605349, City of Kerens **Classification:** SATISFACTORY **Rating:** 0.73

Regulated Entity: RN101426575, CITY OF KERENS **Classification:** NOT APPLICABLE **Rating:** N/A

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

CH Group: 14 - Other

Location: 935 NORTHWEST 2ND STREET IN KERENS, NAVARRO COUNTY, TEXAS

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1750005

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

Date Compliance History Report Prepared: December 16, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 16, 2019 to December 16, 2024

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

Name: Nick Lohret-Froio **Phone:** (512) 239-4495

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.):
N/A

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: 03/06/2024 (1993955)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 500 Darby Drive, Kerens (DBP2-01); and with a LRAA of 0.092 mg/L at 210 Bobcat Ln, Kerens (DBP2-02). ETT Point Value = 5

2 Date: 05/30/2024 (1993955)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 2Q2024 – During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 500 Darby Drive, Kerens (DBP2-01); and with a LRAA of 0.087 mg/L at 210 Bobcat Ln, Kerens (DBP2-02). 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 12/16/2019 and 12/16/2024

1 Date: 05/19/2023 (1895320)

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.46(t)
Description: Failure to post a legible ownership sign at each of its production, treatment, and storage facilities.
EIC C7 MIN(3)(D)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.42(e)(4)(C)
Description: Failure to provide adequate forced ventilation for all enclosures in which gas chlorine is being stored or fed.
EIC B17 MOD(2)(G)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain overflow flap on the 0.25 MG ground storage tank in a good working condition.
EIC C4 MOD(2)(G)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(II)
Description: Failure to maintain a record of the amount of each chemical used each day.
EIC B3 MOD(2)(B)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.46(i)
Description: Failure to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.
EIC B18(C)(9) MOD(2)(G)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.42(e)(4)(B)
Description: Failure to have cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities.
EIC C4 MOD(2)(G)

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 290, SubChapter D 290.45(f)(4)
Description: Failure to provide an executed purchase contract which authorizes the purchase of a volume of water sufficient to meet the minimum production capacity requirements.
EIC C7 MOD(3)(D)

2* Date: 11/29/2023 (1993955)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 4Q2023 – During the 4th quarter of 2023 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.089 mg/L at 500 Darby Drive, Kerens (DBP2-01); and with a LRAA of 0.095 mg/L at 210 Bobcat Ln, Kerens (DBP2-02). ETT Point Value = 5

3* Date: 03/06/2024 (1993955)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 290, SubChapter F 290.115(f)(1)
Description: TTHM LRAA MCL 1Q2024 – During the 1st quarter of 2024 the system violated

the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 500 Darby Drive, Kerens (DBP2-01); and with a LRAA of 0.092 mg/L at 210 Bobcat Ln, Kerens (DBP2-02). ETT Point Value = 5

4* Date: 05/30/2024 (1993955)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.115(f)(1)

Description: TTHM LRAA MCL 2Q2024 – During the 2nd quarter of 2024 the system violated the maximum contaminant level for trihalomethanes with a LRAA of 0.086 mg/L at 500 Darby Drive, Kerens (DBP2-01); and with a LRAA of 0.087 mg/L at 210 Bobcat Ln, Kerens (DBP2-02). 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 December 16, 2019 and December 16, 2024

Item 1	May 10, 2023**	(1895320)
Item 2	October 31, 2023**	(1937871)
Item 3	June 12, 2024**	(1993955)
Item 4	June 14, 2024**	(1994177)

* 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	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
CITY OF KERENS	**§**	
RN101426575	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2024-1127-PWS-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Kerens (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 935 Northwest 2nd Street in Kerens, Navarro County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 613 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 record reviews for the Facility conducted on June 3, 2024 through June 14, 2024, and June 26 2024 through June 28, 2024, an investigator documented that the locational running annual average concentrations of total trihalomethanes ("TTHM") for Stage 2 Disinfection Byproducts at Site 1 were 0.089 milligrams per liter ("mg/L") for the fourth quarter of 2023, 0.086 mg/L for the first quarter of 2024, and 0.086 mg/L for the second quarter of 2024 and at Site 2 were 0.095 mg/L for the fourth quarter of 2023, 0.092 mg/L for the first quarter of 2024, and 0.087 mg/L for the second quarter of 2024.

3. The Executive Director recognizes that by December 2, 2024, the Respondent returned to compliance with the MCL for TTHM at Site Nos. 1 and 2 at the Facility.

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 0.080 mg/L for TTHM, based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) 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 $2,500 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 Respondent paid the $2,500 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: City of Kerens, Docket No. 2024-1127-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. All relief not expressly granted in this Order is denied.

3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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
_____	3/20/2025
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.

_____	12/27/2024
Signature	Date
Jeffrey Saunders	Mayor
Name (Printed or typed) Authorized Representative of City of Kerens	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.