Executive Summary – Enforcement Matter – Case No. 66545
Rankin Road West Municipal Utility District
RN102341070
Docket No. 2024-1508-MWD-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MWD
Small Business:
No
Location(s) Where Violation(s) Occurred:
Rankin Road West MUD, 12739 Laurel Vale Way, Houston, Harris County
Type of Operation:
Wastewater treatment facility
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: March 13, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $12,937
Amount Deferred for Expedited Settlement: $2,587
Total Paid to General Revenue: $0
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $10,350
Name of SEP: Sanitary Sewer Cleaning and Inspection (Compliance)
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: April 30, 2024
Date(s) of NOE(s): July 15, 2024

Executive Summary – Enforcement Matter – Case No. 66545
Rankin Road West Municipal Utility District
RN102341070
Docket No. 2024-1508-MWD-E

Violation Information

Failed to comply with permitted effluent limitations for ammonia nitrogen and total suspended solids [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012934001, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

2. The Order will also require the Respondent to, within 130 days, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0012934001, including specific corrective actions that were implemented at the Plant 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: Samantha Smith, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2099; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
TCEQ SEP Coordinator: Adena Crider, Litigation Division, MC 175, (512) 239-0648
Respondent: Kelvin A. Smith, President, Rankin Road West Municipal Utility District, 2727 Allen Parkway, Suite 1100, Houston, Texas 77019-2191
Respondent's Attorney: G. Taylor Goodall, Smith Murdaugh Little & Bonham LLP, 2727 Allen Parkway, Suite 1100, Houston, Texas 77019

Penalty Calculation Worksheet (PCW)

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

DATES						
	Assigned	5-Aug-2024				
	PCW	5-Feb-2025	**Screening**	7-Aug-2024	**EPA Due**	

RESPONDENT/FACILITY INFORMATION

Respondent	Rankin Road West Municipal Utility District		
Reg. Ent. Ref. No.	RN102341070		
Facility/Site Region	12-Houston	**Major/Minor Source**	Minor

CASE INFORMATION

Enf./Case ID No.	66545	**No. of Violations**	1
Docket No.	2024-1508-MWD-E	**Order Type**	1660
Media Program(s)	Water Quality	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Samantha Smith
		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*** **$11,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **15.0%** Adjustment ***Subtotals 2, 3, & 7*** **$1,687**

Notes: Enhancement for three months of self-reported effluent violations.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

Total EB Amounts $1,142
Estimated Cost of Compliance $10,000
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 ***Final Subtotal*** **$12,937**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$12,937**

STATUTORY LIMIT ADJUSTMENT ***Final Assessed Penalty*** **$12,937**

DEFERRAL **20.0%** Reduction ***Adjustment*** **-$2,587**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$10,350**

Screening Date	7-Aug-2024	**Docket No.** 2024-1508-MWD-E	**PCW**
Respondent	Rankin Road West Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66545		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102341070		
Media	Water Quality		
Enf. Coordinator	Samantha Smith		

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*)	3	15%
	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) 15%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 15%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 15%

Screening Date	7-Aug-2024	**Docket No.** 2024-1508-MWD-E	**PCW**
Respondent	Rankin Road West Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66545		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102341070		
Media	Water Quality		
Enf. Coordinator	Samantha Smith		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0012934001, Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: A simplified model was used to evaluate ammonia nitrogen to determine whether the discharged amounts of pollutants exceeded protective levels. Total suspended solids 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: 3 — Number of violation days: 123

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty $11,250

Three quarterly events are recommended for the quarters containing the months of June, October, and December 2023, and January 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 $11,250

Economic Benefit (EB) for this violation

Estimated EB Amount $1,142

Statutory Limit Test

Violation Final Penalty Total $12,938

This violation Final Assessed Penalty (adjusted for limits) $12,938

Economic Benefit Worksheet

Respondent Rankin Road West Municipal Utility District
Case ID No. 66545
Reg. Ent. Reference No. RN102341070
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
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)	$10,000	30-Jun-2023	11-Oct-2025	2.28	$1,142	n/a	$1,142
Notes for DELAYED costs	Estimated other 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 $10,000

TOTAL $1,142

Rankin Road West Municipal Utility District Texas Pollutant Discharge Elimination System Permit No. WQ0012934001 Case No. 66485 Docket No. 2024-1508-MWD-E			
	Ammonia Nitrogen Daily Average Concentration	Ammonia Nitrogen Single Grab Concentration	Total Suspended Solids Daily Average Concentration
Monitoring Period	Limit = 3 mg/L	Limit = 15 mg/L	Limit = 15 mg/L
June 2023	4.95	19.3	c
October 2023	c	c	15.8
December 2023	c	c	28.8
January 2023	c	c	27.3

c = compliant mg/L = milligrams per liter

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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 CN600973077, RN102341070, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600973077, Rankin Road West MUD **Classification:** SATISFACTORY **Rating:** 2.00

Regulated Entity: RN102341070, RANKIN ROAD WEST MUD **Classification:** SATISFACTORY **Rating:** 2.00

Complexity Points: 5 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 12739 Laurel Vale Way, Houston, Harris County, Texas

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

WASTEWATER PERMIT WQ0012934001 **WASTEWATER** EPA ID TX0097047

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

Date Compliance History Report Prepared: February 05, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 05, 2020 to February 05, 2025

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

Name: Samantha Smith **Phone:** (512) 239-2099

Site and Owner/Operator History:

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

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

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	February 07, 2020	(1641998)	Item 17	August 10, 2021	(1758429)
Item 2	May 12, 2020	(1661429)	Item 18	September 09, 2021	(1767708)
Item 3	June 06, 2020	(1667956)	Item 19	October 11, 2021	(1778278)
Item 4	July 08, 2020	(1674905)	Item 20	November 08, 2021	(1784948)
Item 5	September 11, 2020	(1688252)	Item 21	December 08, 2021	(1791982)
Item 6	October 02, 2020	(1681676)	Item 22	January 12, 2022	(1799833)
Item 7	October 16, 2020	(1694611)	Item 23	February 09, 2022	(1807665)
Item 8	November 10, 2020	(1716431)	Item 24	April 11, 2022	(1821277)
Item 9	December 08, 2020	(1716432)	Item 25	June 17, 2022	(1836424)
Item 10	February 09, 2021	(1729513)	Item 26	July 12, 2022	(1843610)
Item 11	March 10, 2021	(1729514)	Item 27	August 13, 2022	(1849772)
Item 12	April 13, 2021	(1729515)	Item 28	September 16, 2022	(1857541)
Item 13	May 10, 2021	(1742055)	Item 29	October 13, 2022	(1863895)
Item 14	June 08, 2021	(1742056)	Item 30	November 10, 2022	(1870804)
Item 15	July 08, 2021	(1753022)	Item 31	January 12, 2023	(1883470)
Item 16	August 04, 2021	(1738489)			

Item 32	February 13, 2023	(1891284)	Item 40	December 14, 2023	(1962791)
Item 33	March 16, 2023	(1899856)	Item 41	May 16, 2024	(1997990)
Item 34	April 13, 2023	(1906657)	Item 42	June 11, 2024	(2004957)
Item 35	May 10, 2023	(1913811)	Item 43	July 19, 2024	(2012521)
Item 36	June 15, 2023	(1920420)	Item 44	September 14, 2024	(2025126)
Item 37	August 09, 2023	(1934346)	Item 45	October 11, 2024	(2031236)
Item 38	September 13, 2023	(1940523)	Item 46	November 15, 2024	(2037554)
Item 39	October 12, 2023	(1947326)			

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: 02/29/2024 (1985012)
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: 03/31/2024 (1991535)
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: 07/31/2024 (2018089)
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

Component Appendices

Appendix A
All NOVs Issued During Component Period 2/5/2020 and 2/5/2025

1 Date: 02/29/2020 (1648514)

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: 03/31/2020 (1654865)

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: 12/31/2020 (1716433)

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: 02/28/2022 (1814707)

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: 04/30/2022 (1830114)

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: 11/30/2022 (1876660)

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: 06/30/2023 (1927405)

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: 10/31/2023 (1953013)

Self Report? YES Classification: Moderate

Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

9* Date: 12/31/2023 (1969374)

Self Report? YES Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

10* Date: 01/31/2024 (1978439)

Self Report? YES Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

11* Date: 02/29/2024 (1985012)

Self Report? YES Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

12* Date: 03/31/2024 (1991535)

Self Report? YES Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

13* Date: 07/31/2024 (2018089)

Self Report? YES Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

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

Appendix B
All Investigations Conducted During Component Period February 05, 2020 and February 05, 2025

Item 1*	February 07, 2020**	(1641998)	Item 15*	April 13, 2021**	(1729515)
Item 2	March 09, 2020**	(1648514)	Item 16*	May 10, 2021**	(1742055)
Item 3	April 09, 2020**	(1654865)	Item 17*	June 08, 2021**	(1742056)
Item 4*	May 12, 2020**	(1661429)	Item 18*	July 08, 2021**	(1753022)
Item 5*	June 06, 2020**	(1667956)	Item 19*	August 04, 2021**	(1738489)
Item 6*	July 08, 2020**	(1674905)	Item 20*	August 10, 2021**	(1758429)
Item 7*	September 11, 2020**	(1688252)	Item 21*	September 09, 2021**	(1767708)
Item 8*	October 02, 2020**	(1681676)	Item 22*	October 11, 2021**	(1778278)
Item 9*	October 16, 2020**	(1694611)	Item 23*	November 08, 2021**	(1784948)
Item 10*	November 10, 2020**	(1716431)	Item 24*	December 08, 2021**	(1791982)
Item 11*	December 08, 2020**	(1716432)	Item 25*	January 12, 2022**	(1799833)
Item 12	January 12, 2021**	(1716433)	Item 26*	February 09, 2022**	(1807665)
Item 13*	February 09, 2021**	(1729513)	Item 27	March 11, 2022**	(1814707)
Item 14*	March 10, 2021**	(1729514)	Item 28*	April 11, 2022**	(1821277)

Item 29	May 15, 2022**	(1830114)
Item 30*	June 17, 2022**	(1836424)
Item 31*	July 12, 2022**	(1843610)
Item 32*	August 13, 2022**	(1849772)
Item 33*	September 16, 2022**	(1857541)
Item 34*	October 13, 2022**	(1863895)
Item 35*	November 10, 2022**	(1870804)
Item 36	December 17, 2022**	(1876660)
Item 37*	January 12, 2023**	(1883470)
Item 38*	February 13, 2023**	(1891284)
Item 39*	March 16, 2023**	(1899856)
Item 40*	April 13, 2023**	(1906657)
Item 41*	May 10, 2023**	(1913811)
Item 42*	June 15, 2023**	(1920420)
Item 43	July 13, 2023**	(1927405)
Item 44*	August 09, 2023**	(1934346)
Item 45*	September 13, 2023**	(1940523)
Item 46*	October 12, 2023**	(1947326)
Item 47	November 17, 2023**	(1953013)
Item 48*	December 14, 2023**	(1962791)
Item 49	January 13, 2024**	(1969374)
Item 50	February 17, 2024**	(1978439)
Item 51	March 20, 2024**	(1985012)
Item 52	April 10, 2024**	(1991535)
Item 53*	May 16, 2024**	(1997990)
Item 54*	June 11, 2024**	(2004957)
Item 55*	July 19, 2024**	(2012521)
Item 56	July 30, 2024**	(1958534)
Item 57	August 17, 2024**	(2018089)
Item 58*	September 14, 2024	(2025126)
Item 59*	October 11, 2024	(2031236)
Item 60*	November 15, 2024	(2037554)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2019 and 08/31/2024.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING RANKIN ROAD WEST MUNICIPAL UTILITY DISTRICT RN102341070	**§ § § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2024-1508-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 Rankin Road West Municipal Utility District (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, represented by G. Taylor Goodall of the law firm of Smith Murdaugh Little & Bonham LLP, together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 12739 Laurel Vale Way in Houston, 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 $12,937 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of $2,587 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. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

   Pursuant to TEX. WATER CODE § 7.067, $10,350 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms

and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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 April 30, 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)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012934001, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table			
	Ammonia Nitrogen Daily Average Concentration	Ammonia Nitrogen Single Grab Concentration	Total Suspended Solids Daily Average Concentration
Monitoring Period	Limit = 3 mg/L	Limit = 15 mg/L	Limit = 15 mg/L
June 2023	4.95	19.3	c
October 2023	c	c	15.8
December 2023	c	c	28.8
January 2023	c	c	27.3

c = compliant mg/L = milligrams per liter

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: Rankin Road West Municipal Utility District, Docket No. 2024-1508-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 implemented and completed the SEP as set forth in Section I, Paragraph No. 4. The amount of $10,350 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

3. 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. WQ0012934001, including specific corrective actions that were implemented at the Plant 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. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

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

   The certification shall be submitted to:

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

with a copy to:

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

4. All relief not expressly granted in this Order is denied.

5. 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.

6. 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.

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
Kristie Mello-Jurack	04/13/2026
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.

Kelvin A. Smith	February 17, 2026
Signature	Date
KELVIN A. SMITH	President
Name (Printed or typed) Authorized Representative of Rankin Road West Municipal Utility District	Title

☐ *If mailing address has changed, please check this box and provide the new address below:*

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Attachment A

Docket Number: 2024-1508-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Rankin Road West Municipal Utility District
Penalty Amount:	$10,350
SEP Offset Amount:	$10,350
Type of SEP:	Compliance
Project Name:	*Sanitary Sewer Cleaning and Inspection*
Location of SEP:	Harris County

The Texas Commission on Environmental Quality ("the Commission" or "TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order in exchange for Respondent's performance of a Supplemental Environmental Project ("SEP").

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its wastewater treatment facility (the "Facility") which are described in this Agreed Order.

1. Project Description

A. Project

Respondent hired a contractor to clean and televise 31,301 linear feet of sanitary sewer collection lines and inspect 173 manholes in the Laurel Oaks area near Spears Road in Harris County. Specifically, the SEP Offset Amount was used for materials, supplies, and equipment for sanitary sewer cleaning, televising, and manhole inspection (the "Project"). Respondent hired qualified contractors to perform the Project. The SEP was performed in accordance with all federal, state, and local environmental laws and regulations.

Respondent used the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed below in Subsection C. Expenses. No portion of the SEP Offset Amount was spent on administrative costs, including operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent had no prior commitment to perform this Project and that the SEP was performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by improving the integrity of the collection system, thereby avoiding its failure and preventing wastewater discharges from being released into the environment. Discharges of wastewater that is untreated or inadequately treated can carry bacteria, viruses, protozoa (parasitic organisms), helminths (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Additional risks include occurrences of low dissolved oxygen, fish kills, algal bloom, and bacterial contamination in waterways.

C. Expenses

Respondent spent at least the SEP Offset Amount to complete the project described in Section 1.A, above, and complied with all other provisions of this SEP. Respondent understood that it may have cost more than the SEP Offset Amount to complete the Project.

Expenses

Item	Total
Sanitary Sewer Collection System Inspection and Cleaning	$95,751.87
Total	**$95,751.87**

2. Records

As of January 9, 2026, Respondent provided TCEQ the following documentation as proof of completion of the proposed SEP:

A. An itemized list of expenditures and total cost of the Project;

B. Copies of invoices or receipts corresponding to the itemized list in paragraph 2.A., above;

C. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 2.A., above;

D. A certified statement of SEP completion and document authentication;

E. Copies of all engineering and inspection reports related to work performed pursuant to the Project;

F. A detailed map showing the specific location of the project site(s); and

G. Photographs of work being performed during the Project.

3. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff and shall allow immediate (i.e., within 24 hours) access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

4. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP Coordinator at the address provided below:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.