

Executive Summary – Enforcement Matter – Case No. 66042

Hedgefield, LLC

RN111766465

Docket No. 2024-1253-WQ-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

WQ

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

MIKE, 7055 Heathington Boulevard, Granbury, Hood County

Type of Operation:

Construction site

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: August 1, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,041

Amount Deferred for Expedited Settlement: \$2,608

Total Paid to General Revenue: \$874

Total Due to General Revenue: \$9,559

Payment Plan: 11 payments of \$869 each

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): January 3, 2024

Complaint Information: Alleged that a builder removed sediment controls prior to stabilizing the lot and allowing sediment to wash off the site.

Date(s) of Investigation: January 31, 2024

Date(s) of NOE(s): May 7, 2024

Executive Summary – Enforcement Matter – Case No. 66042
Hedgefield, LLC
RN111766465
Docket No. 2024-1253-WQ-E

Violation Information

1. Failed to conduct stormwater inspections of the construction site at least once every fourteen calendar days and within 24 hours of the end of a storm event of 0.5 inches. Specifically, the Respondent ceased conducting and documenting inspections after November 29, 2023 [30 TEX. ADMIN. CODE § 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1511NL, Part III, Section F.8(c)i].
2. Failed to remove accumulations of sediment at a frequency that minimizes off-site impacts. Specifically, sediment migrated from the western corner of the Site into an off-site drainage ditch, and the accumulated sediment was not removed in a timely manner [30 TEX. ADMIN. CODE § 281.25(a)(4), TEX. WATER CODE § 26.121(a)(2), and TPDES General Permit No. TXR1511NL, Part III, Section F.6(d)].
3. Failed to design, install, and maintain effective erosion and sediment controls to minimize the discharge of pollutants. Specifically, unstabilized areas of the Site lacked erosion and sediment controls to minimize the discharge of sediment from the property [30 TEX. ADMIN. CODE § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.2(a)(ii)].
4. Failed to include a copy of TPDES General Permit No. TXR150000 in the Stormwater Pollution Prevention Plan ("SWP3"). Specifically, the SWP3 provided by the Respondent on Wednesday, February 7, 2024, did not include a copy of the TPDES General Permit No. TXR150000 [30 TEX. ADMIN. CODE § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.1(j)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By May 6, 2024, the Respondent terminated authorization under TPDES General Permit No. TXR1511NL and ceased regulated activities at the Site.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Alejandra Basave, Enforcement Division, Enforcement Team 1, MC R-13, (512) 239-4168; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Brian Carlin, Managing Member, Hedgefield, LLC, 410 Shops Boulevard, Suite 200, Willow Park, Texas 76087

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	7-May-2024	Screening	7-May-2024	EPA Due	
	PCW	13-Mar-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	Hedgefield, LLC
Reg. Ent. Ref. No.	RN111766465
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	66042	No. of Violations	4
Docket No.	2024-1253-WQ-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Alejandra Basave
		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	\$12,250
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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	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$1,225
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Notes	Reduction for High Performer classification.
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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	\$2,016	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$1,986	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$11,025
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OTHER FACTORS AS JUSTICE MAY REQUIRE	18.3%	Adjustment	\$2,016
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Recommended enhancement to capture the avoided cost of compliance associated with Violation Nos. 1 through 4.	
	Final Penalty Amount	\$13,041

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,041
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DEFERRAL	20.0%	Reduction	Adjustment	-\$2,608
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$10,433
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Screening Date	7-May-2024	Docket No.	2024-1253-WQ-E	PCW
Respondent	Hedgefield, LLC			
Case ID No.	66042			
Reg. Ent. Reference No.	RN111766465			
Media	Water Quality			
Enf. Coordinator	Alejandra Basave			

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	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) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for High Performer classification.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date 7-May-2024		Docket No. 2024-1253-WQ-E		PCW	
Respondent Hedgefield, LLC		Policy Revision 5 (January 28, 2021)			
Case ID No. 66042		PCW Revision February 11, 2021			
Reg. Ent. Reference No. RN111766465					
Media Water Quality					
Enf. Coordinator Alejandra Basave					
Violation Number 1					
Rule Cite(s)		30 Tex. Admin. Code § 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1511NL, Part III, Section F.8(c)i			
Violation Description		Failed to conduct stormwater inspections of the construction site at least once every fourteen calendar days and within 24 hours of the end of a storm event of 0.5 inches. Specifically, the Respondent ceased conducting and documenting inspections after November 29, 2023.			
Base Penalty				\$25,000	
>> Environmental, Property and Human Health Matrix					
OR	Release		Harm		
	Major	Moderate	Minor		
	Actual				
	Potential		x		Percent 3.0%
>>Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes		Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				\$24,250	
				\$750	
>> Violation Events					
Number of Violation Events		1		97 Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual	x			
	annual				
	single event				
Violation Base Penalty \$750					
One semiannual event is recommended from the investigation date (January 31, 2024) to the screening date (May 7, 2024).					
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				\$750	
>> Economic Benefit (EB) for this violation					
>> Statutory Limit Test					
Estimated EB Amount		\$612		Violation Final Penalty Total \$798	
This violation Final Assessed Penalty (adjusted for limits)				\$798	

Economic Benefit Worksheet

Respondent Hedgefield, LLC
Case ID No. 66042
Reg. Ent. Reference No. RN111766465
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							

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)	\$600	13-Dec-2023	6-May-2024	0.40	\$12	\$600	\$612
Notes for AVOIDED costs							

Estimated avoided cost to train staff on inspection requirements and conduct stormwater inspections of the Site (\$50 per inspection conducted x 11 biweekly inspections). The Date Required is 14 days after the last recorded inspection, and the Final Date is the date TPDES General Permit No. TXR1511NL was terminated.

Approx. Cost of Compliance	\$600	TOTAL	\$612
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Screening Date	7-May-2024	Docket No.	2024-1253-WQ-E	PCW
Respondent	Hedgefield, LLC	Policy Revision 5 (January 28, 2021)		
Case ID No.	66042	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN111766465			
Media	Water Quality			
Enf. Coordinator	Alejandra Basave			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 281.25(a)(4), Tex. Water Code § 26.121(a)(2), and TPDES General Permit No. TXR1511NL, Part III, Section F.6(d)			
Violation Description	Failed to remove accumulations of sediment at a frequency that minimizes off-site impacts. Specifically, sediment migrated from the western corner of the Site into an off-site drainage ditch, and the accumulated sediment was not removed in a timely manner.			
Base Penalty			\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			x
	Potential			
Percent			15.0%	
>> Programmatic Matrix				
	Falsification			
	Major	Moderate	Minor	
Percent			0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants which 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		1	97	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual	x		
	annual			
	single event			
Violation Base Penalty \$3,750				
One semiannual event is recommended from the investigation date (January 31, 2024) to the screening date (May 7, 2024).				
Good Faith Efforts to Comply		0.0%	Reduction	\$0
		Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer	
	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.			
Violation Subtotal			\$3,750	
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount		\$203	Violation Final Penalty Total	\$3,992
This violation Final Assessed Penalty (adjusted for limits)			\$3,992	

Economic Benefit Worksheet

Respondent Hedgefield, LLC
Case ID No. 66042
Reg. Ent. Reference No. RN111766465
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				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							

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)	\$200	31-Jan-2024	6-May-2024	0.26	\$3	\$200	\$203
Notes for AVOIDED costs	Estimated avoided cost to remove and properly dispose of accumulated sediment. The Date Required is the investigation date, and the Final Date is the date TPDES General Permit No. TXR1511NL was terminated.						

Approx. Cost of Compliance	\$200	TOTAL	\$203
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Screening Date 7-May-2024 Respondent Hedgefield, LLC Case ID No. 66042 Reg. Ent. Reference No. RN111766465 Media Water Quality Enf. Coordinator Alejandra Basave	Docket No. 2024-1253-WQ-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
Violation Number 3		
Rule Cite(s) 30 Tex. Admin. Code § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.2(a)(ii)		
Violation Description Failed to design, install, and maintain effective erosion and sediment controls to minimize the discharge of pollutants. Specifically, unstabilized areas of the Site lacked erosion and sediment controls to minimize the discharge of sediment from the property.		
Base Penalty		\$25,000
>> Environmental, Property and Human Health Matrix		
OR	Release	Harm
		Major Moderate Minor
	Actual	
	Potential	x
Percent		15.0%
>> Programmatic Matrix		
	Falsification	Major Moderate Minor
		
Percent		0.0%
Matrix Notes	Human health or the environment will or could be exposed to pollutants that would 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		2
Number of violation days		97
daily weekly monthly quarterly semiannual annual single event	 x 	Violation Base Penalty \$7,500
Two quarterly events are recommended from the investigation date (January 31, 2024) to the screening date (May 7, 2024).		
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		\$7,500
Economic Benefit (EB) for this violation		
Estimated EB Amount		\$1,191
Statutory Limit Test		Violation Final Penalty Total \$7,984
This violation Final Assessed Penalty (adjusted for limits)		\$7,984

Economic Benefit Worksheet

Respondent Hedgefield, LLC
Case ID No. 66042
Reg. Ent. Reference No. RN111766465
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

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)	\$1,176	31-Jan-2024	6-May-2024	0.26	\$15	\$1,176	\$1,191

Notes for AVOIDED costs

Estimated avoided cost to stabilize the Site. The Date Required is the investigation date, and the Final Date is the date TPDES General Permit No. TXR1511NL was terminated.

Approx. Cost of Compliance

\$1,176

TOTAL

\$1,191

Screening Date 7-May-2024 Respondent Hedgefield, LLC Case ID No. 66042 Reg. Ent. Reference No. RN111766465 Media Water Quality Enf. Coordinator Alejandra Basave	Docket No. 2024-1253-WQ-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	4	Rule Cite(s)	30 Tex. Admin. Code § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.1(j)
Violation Description	Failed to include a copy of TPDES General Permit No. TXR150000 in the Stormwater Pollution Prevention Plan ("SWP3"). Specifically, the SWP3 provided by the Respondent on Wednesday, February 7, 2024, did not include a copy of the TPDES General Permit No. TXR150000.		

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes		Falsification	Major	Moderate	Minor	
				x	Percent 1.0%	
	Less than 30% of the rule requirements were not met.					
	Adjustment					\$24,750

	\$250
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Violation Events

Number of Violation Events	1	97	Number of violation days
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	daily		Violation Base Penalty	\$250
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		

One single event is recommended.	
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Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

	\$10	
Estimated EB Amount	\$10	Violation Final Penalty Total
		\$266

Statutory Limit Test

This violation Final Assessed Penalty (adjusted for limits)	\$266
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Economic Benefit Worksheet

Respondent Hedgefield, LLC
Case ID No. 66042
Reg. Ent. Reference No. RN111766465
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							

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)	\$10	31-Jan-2024	6-May-2024	0.26	\$0	\$10	\$10
Notes for AVOIDED costs	Estimated avoided cost update the SWP3 with a copy of TXR150000. The Date Required is the investigation date, and the Final Date is the date TPDES General Permit No. TXR1511NL was terminated.						

Approx. Cost of Compliance \$10

TOTAL \$10



Compliance History Report

Compliance History Report for CN606156727, RN111766465, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN606156727, Hedgefield, LLC	Classification:	HIGH	Rating:	0.00
Regulated Entity:	RN111766465, MIKE	Classification:	HIGH	Rating:	0.00
Complexity Points:	0	Repeat Violator:	NO		
CH Group:	14 - Other				
Location:	7055 Heathington Boulevard, Granbury, Hood County, Texas				
TCEQ Region:	REGION 04 - DFW METROPLEX				
ID Number(s):					

Compliance History Period:	September 01, 2019 to August 31, 2024	Rating Year:	2024	Rating Date:	09/01/2024
Date Compliance History Report Prepared:	March 12, 2025				
Agency Decision Requiring Compliance History:	Enforcement				
Component Period Selected:	March 12, 2020 to March 12, 2025				
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name:	Nancy M. Sims	Phone:	(512) 239-5053		

Site and Owner/Operator History:

- | | |
|--|----|
| 1) Has the site been in existence and/or operation for the full five-year compliance period? | NO |
| 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.

N/A

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
HEDGEFIELD, LLC
RN111766465

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-1253-WQ-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 Hedgefield, LLC (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 operated a construction site located at 7055 Heathington Boulevard in Granbury, Hood County, Texas (the "Site"). The Site 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 \$13,041 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$874 of the penalty and \$2,608 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 of this Order.

The remaining amount of \$9,559 of the undeferred penalty shall be paid in 11 monthly payments of \$869 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.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by May 6, 2024, the Respondent terminated authorization under Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1511NL and ceased regulated activities at the Site.

II. ALLEGATIONS

During an investigation at the Site conducted on January 31, 2024, an investigator documented that the Respondent:

1. Failed to conduct stormwater inspections of the construction site at least once every fourteen calendar days and within 24 hours of the end of a storm event of 0.5 inches, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.8(c)i. Specifically, the Respondent ceased conducting and documenting inspections after November 29, 2023.
2. Failed to remove accumulations of sediment at a frequency that minimizes off-site impacts, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4), TEX. WATER CODE § 26.121(a)(2), and TPDES General Permit No. TXR1511NL, Part III, Section F.6(d). Specifically, sediment migrated from the western corner of the Site into an off-site drainage ditch, and the accumulated sediment was not removed in a timely manner.
3. Failed to design, install, and maintain effective erosion and sediment controls to minimize the discharge of pollutants, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.2(a)(ii). Specifically, unstabilized areas of the Site lacked erosion and sediment controls to minimize the discharge of sediment from the property.
4. Failed to include a copy of TPDES General Permit No. TXR150000 in the Stormwater Pollution Prevention Plan ("SWP3"), in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and TPDES General Permit No. TXR1511NL, Part III, Section F.1(j). Specifically, the SWP3

provided by the Respondent on Wednesday, February 7, 2024, did not include a copy of the TPDES General Permit No. TXR150000.

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: Hedgefield, LLC, Docket No. 2024-1253-WQ-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 Site 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. 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.
6. 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.

7. 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

Krista Mello-Jurach

For the Executive Director

Date

09/07/2025

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.

B. Carlin

Signature

6/23/2025

Date

Brian Carlin

Name (Printed or typed)

Authorized Representative of
Hedgefield, LLC

managing member

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.