

Executive Summary – Enforcement Matter – Case No. 66846
Trinity River Authority of Texas
RN102655560
Docket No. 2024-1833-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Trinity River Authority Central Region Wastewater System, 6500 Singleton Boulevard, Dallas, Dallas 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: October 10, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$20,250

Total Paid to General Revenue: \$0

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$20,250

Name of SEP: Texas Water Development Board (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: August 19, 2024

Date(s) of NOE(s): September 27, 2024

Executive Summary – Enforcement Matter – Case No. 66846
Trinity River Authority of Texas
RN102655560
Docket No. 2024-1833-MWD-E

Violation Information

Failed to prevent an authorized discharge of wastewater into or adjacent to any water in the state [30 TEX. ADMIN. CODE § 305.125(1) and (4), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0010303001, Permit Conditions No. 2.g].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. Notified TCEQ of the unauthorized discharge that occurred on August 13, 2024, by August 16, 2024; and
- b. Ceased the unauthorized discharge by transferring the flow to a parallel 30-inch force main, cleaned solids, collected and disposed of the dead fish, and disinfected the affected areas by August 23, 2024.

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Harley Hobson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-1337; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, Enforcement Division, MC 219, (512) 239-3565

SEP Third-Party Administrator: Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711

Respondent: Matt S. Jalbert, P.E., Executive Manager, Northern Region, Trinity River Authority of Texas, P.O. Box 240, Arlington, Texas 76004

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	30-Sep-2024	Screening	1-Oct-2024	EPA Due	
	PCW	29-Apr-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	Trinity River Authority of Texas				
Reg. Ent. Ref. No.	RN102655560				
Facility/Site Region	4-Dallas/Fort Worth		Major/Minor Source	Major	

CASE INFORMATION

Enf./Case ID No.	66846	No. of Violations	1
Docket No.	2024-1833-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Harley Hobson
		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	\$25,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	6.0%	Adjustment	Subtotals 2, 3, & 7	\$1,500
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Notes: Enhancement for one NOV with the same/similar violation, one dissimilar NOV, and one reduction for a notice of an audit.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$6,250
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$274
Estimated Cost of Compliance	\$200,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$20,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$20,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$20,250
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$20,250
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Screening Date	1-Oct-2024	Docket No.	2024-1833-MWD-E	PCW
Respondent	Trinity River Authority of Texas			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	66846			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN102655560			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			

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>)	1	5%
	Other written NOVs	1	2%
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>)	1	-1%
	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) 6%

>> Repeat Violator (Subtotal 3)

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

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

Compliance History Notes	Enhancement for one NOV with the same/similar violation, one dissimilar NOV, and one reduction for a notice of an audit.
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Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 6%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 6%

Screening Date	1-Oct-2024	Docket No.	2024-1833-MWD-E	PCW
Respondent	Trinity River Authority of Texas			Policy Revision 5 (January 28, 2021)
Case ID No.	66846			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN102655560			
Media	Water Quality			
Enf. Coordinator	Harley Hobson			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and (4), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0010303001, Permit Conditions No. 2.g.			
Violation Description	Failed to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state. Specifically, on August 13, 2024 to August 16, 2024, approximately 22,000,000-gallons of wastewater was released from a 30-inch sewer main break located near 6321 Mirabella Boulevard, Grand Prairie. The spilled wastewater impacted both Bowman Branch and Joe Pool Lake, resulting in a fish kill of 3,400 fish.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual Potential	x		
			Percent	100.0%
>>Programmatic Matrix				
	Falsification	Major Moderate Minor		
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.			
		Adjustment	\$0	
			\$25,000	
Violation Events				
	Number of Violation Events	1	10	Number of violation days
	daily weekly monthly quarterly semiannual annual single event			
				Violation Base Penalty
				\$25,000
	One monthly event is recommended from the August 13, 2024 unauthorized discharge date to the August 23, 2024 compliance date.			
Good Faith Efforts to Comply				
		25.0%	Reduction	\$6,250
	Extraordinary Ordinary N/A		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
		x		
	Notes	The Respondent achieved compliance by August 23, 2024.		
		Violation Subtotal	\$18,750	
Economic Benefit (EB) for this violation				
	Estimated EB Amount	\$274	Violation Final Penalty Total	\$20,250
	This violation Final Assessed Penalty (adjusted for limits)			\$20,250

Economic Benefit Worksheet

Respondent Trinity River Authority of Texas
Case ID No. 66846
Reg. Ent. Reference No. RN102655560
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	\$200,000	13-Aug-2024	23-Aug-2024	0.03	\$274	n/a	\$274
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Remediation/Disposal cost to remove and properly clean and disinfect the affected areas of the unauthorized discharge. The Date Required is the unauthorized discharge date, and the Final Date is 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

\$200,000

TOTAL

\$274



Compliance History Report

Compliance History Report for CN601265945, RN102655560, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN601265945, Trinity River Authority Of Texas
Classification: SATISFACTORY **Rating:** 3.21
Regulated Entity: RN102655560, TRINITY RIVER AUTHORITY CENTRAL REGION WASTEWATER SYSTEM
Classification: SATISFACTORY **Rating:** 0.29
Complexity Points: 16
Repeat Violator: NO
CH Group: 08 - Sewage Treatment Facilities
Location: 6500 SINGLETON BOULEVARD, DALLAS, DALLAS COUNTY, TEXAS
TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

AIR OPERATING PERMITS PERMIT 4654

AIR NEW SOURCE PERMITS REGISTRATION 42201

AIR NEW SOURCE PERMITS AFS NUM 4811300198

PETROLEUM STORAGE TANK REGISTRATION 75477

PRETREATMENT PERMIT WQ0010303001

SLUDGE AUTHORIZATION 720010

WASTEWATER AUTHORIZATION R10303001

WASTEWATER EPA ID TX0022802

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST 43115

AIR OPERATING PERMITS PERMIT 4654

AIR NEW SOURCE PERMITS ACCOUNT NUMBER DB0864E

AIR NEW SOURCE PERMITS REGISTRATION 136568

PETROLEUM STORAGE TANK REGISTRATION 3387

PRETREATMENT EPA ID TX0022802000

STORMWATER PERMIT TXR05DB73

WASTEWATER PERMIT WQ0010303001

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD980744700

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

Date Compliance History Report Prepared: March 04, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 04, 2020, to March 04, 2025

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

Name: Sarah Castillo

Phone: (512) 239-1130

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	March 18, 2020	(1647349)	Item 4	May 19, 2020	(1660270)
Item 3	April 17, 2020	(1653687)	Item 5	May 28, 2020	(1651770)

Item 6	June 19, 2020	(1666780)	Item 43	June 24, 2022	(1811394)
Item 7	July 16, 2020	(1659235)	Item 44	June 28, 2022	(1818216)
Item 8	July 17, 2020	(1673733)	Item 45	July 20, 2022	(1842457)
Item 10	August 14, 2020	(1665608)	Item 46	August 22, 2022	(1848589)
Item 11	August 19, 2020	(1680511)	Item 47	October 19, 2022	(1862745)
Item 12	September 17, 2020	(1687078)	Item 48	November 18, 2022	(1869659)
Item 13	October 16, 2020	(1693422)	Item 49	December 19, 2022	(1875509)
Item 14	November 19, 2020	(1712961)	Item 50	January 19, 2023	(1882330)
Item 15	December 18, 2020	(1712962)	Item 51	February 17, 2023	(1890143)
Item 16	December 23, 2020	(1692827)	Item 52	March 17, 2023	(1898706)
Item 17	January 15, 2021	(1712963)	Item 53	March 30, 2023	(1893813)
Item 18	February 03, 2021	(1698931)	Item 54	April 20, 2023	(1905493)
Item 19	February 18, 2021	(1726020)	Item 55	May 17, 2023	(1912675)
Item 20	March 18, 2021	(1726021)	Item 56	June 19, 2023	(1919279)
Item 23	May 17, 2021	(1701196)	Item 57	July 18, 2023	(1926244)
Item 24	May 19, 2021	(1740317)	Item 58	August 18, 2023	(1933204)
Item 25	May 27, 2021	(1710554)	Item 59	September 19, 2023	(1939345)
Item 26	June 17, 2021	(1747669)	Item 60	October 19, 2023	(1946193)
Item 27	July 19, 2021	(1751871)	Item 61	November 16, 2023	(1951884)
Item 28	August 18, 2021	(1757332)	Item 62	December 19, 2023	(1961649)
Item 29	September 20, 2021	(1766427)	Item 63	December 27, 2023	(1938961)
Item 30	October 18, 2021	(1777000)	Item 64	February 19, 2024	(1977305)
Item 31	November 18, 2021	(1783791)	Item 65	March 19, 2024	(1983872)
Item 32	December 09, 2021	(1770614)	Item 66	March 26, 2024	(1981074)
Item 33	December 17, 2021	(1790820)	Item 67	April 19, 2024	(1990401)
Item 34	December 22, 2021	(1774497)	Item 68	May 17, 2024	(1996858)
Item 35	January 19, 2022	(1798611)	Item 69	June 17, 2024	(2003810)
Item 36	February 15, 2022	(1806485)	Item 70	August 02, 2024	(2001761)
Item 38	March 21, 2022	(1813553)	Item 71	August 13, 2024	(2001028)
Item 39	April 19, 2022	(1820122)	Item 72	August 19, 2024	(2016965)
Item 40	May 17, 2022	(1828962)	Item 74	September 17, 2024	(2023986)
Item 41	May 19, 2022	(1810805)	Item 76	November 18, 2024	(2036427)
Item 42	June 20, 2022	(1835255)	Item 77	December 19, 2024	(2042540)

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: 04/15/2024 (1966363)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 312, SubChapter D 312.83(b)(6)
TX0022802 PERMIT
WQ0010303-001 PERMIT
Description: Failure to adequately meet the biosolids requirements. Specifically, the sampling data for Vector Attraction Reduction Alternative 6 for Class AB biosolids indicated the 2-hour pH result for December 2023 and the initial pH result for January 2024 were less than the required pH minimum limit.
- 2 Date: 07/11/2024 (1982757)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 317 317.4(a)(8)
TX0022802 PERMIT
WQ0010303001 PERMIT
Description: Failed to test the reduced-pressure backflow assembly (RPBA) at least annually.
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
TX0022802 PERMIT
WQ0010303001 PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater into or adjacent to waters in the state.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TX0022802 PERMIT

Description: Failure to notify the TCEQ of an unauthorized discharge as required.

F. Environmental audits:

Notice of Intent Date: 04/26/2023 (1910680)

No DOV Associated

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
TRINITY RIVER AUTHORITY OF
TEXAS
RN102655560

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

AGREED ORDER DOCKET NO. 2024-1833-MWD-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Trinity River Authority of Texas (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 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 wastewater treatment facility located at 6500 Singleton Boulevard in Dallas, Dallas 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. During an investigation at the Facility conducted on August 19, 2024, an investigator documented that on August 13, 2024 to August 16 2024, approximately 22,000,000-gallons of wastewater was released from a 30-inch sewer main break located near 6321 Mirabella Boulevard, Grand Prairie. The spilled wastewater impacted both Bowman Branch and Joe Pool Lake, resulting in a fish kill of 3,400 fish.
3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - a. Notified TCEQ of the unauthorized discharge that occurred on August 13, 2024, by August 16, 2024; and

- b. Ceased the unauthorized discharge by transferring the flow to a parallel 30-inch force main, cleaned solids, collected and disposed of the dead fish, and disinfected the affected areas by August 23, 2024.

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. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, the Respondent failed to prevent an authorized discharge of wastewater into or adjacent to any water in the state, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (4), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0010303001, Permit Conditions No. 2.g.
3. Pursuant to TEX. WATER CODE § 7.051, 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 \$20,250 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Pursuant to TEX. WATER CODE § 7.067, \$20,250 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.

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: Trinity River Authority of Texas, Docket No. 2024-1833-MWD-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section II, Paragraph No. 4. The amount of \$20,250 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. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date

11/20/2025

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.



Signature

Matthew S. Jalbert, PE

Name (Printed or typed)

Authorized Representative of

Trinity River Authority of Texas

September 2, 2025

Date

Executive Manager,
Northern Region

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: 2024-1833-MWD-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Trinity River Authority of Texas
Penalty Amount:	\$20,250
SEP Offset Amount:	\$20,250
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Water Development Board
Project Name:	<i>Water-Level Recorder Data in Texas</i>
Total Project Budget:	\$648,829.50
Location of SEP:	Statewide; Preference for Dallas County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon compliance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the **Texas Water Development Board**, as a Third-Party Administrator, for its *Water Level Recorder Data in Texas* project (the “Project”). The Project is to purchase, install, and maintain automatic water-level recorders in unused wells to satisfy updated network objectives of up to two recorders per recognized aquifer per county in Texas. The Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and TCEQ.

All dollars contributed will be used solely for the cost of implementing the Project, including for supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

The Respondent’s signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

The groundwater stored within Texas’ major and minor aquifers is an important natural resource that is relied upon to meet the water supply demands of Texans across the state. Many factors affect the availability of this resource, including drought and increased demand. This Project will further provide real-time statewide comprehensive groundwater level data to Texas counties, cities, groundwater conservation districts, water supply companies, and individual well owners. The availability of this comprehensive data will promote awareness of the effects of drought on Texas’ aquifers and assist in groundwater management planning and use statewide.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to Third-Party Administrator. The Respondent shall make the contribution payable to the **Texas Water Development Board**, and mail it with a copy of the Agreed Order to:

Texas Water Development Board
Attention: Finance
P.O. Box 13231
Austin, Texas 78711

3. Records and Reporting

Together with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the proof of payment and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

4. Failure to Fully Perform

If the 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 ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that the Respondent failed to fully implement and complete the contribution to the Project, the 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 contribution to the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the 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 above.

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent, must include a clear statement that the contribution to 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

The Respondent may not seek recognition for this contribution 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 the Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.