

Executive Summary – Enforcement Matter – Case No. 67279

City of Longview

RN102845385

Docket No. 2025-0180-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of Longview Main WWTP, 5211 West Loop 281, Longview, Gregg 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: August 22, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$19,500

Amount Deferred for Expedited Settlement: \$3,900

Total Paid to General Revenue: \$15,600

Total Due to General Revenue: \$0

Payment Plan: N/A

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: October 23, 2024

Date(s) of NOE(s): January 10, 2025

Executive Summary – Enforcement Matter – Case No. 67279

City of Longview

RN102845385

Docket No. 2025-0180-MWD-E

Violation Information

Failed to comply with permitted effluent limitations for total suspended solids [TEX. WATER CODE § 26.121(A)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010589002, Interim Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By March 31, 2025, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in TPDES Permit No. WQ0010589002.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Smith, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2099; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: The Honorable Kristen Ishihara, Mayor, City of Longview, P.O. Box 1952, Longview, Texas 75606

Dwayne Archer, Public Works Director, City of Longview, P.O. Box 1952, Longview, Texas 75606

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	27-Jan-2025	Screening	28-Jan-2025	EPA Due	5-Mar-2025
	PCW	22-May-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	City of Longview
Reg. Ent. Ref. No.	RN102845385
Facility/Site Region	5-Tyler
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	67279	No. of Violations	1
Docket No.	2025-0180-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Madison Stringer
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
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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	40.0%	Adjustment	Subtotals 2, 3, & 7	\$6,000
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Notes	Enhancement for three months of self-reported effluent violations and one agreed order without a denial of liability.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,500
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$1,085	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$20,000	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$19,500
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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	
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Final Penalty Amount	\$19,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$19,500
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,900
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$15,600
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Screening Date	28-Jan-2025	Docket No.	2025-0180-MWD-E	PCW
Respondent	City of Longview			
Case ID No.	67279			
Reg. Ent. Reference No.	RN102845385			
Media	Water Quality			
Enf. Coordinator	Madison Stringer			

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 40%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations and one agreed order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 40%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 40%

Screening Date 28-Jan-2025 Respondent City of Longview Case ID No. 67279 Reg. Ent. Reference No. RN102845385 Media Water Quality Enf. Coordinator Madison Stringer Violation Number 1	Docket No. 2025-0180-MWD-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010589002, 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
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual			x	Percent 30.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes	Total suspended solids were evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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Adjustment	\$17,500
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	\$7,500
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Violation Events

Number of Violation Events	2	61	Number of violation days
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	daily		Violation Base Penalty \$15,000
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

Two quarterly events are recommended for the quarters containing the months of April and July 2024.

Good Faith Efforts to Comply

	10.0%	Reduction \$1,500
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		
Notes	The Respondent achieved compliance by March 31, 2025.	

Violation Subtotal	\$13,500
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Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$1,085	Violation Final Penalty Total \$19,500
This violation Final Assessed Penalty (adjusted for limits) \$19,500	

Economic Benefit Worksheet

Respondent City of Longview
Case ID No. 67279
Reg. Ent. Reference No. RN102845385
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	30-Apr-2024	31-May-2025	1.08	\$1,085	n/a	\$1,085
Notes for DELAYED costs	Estimated cost to determine the cause of noncompliance and to make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the 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 \$20,000

TOTAL \$1,085

City of Longview			
TPDES Permit No.: WQ0010589002			
Case No.:67279			
Docket No.: 2025-0180-MWD-E			
Effluent Violation Table			
Monitoring Period	Total Suspended Solids Daily Avg. Conc. Limit = 15 mg/L	Total Suspended Solids Daily Max. Conc. Limit = 40 mg/L	Total Suspended Solids Daily Avg. Load. Limit = 2,627 lbs/day
April 2024	c	146	3,277
July 2024	23.9	584	4,126

Avg. = average Conc. = concentration Load. = loading c = compliant
mg/L = milligrams per liter lbs/day = pounds per day



Compliance History Report

Compliance History Report for CN600668842, RN102845385, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600668842, City of Longview

Classification: SATISFACTORY

Rating: 1.35

Regulated Entity: RN102845385, CITY OF LONGVIEW
MAIN WWTP

Classification: SATISFACTORY

Rating: 3.60

Complexity Points: 9

Repeat Violator: NO

CH Group: 08 - Sewage Treatment Facilities

Location: 5211 West Loop 281, Longview, Gregg County, Texas

TCEQ Region: REGION 05 - TYLER

ID Number(s):
PRETREATMENT EPA ID TX0022217000
STORMWATER PERMIT TXR05FW11
WASTEWATER PERMIT WQ0010589002

PRETREATMENT PERMIT WQ0010589002
WASTEWATER AUTHORIZATION R10589002
WASTEWATER EPA ID TX0022217

Compliance History Period: September 01, 2019 to August 31, 2024

Rating Year: 2024

Rating Date: 09/01/2024

Date Compliance History Report Prepared: April 16, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 16, 2020 to April 16, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Madison Stringer

Phone: (512) 239-1126

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: 03/03/2021

ADMINORDER 2019-1351-MWD-E (Findings Order-Agreed Order Without Denial)

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.g PERMIT

Description: Failed to prevent an unauthorized discharge of sewage into or adjacent to any water in the state

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 2	May 12, 2020	(1660231)	Item 8	November 09, 2020	(1712840)
Item 3	June 11, 2020	(1666735)	Item 9	December 14, 2020	(1712841)
Item 5	July 27, 2020	(1673693)	Item 10	February 09, 2021	(1725894)
Item 6	September 10, 2020	(1687036)	Item 11	March 10, 2021	(1725895)
Item 7	October 06, 2020	(1678193)	Item 12	May 17, 2021	(1740251)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF LONGVIEW
RN102845385

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

AGREED ORDER DOCKET NO. 2025-0180-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 Longview (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 at 5211 West Loop 281, in Longview, Gregg 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 \$19,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,600 of the penalty and \$3,900 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by March 31, 2025, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010589002.

II. ALLEGATIONS

During a record review for the Facility conducted on October 23, 2024, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(A)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0010589002, Interim Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table			
Monitoring Period	Total Suspended Solids	Total Suspended Solids	Total Suspended Solids
	Daily Avg. Conc. Limit = 15 mg/L	Daily Max. Conc. Limit = 40 mg/L	Daily Avg. Load. Limit = 2,627 lbs/day
April 2024	c	146	3,277
July 2024	23.9	584	4,126

Avg. = average Conc. = concentration Load. = loading c = compliant
mg/L = milligrams per liter lbs/day = pounds per day

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall

not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Longview, Docket No. 2025-0180-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. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

Krista Mello-Jurack

09/20/2025

For the Executive Director

Date

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

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

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

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

[Signature]

Signature

6-25-25

Date

Wayne Archer

Name (Printed or typed)
Authorized Representative of
City of Longview

Public Works Director

Title

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