

**Executive Summary - Enforcement Matter - Case No. 67144**  
**City of Liberty Hill**  
**RN104102132**  
**Docket No. 2024-1964-MWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

MWD

**Small Business:**

No

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

Liberty Hill Regional WWTP, located approximately 8,800 feet southeast of the intersection of U.S. Highway 29 and U.S. Highway 183, Williamson 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:** January 2, 2026

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$125,475

**Amount Deferred for Expedited Settlement:** \$25,095

**Total Paid to General Revenue:** \$0

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$100,380

Name of SEP: SCADA Improvements (Compliance)

**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:** November 20, 2024

**Date(s) of NOE(s):** December 6, 2024

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**City of Liberty Hill**  
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**Docket No. 2024-1964-MWD-E**

***Violation Information***

1. Failed to comply with permitted effluent limitations for total phosphorus and annual average flow [TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE § 305.125 (1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014477001, Interim Effluent Limitations and Monitoring Requirements No. 1].
2. Failed to submit the nutrient and algal growth monitoring work plan. Specifically, the nutrient and algal growth monitoring work plan was not submitted to the TCEQ within 180 days of permit issuance [30 TEX. ADMIN. CODE § 305.125(1) and (18) and TPDES Permit No. WQ0014477001, Other Requirements No. 15].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. On August 15, 2024, began wastewater effluent characterization to determine the levels of chemicals and pathogens present;
- b. On December 30, 2024, submitted the Pilot-Scale Study Protocol to the TCEQ for review for the development of the Advanced Water Purification Facility ("AWPF") needed to achieve compliance with the permitted effluent limitations and to prevent the discharge of nutrient-rich wastewater into the South Fork San Gabriel River;
- c. On May 6, 2025, received the Pilot-Scale Study Protocol Acceptance Letter from the TCEQ to proceed with the study;
- d. On May 14, 2025, submitted a nutrient and algal growth monitoring work plan to the TCEQ; and
- e. On August 1, 2025, the TCEQ approved the nutrient and algal growth monitoring work plan.

**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:
  - a. Immediately, continue implementation of the AWPF to achieve compliance with the permitted effluent limitations and to prevent the discharge of nutrient-rich wastewater into the South Fork San Gabriel River, design and upon Executive Director approval of

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the plans/specifications, authorization of direct potable reuse, and permit issuance, construct the AWPf;

b. Within 7 days and on a weekly basis thereafter until g. is completed, assess the receiving stream at the outfall to determine if algal mats are present and remove any and all algal mats accordingly to ensure that the receiving stream at the outfall is maintained in an aesthetically pleasing condition or document that algal mats are not present in the receiving stream at the outfall.

c. Within 30 days, submit written certification of compliance with a. and b.

d. Within 45 days, submit quarterly progress reports for the AWPf until it is constructed and in operation. Progress reports shall contain a written certification of compliance and include at a minimum whether or not the Respondent met the project milestones for the AWPf, the reason for any delays, and if appropriate, the steps taken by the Respondent to return to the established timeframe for the following:

i. Completion of Effluent Characterization;

ii. Construction Award of AWPf Pilot Study Project;

iii. Start and Completion of Pilot Study Project Testing;

iv. Start and Completion of Full-Scale Design for the APF;

v. Substantial Completion of AWPf; and

vi. Complete Full-Scale Verification of the AWPf.

e. Within 1,096 days, submit a summary transmittal letter.

f. Within 1,111 days, submit written certification of compliance with e.

g. Within 2,038 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0014477001 demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

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***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Samantha Smith, Enforcement Division, Enforcement Team 1, MC 219, (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:** The Honorable Crystal Mancilla, Mayor, City of Liberty Hill, 926 Loop 332, Liberty Hill, Texas 78642

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned PCW</b>	16-Dec-2024	<b>Screening</b>	18-Dec-2024	<b>EPA Due</b>	5-Mar-2025
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<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	City of Liberty Hill
<b>Reg. Ent. Ref. No.</b>	RN104102132
<b>Facility/Site Region</b>	11-Austin
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	67144	<b>No. of Violations</b>	2
<b>Docket No.</b>	2024-1964-MWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Mistie Gonzales
		<b>EC's Team</b>	Enforcement Team 1
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$62,750
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	100.0% Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$62,750
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<b>Notes</b>	Enhancement for nine months of self-reported effluent violations, one NOV with similar violations, three orders containing a denial of liability, and a reduction for one notice of intent to conduct an audit and one disclosure of violations.
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<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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<b>Notes</b>	The Respondent does not meet the culpability criteria.
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$25
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$180,432	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$420,000	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$125,475
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

<b>Notes</b>	
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<b>Final Penalty Amount</b>	\$125,475
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$125,475
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<b>DEFERRAL</b>	20.0%	Reduction	<b>Adjustment</b>	-\$25,095
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Reduces the Final Assessed Penalty by the indicated percentage.

<b>Notes</b>	Deferral offered for expedited settlement.
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<b>PAYABLE PENALTY</b>	\$100,380
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**Screening Date** 18-Dec-2024

**Docket No.** 2024-1964-MWD-E

**PCW**

**Respondent** City of Liberty Hill

Policy Revision 5 (January 28, 2021)

**Case ID No.** 67144

PCW Revision February 11, 2021

**Reg. Ent. Reference No.** RN104102132

**Media** Water Quality

**Enf. Coordinator** Mistie Gonzales

### 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> )	10	50%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	3	60%
	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> )	1	-2%
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)** 107%

#### >> 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 nine months of self-reported effluent violations, one NOV with similar violations, three orders containing a denial of liability, and a reduction for one notice of intent to conduct an audit and one disclosure of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 107%

#### >> Final Compliance History Adjustment

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

**Screening Date** 18-Dec-2024 **Docket No.** 2024-1964-MWD-E **PCW**  
**Respondent** City of Liberty Hill *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 67144 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN104102132  
**Media** Water Quality  
**Enf. Coordinator** Mistie Gonzales

**Violation Number** 1  
**Rule Cite(s)** Tex. Water Code § 26.121(a)(1) and 30 Tex. Admin. Code § 305.125 (1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014477001, Interim 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			Percent
		Major	Moderate	Minor	
	Actual		x		50.0%
	Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

**Matrix Notes** Total Phosphorus and flow were evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$12,500

\$12,500

**Violation Events**

Number of Violation Events 5 153 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$62,500

Five monthly events are recommended for the months of May, June, July, August, and September 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** \$62,500

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

**Estimated EB Amount** \$180,150 **Violation Final Penalty Total** \$125,000

**This violation Final Assessed Penalty (adjusted for limits)** \$125,000

# Economic Benefit Worksheet

**Respondent** City of Liberty Hill  
**Case ID No.** 67144  
**Reg. Ent. Reference No.** RN104102132  
**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 (1)	\$380,000	1-Aug-2024	31-Dec-2030	6.42	\$8,131	\$162,619	\$170,750
Other (2)	\$25,000	14-Jan-2025	2-Jun-2028	3.38	\$282	\$5,639	\$5,921
Other (3)	\$5,000	14-Jan-2025	31-Dec-2030	5.96	\$1,491	\$1,988	\$3,479

#### Notes for DELAYED costs

Other cost (1) is the estimated cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, achieve compliance with the permitted effluent limitations, prevent the discharge of nutrient-rich wastewater into the receiving stream, and assess the receiving stream at the outfall on a weekly basis to determine if algal mats are present, and remove all algal mats accordingly to ensure that the receiving stream at the outfall is maintained in an aesthetically pleasing condition or to verify that algal mats are not present in the receiving stream at the outfall.

This includes the following:

The estimated cost to assess the receiving stream at the outfall on a weekly basis to determine if algal mats are present and to remove all algal mats accordingly to ensure that the receiving stream at the outfall is maintained in an aesthetically pleasing condition or to verify that algal mats are not present in the receiving stream at the outfall, and submit monthly certification statements to show weekly work has been performed. The Date Required is the date specified by the previous order, and the Final Date is the anticipated date of compliance.

Other cost (2) is the estimated cost to submit a summary transmittal letter to the Wastewater Permitting Section and Enforcement Division regarding the Advanced Water Purification Facility ("AWPF"), and respond completely and adequately to all TCEQ requests. The Date Required is the date the Respondent presented its intent to design and construct an AWPF, and the Final Date is the estimated date of compliance.

Other cost (3) is the estimated cost to submit quarterly progress reports until treatment AWPF completion and operation to the Enforcement Division. The Date Required is the date the Respondent presented its intent to design and construct an AWPF, 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

\$410,000

**TOTAL**

\$180,150

**Screening Date** 18-Dec-2024 **Docket No.** 2024-1964-MWD-E **PCW**  
**Respondent** City of Liberty Hill *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 67144 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN104102132  
**Media** Water Quality  
**Enf. Coordinator** Mistie Gonzales

**Violation Number** 2  
**Rule Cite(s)** 30 Tex. Admin. Code § 305.125 (1) and (18) and TPDES Permit No. WQ0014477001, Other Requirements No. 15  
**Violation Description** Failed to timely submit the nutrient and algal growth monitoring work plan. Specifically, the nutrient and algal growth monitoring work plan was not submitted to the Texas Commission on Environmental Quality ("TCEQ") Compliance Monitoring Team and Standards Implementation Team within 180 days of permit issuance.

**Base Penalty** \$25,000

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0.0%
Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
			x	1.0%

**Matrix Notes** Less than 30% of the rule requirements were not met.

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events 1 26 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$250

One single event is recommended.

**Good Faith Efforts to Comply** 10.0% Reduction \$25

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

**Notes** The Respondent achieved compliance by May 14, 2025.

**Violation Subtotal** \$225

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

**Estimated EB Amount** \$282 **Violation Final Penalty Total** \$475

**This violation Final Assessed Penalty (adjusted for limits)** \$475

# Economic Benefit Worksheet

**Respondent** City of Liberty Hill  
**Case ID No.** 67144  
**Reg. Ent. Reference No.** RN104102132  
**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	\$10,000	20-Oct-2024	14-May-2025	0.56	\$282	n/a	\$282

**Notes for DELAYED costs**

Other cost is the estimated cost to prepare and submit a nutrient and algal growth monitoring work plan to the TCEQ Compliance Monitoring Team and Standards Implementation Team. The Date Required is the date the work plan was originally due, 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

\$10,000

**TOTAL**

\$282

City of Liberty Hill  
 TPDES Permit No. WQ0014477001  
 Case No. 67144  
 Docket No. 2024-1964-MWD-E

Effluent Violation Table

	Total Phosphorus Daily Avg. Conc.	Total Phosphorus Daily Max. Conc.	Total Phosphorus Daily Avg. Loading	Flow Annual Avg.
Monitoring Period	Limit = 0.02 mg/L	Limit = 0.08 mg/L	Limit = 0.33 lbs/day	Limit = 2 MGD
May 2024	0.06	c	1.1	c
June 2024	0.06	0.11	1.03	c
July 2024	0.12	0.4	2.11	2.078
August 2024	0.12	0.32	2.16	2.116
September 2024	0.05	1.38	1.11	2.140

Avg. = average    Conc. = concentration    mg/L = milligrams per liter    lbs/d= pounds per day  
 c = compliant    Max. = maximum    MGD = million gallons per day



# Compliance History Report

Compliance History Report for CN602959033, RN104102132, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

**Customer, Respondent, or Owner/Operator:** CN602959033, City of Liberty Hill      **Classification:** SATISFACTORY      **Rating:** 39.15

**Regulated Entity:** RN104102132, LIBERTY HILL REGIONAL WWTP      **Classification:** SATISFACTORY      **Rating:** 39.15

**Complexity Points:** 11      **Repeat Violator:** NO

**CH Group:** 08 - Sewage Treatment Facilities

**Location:** located approximately 8,800 feet southeast of the intersection of United States Highway 29 and United States Highway 183, Williamson County, Texas

**TCEQ Region:** REGION 11 - AUSTIN

## ID Number(s):

**EDWARDS AQUIFER PERMIT** 11002534

**STORMWATER PERMIT** TXR05FI74

**WASTEWATER PERMIT** WQ0014477001

**EDWARDS AQUIFER PERMIT** 11003385

**WASTEWATER EPA ID** TX0126195

**WASTEWATER AUTHORIZATION** R14477001

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

**Date Compliance History Report Prepared:** June 05, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** June 05, 2020 to June 05, 2025

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

**Name:** Mistie Gonzales

**Phone:** (254) 761-3056

## Site and Owner/Operator History:

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

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

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

1      Effective Date: 06/16/2020      ADMINORDER 2018-1024-MLM-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Permit Conds. No. 2.g & Op. Reqs. No. 1 PERMIT

Description: Failed to prevent an unauthorized discharge by failing to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, on May 10, 2018, approximately 750 gallons of wastewater mixture was discharged on the east end of the automatic rotary bar screen unit for the MBR treatment train as a result of the unit being overloaded with hydromulch.

Classification: Moderate

Citation: 30 TAC Chapter 217, SubChapter A 217.3(b)

30 TAC Chapter 217, SubChapter M 217.325(c)

Description: Failed to ensure the safety of all individuals authorized to access a wastewater treatment facility, treatment unit, collection system, or collection unit. Specifically, a permanent stairway was not provided to provide access to the top of the headworks for the MBR treatment train which is approximately 11 feet from ground level. A mobile step ladder was being used to reach the top of the unit. Additionally, permanent walkways were not provided on top of the unit to allow the operators safe a

Classification: Moderate

Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)

Description: Failed to obtain authorization to discharge storm water. Specifically, wastewater treatment facilities with design flows of 1.0 million gallons per day or more are required to obtain authorization to discharge stormwater under TPDES General Permit No. TXR050000.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Other Requirements No. 9 PERMIT

Description: Failed to notify the TCEQ Austin Regional Office and the TCEQ Applications Review and Processing Team in writing at least 45 days prior to the completion of the new Interim II facilities. Specifically, the Respondent began using their new MBR treatment train to treat incoming wastewater by April 1, 2018 and a Notification of Completion Form was not submitted to the TCEQ Austin Regional Office and the Applications Review and Processing Team until June 11, 2018.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.9(a)

Rqmt Prov: Defs. and Standard Permit Conds. No. 3.a PERMIT

Interim II Eff. Lims. & Mon. Reqs. No. 1 PERMIT

Description: Failed to properly collect effluent samples. Specifically, the chains of custody and effluent lab results for the monthly monitoring periods of April 2018 and May 2018 show that the Respondent collected grab samples instead of composite samples for Carbonaceous Biochemical Oxygen Demand (five-day), Total Suspended Solids, Ammonia Nitrogen, Nitrate-Nitrogen, Total Nitrogen, and Total Phosphorus.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(4)

Rqmt Prov: Operational Requirements No. 1 PERMIT

Permit Conditions No. 2.d PERMIT

Description: Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, the Facility discharged wastewater sludge which accumulated and facilitated an algal bloom, covering approximately 95% of the river's bottom and surface, and sludge pockets existed from approximately 50 feet upstream to approximately 1,000 feet downstream of the Facility

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(4)

30 TAC Chapter 307 307.4(b)(4)

Rqmt Prov: Operational Requirements No. 1. PERMIT

Permit Conditions No. 2.d PERMIT

Description: Failed to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, according to the effluent data from November 2016 to May 2018, 28 Ammonia Nitrogen exceedances, 11 Total Phosphorus exceedances, 8 Total Suspended Solids exceedances, and 3 flow exceedances contributed to and facilitated an algal bloom and algae and algae mats continued

Classification: Major

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Permit Conditions No. 2.d PERMIT

Description: Failed to take all reasonable steps to minimize or prevent the unauthorized discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment. Specifically, from March 16, 2019 through March 17, 2019, approximately 3,000 gallons of partially treated wastewater containing solids was discharged from the Facility's outfall into the receiving stream, resulting in the accumulation of wastewater sludge at the outfall

2 Effective Date: 02/28/2022 ADMINORDER 2021-0162-MWD-E (1660 Order-Agreed Order With Denial)

Classification: Minor

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Interim II Eff. Lims. & Mon. Reqs. No. 1 PERMIT

Description: During a record review conducted on October 22, 2020, an investigator documented that the Respondent failed to comply with permitted effluent limitations, as shown in the effluent violation table below.

3 Effective Date: 09/15/2022 ADMINORDER 2021-0806-EAQ-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 213, SubChapter B 213.23(a)(1)

Description: Failed to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Contributing Zone. Specifically, the Respondent constructed a wastewater treatment facility, disturbing approximately 10.5 acres, without obtaining approval of a CZP.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	June 19, 2020	(1668579)
Item 4	October 20, 2021	(1779063)
Item 5	November 17, 2021	(1785552)
Item 6	May 16, 2023	(1972102)
Item 8	July 01, 2024	(2053237)

**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.

- Date: 06/30/2024 (2013108)  
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
- Date: 07/31/2024 (2018922)  
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
- Date: 08/02/2024 (1989802)  
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)  
Description: Failed to prevent the unauthorized discharge of wastewater.
- Date: 08/31/2024 (2025706)  
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
- Date: 09/30/2024 (2031819)  
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
- Date: 10/31/2024 (2038137)  
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
- Date: 11/30/2024 (2044530)  
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: 12/31/2024 (2051087)  
 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: 01/31/2025 (2058633)  
 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: 02/28/2025 (2067198)  
 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:**

- Notice of Intent Date: 06/18/2021 (1745952)  
 Disclosure Date: 06/20/2022  
 Viol. Moderate  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Rqmt Prov: PERMIT Other Requirement No. 11  
 Description: Failed to perform daily inspections of the plant site and record these inspections of batch reactors, the chemical addition system, and disinfection system.  
 Viol. Minor  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 319, SubChapter A 319.11(b)  
 Rqmt Prov: PERMIT Page 6, 3.c.i and ii  
 Description: Failed to include the time and place of sample collection and the identity of the individual who collected the sample for all monitoring activities.  
 Viol. Minor  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Rqmt Prov: PERMIT Part II, Section C.6(a)  
 Description: Failed to submit an accurate Notice of Intent. Specifically, the Notice of Intent statement in the 2018 MSGP application related to 30 TAC Chapter 213 [Edwards Aquifer Rule] was incorrect.  
 Viol. Minor  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failed to update the inventory of potential pollutants and sources within 30 days following a significant change in exposures. No updates have been made since the SWP3 was created.  
 Viol. Moderate  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Rqmt Prov: PERMIT Part III, Section A.4  
 Description: Failed to complete and otherwise discuss in the SWP3 the pollution prevention measure and controls (Worksheets 7, 8, 10, and 11).  
 Viol. Moderate  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Rqmt Prov: PERMIT Part III, Section A.3(e)  
 Description: Failed to maintain documented that a record of spills and leaks was updated quarterly.  
 Viol. Minor  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Rqmt Prov: PERMIT Part III, Section A.5(4)  
 Description: Failed to replace the 2016 version of Permit No. TXR050000 with the 2021 version in the 2021 SWP3 for the facility.  
 Viol. Moderate  
 Classification:  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT 1.A, V.B.1

Description: Failed to notify the Commission prior to a producer or provider transferring reclaimed water.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT 1.M.5 - 1.M.8

Description: Failed to have an operation and maintenance plan for how reclaimed water use will be scheduled to minimize the risk of inadvertent human exposure, schedules for routine maintenance, and a contingency plan for system failure or upsets.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT 1.N

Description: Failed to provide warning signs.

**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  
CITY OF LIBERTY HILL  
RN104102132

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-1964-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 the City of Liberty Hill (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately 8,800 feet southeast of the intersection of United States Highway 29 and United States Highway 183 in Liberty Hill, Williamson 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 \$125,475 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of \$25,095 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, \$100,380 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.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - a. On August 15, 2024, the Respondent began wastewater effluent characterization to determine the levels of chemicals and pathogens present;
  - b. On December 30, 2024, the Respondent submitted the Pilot-Scale Study Protocol to the TCEQ for review for the development of the Advanced Water Purification Facility ("AWPF") needed to achieve compliance with the permitted effluent limitations and to prevent the discharge of nutrient-rich wastewater into the South Fork San Gabriel River;
  - c. On May 6, 2025, the Respondent received the Pilot-Scale Study Protocol Acceptance Letter from the TCEQ to proceed with the study;
  - d. On May 14, 2025, the Respondent submitted a nutrient and algal growth monitoring work plan to the TCEQ; and
  - e. On August 1, 2025, the TCEQ approved the nutrient and algal growth monitoring work plan.

## II. ALLEGATIONS

During a record review for the Facility conducted on November 20, 2024, an investigator documented that the Respondent:

- Failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1) and 30 TEX. ADMIN. CODE § 305.125 (1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014477001, Interim Effluent Limitations and Monitoring Requirements No. 1, as shown in effluent violation table below:

Effluent Violation Table				
	Total Phosphorus Daily Avg. Conc.	Total Phosphorus Daily Max. Conc.	Total Phosphorus Daily Avg. Loading	Flow Annual Avg.
Monitoring Period	Limit = 0.02 mg/L	Limit = 0.08 mg/L	Limit = 0.33 lbs/day	Limit = 2 MGD
May 2024	0.06	c	1.1	c
June 2024	0.06	0.11	1.03	c
July 2024	0.12	0.4	2.11	2.078
August 2024	0.12	0.32	2.16	2.116
September 2024	0.05	1.38	1.11	2.140

Avg. = average Conc. = concentration mg/L = milligrams per liter  
lbs/d= pounds per day c = compliant Max. = maximum  
MGD = million gallons per day

- Failed to submit the nutrient and algal growth monitoring work plan, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (18) and TPDES Permit No. WQ0014477001, Other Requirements No. 15. Specifically, the nutrient and algal growth monitoring work plan was not submitted to the TCEQ within 180 days of permit issuance.

### 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:

- 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: City of Liberty Hill, Docket No. 2024-1964-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 I, Paragraph No. 4. The amount of \$100,380 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 undertake the following technical requirements:
  - a. Immediately after the effective date of this Order, continue implementation of Respondent's AWPf to achieve compliance with the permitted effluent limitations and to prevent the discharge of nutrient-rich wastewater into the South Fork San Gabriel River, design and upon Executive Director approval of the plans/specifications, authorization of direct potable reuse, and permit issuance, construct the AWPf;
  - b. Within 7 days after the effective date of this Order and on a weekly basis thereafter until Ordering Provision No. 3.g is completed, assess the receiving stream at the outfall to determine if algal mats are present and remove any and all algal mats accordingly to ensure that the receiving stream at the outfall is maintained in an aesthetically pleasing condition or document that algal mats are not present in the receiving stream at the outfall.
  - c. Within 30 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 3.a and 3.b, in accordance with Ordering Provision No. 3.h below. This certification shall be submitted on a monthly basis thereafter until Ordering Provision No. 3.g is completed.
  - d. Within 45 days after the effective date of this Order, submit quarterly progress reports for the AWPf until it is constructed and in operation to the Enforcement Division at the address listed in Ordering Provision No. 3.h below. Progress reports shall contain a written certification of compliance, in accordance with Ordering Provision No. 3.h below, and include at a minimum whether or not the Respondent met the project milestones for the AWPf, the reason for any delays, and if appropriate, the steps taken by the Respondent to return to the established timeframe for the following:
    - i. Completion of Effluent Characterization;
    - ii. Construction Award of AWPf Pilot Study Project;
    - iii. Start and Completion of Pilot Study Project Testing;
    - iv. Start and Completion of Full-Scale Design for the APF;

- v. Substantial Completion of AWWPF; and
  - vi. Complete Full-Scale Verification of the AWWPF.
- e. Within 1,096 days after the effective date of this Order, submit a summary transmittal letter, in accordance with the requirements in 30 TEX. ADMIN. CODE Chapter 217, Design Criteria for Domestic Wastewater Systems regarding the AWWPF to:

Wastewater Permitting Section/  
Plans and Specification Team  
Water Quality Division, MC148  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Enforcement Division, MC149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Respond completely and adequately to all TCEQ requests for additional information within 30 days of such requests, or by any other deadline specified in writing.

- f. Within 1,111 days after the effective date of this Order, submit written certification of compliance with Ordering Provision Nos. 3.e, in accordance with Ordering Provision No. 3.h below.
- g. Within 2,038 days after the effective date of this Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0014477001, in accordance with 3.h below, demonstrating at least three consecutive months of compliance with all permitted effluent limitations
- h. The written certification of compliance required by Ordering Provision Nos. 3.c, 3.d, 3.f, and 3.g shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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  
Austin Regional Office  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

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

*Krista Mello-Jurack*  
-----  
For the Executive Director

*01/12/2026*  
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Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

*Crystal Mancilla*  
-----  
Signature

*12-1-2025*  
-----  
Date

*Crystal Mancilla*  
-----  
Name (Printed or typed)  
Authorized Representative of  
City of Liberty Hill

*Mayer*  
-----  
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: 2024-1964-MWD-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	City of Liberty Hill
<b>Penalty Amount:</b>	\$100,380
<b>SEP Offset Amount:</b>	\$100,380
<b>Type of SEP:</b>	Compliance
<b>Project Name:</b>	<i>SCADA Improvements</i>
<b>Location of SEP:</b>	Williamson 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”). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

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”). This Agreed Order cites violations at Respondent’s Facility.

**1. Project Description**

*A. Project*

Respondent shall hire a contractor to upgrade the supervisory control and data acquisition (“SCADA”) systems at the Facility. Upgrading the SCADA systems will allow for a single unified system that will provide improved cybersecurity, monitoring, and process optimization. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for upgrading the SCADA system (the “Project”). Respondent shall solicit bids from qualified contractors to perform the Project. Any advertisement or invitation for bids, including publication, related to the SEP must include the enforcement statement as stated below in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including obtaining any permits or approvals that may be required prior to commencement of the SEP. The Commission’s approval and issuance of this Agreed Order shall not itself be construed to authorize any activity for which Respondent is required by statute or rule to obtain authorization from the Commission.

Respondent shall use 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., Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be 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 has no prior commitment to perform this Project and that the SEP is being 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 allowing prompt detection and response to anomalies, leaks, and flow rates that might result in the unintentional occurrences of or changes to wastewater discharges. Inadequately treated wastewater discharges 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. In addition, implementation of this SEP is expected to improve the Facility's defenses against cybersecurity attacks, which could potentially cause the Facility's treatment processes to malfunction or stop and prevent wastewater from being adequately and timely treated.

*C. Minimum Expenditure*

Respondent shall spend at least the SEP Offset Amount to complete the project described above in Section 1.A. and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project. Costs in excess of the SEP Offset Amount shall not be grounds to relieve Respondent of its obligations to perform this SEP.

**Estimated Cost Schedule**

<b>Item</b>	<b>Total</b>
SCADA Systems Replacement and Migration	\$226,400
VTScada Software	\$34,160
<b>Total</b>	<b>\$260,560</b>

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 365 days after the effective date of this Agreed Order.

Executive Director ("ED") staff may grant an extension to any deadline for Respondent's performance of the SEP described herein, upon a written and substantiated showing of good cause. All requests for extensions must be made by Respondent and shall be made in writing to ED staff. Extensions are not effective until Respondent receives written approval from ED staff. The determination of what constitutes good cause rests solely with ED staff. Extension requests shall be sent to the SEP Coordinator by first class mail or electronic mail, at:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087  
Email: [sepreports@tceq.texas.gov](mailto:sepreports@tceq.texas.gov)

**3. Records and Reporting**

*A. Progress Report*

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 365-day timeframe set forth above in Section 2., Performance Schedule. Thereafter, Respondent shall submit progress reports to TCEQ in 90-day increments containing detailed information on all actions completed on the Project to date as set forth below in the Reporting Schedule table:

**Reporting Schedule**

<b>Days from Effective Order Date</b>	<b>Information Required</b>
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Actions completed during previous 90-day period
270	Actions completed during previous 90-day period
365	Notice of SEP completion and Final Report

*B. Final Report*

Within 365 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to TCEQ, which shall include the following:

1. An itemized list of expenditures and total cost of the Project;
2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
4. Copies of proof of advertisement of invitation for bids, if applicable;
5. A certified statement of SEP completion and document authentication;
6. Copies of any engineering plans related to work performed pursuant to the Project;
7. A detailed map showing the specific location of the project site(s);
8. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
9. Any additional information Respondent believes will or that is requested by TCEQ to demonstrate compliance with this Attachment A.

*C. Submittals*

Respondent shall submit all SEP reports and any additional information as requested to the SEP Coordinator at the address provided above.

**4. Additional Information and Access**

Respondent shall provide additional information as requested by TCEQ staff and shall allow 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.

**5. 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 above in Sections 2 through 4, the 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 above.

**6. 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.

**7. Recognition**

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

**8. 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.