TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: Megan Hamilton, Assistant Deputy Director
Enforcement Division

From: Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: May 7, 2026

Subject: **Backup Revision**
May 13, 2026 Commission Agenda
Item No. 30 – Horizon Regional Municipal Utility District
Docket No. 2025-0465-MWD-E

Enclosed please find the following:

Executive Summary:

- Page 2, Violation Information, Violation No. 2 – Correct violation language.

Penalty Calculation Worksheet:

- Page 5, Violation No. 2, Violation Description – Correct violation language.

Agreed Order:

- Page 2, Section II, Violation No. 2 - Correct violation language.

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: David Timberger, Acting Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Laura Draper, Manager, Water Quality Section Enforcement Division
Taylor Williamson, Technical Specialist, Water Quality Section, Enforcement Division

standby generators, and/or retention of inadequately treated wastewater. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system [30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010795001, Operational Requirements No. 4].

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to ~~through~~ another for an allowable use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization [30 TEX. ADMIN. CODE
§ 210.4(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:
a. Immediately, until such time that authorization to provide reclaimed water to an aesthetic pond is obtained, cease providing reclaimed water to the pond;

b. Within 15 days, submit written certification of compliance with a.;

c. Within 90 days, maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater; and

d. Within 105 days, submit written certification to demonstrate compliance with c.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Taylor Williamson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2097; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: G.L. Jarvis, Board President, Horizon Regional Municipal Utility District, 14100 Horizon Boulevard, Horizon City, Texas 79928
Respondent's Attorney: N/A

Screening Date	11-Mar-2025	**Docket No.** 2025-0465-MWD-E	**PCW**
Respondent	Horizon Regional Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67597		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102329075		
Media	Water Quality		
Enf. Coordinator	Taylor Williamson		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 210.4(a)

Violation Description Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to another for an allowable use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 20.0%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 1 — 14 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One quarterly event is recommended from the investigation date February 25, 2025, to the screening date March 11, 2025.

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 $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $257

Statutory Limit Test

Violation Final Penalty Total $6,250

This violation Final Assessed Penalty (adjusted for limits) $6,250

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During a record review for the Facility conducted on February 25, 2025, an investigator documented that the Respondent:

1. Failed to maintain adequate safeguards to prevent the discharge of untreated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No, WQ0010795001, Operational Requirements No. 4. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system.

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to ~~through~~ another for an allowable use, in violation of 30 TEX. ADMIN. CODE § 210.4(a). Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

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: Horizon Regional Municipal Utility District, Docket No. 2025-0465-MWD-E" to:

standby generators, and/or retention of inadequately treated wastewater. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system [30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010795001, Operational Requirements No. 4].

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to another for an allowable use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization [30 TEX. ADMIN. CODE
§ 210.4(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:
a. Immediately, until such time that authorization to provide reclaimed water to an aesthetic pond is obtained, cease providing reclaimed water to the pond;

b. Within 15 days, submit written certification of compliance with a.;

c. Within 90 days, maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater; and

d. Within 105 days, submit written certification to demonstrate compliance with c.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Taylor Williamson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2097; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: G.L. Jarvis, Board President, Horizon Regional Municipal Utility District, 14100 Horizon Boulevard, Horizon City, Texas 79928
Respondent's Attorney: N/A

Screening Date	11-Mar-2025	**Docket No.** 2025-0465-MWD-E	**PCW**
Respondent	Horizon Regional Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67597		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102329075		
Media	Water Quality		
Enf. Coordinator	Taylor Williamson		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 210.4(a)

Violation Description Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to another for an allowable use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 20.0%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 1 — 14 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One quarterly event is recommended from the investigation date February 25, 2025, to the screening date March 11, 2025.

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 $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $257

Statutory Limit Test

Violation Final Penalty Total $6,250

This violation Final Assessed Penalty (adjusted for limits) $6,250

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.

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II. ALLEGATIONS

During a record review for the Facility conducted on February 25, 2025, an investigator documented that the Respondent:

1. Failed to maintain adequate safeguards to prevent the discharge of untreated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No, WQ0010795001, Operational Requirements No. 4. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system.

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed water to another for an allowable use, in violation of 30 TEX. ADMIN. CODE § 210.4(a). Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

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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: Horizon Regional Municipal Utility District, Docket No. 2025-0465-MWD-E" to:

Executive Summary – Enforcement Matter – Case No. 67597
Horizon Regional Municipal Utility District
RN102329075
Docket No. 2025-0465-MWD-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MWD
Small Business:
No
Location(s) Where Violation(s) Occurred:
Horizon Regional MUD City Plant, 13223 Berkley Drive, El Paso, El Paso County
Type of Operation:
Wastewater treatment facility
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: March 20, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $15,625
Amount Deferred for Expedited Settlement: $3,125
Total Paid to General Revenue: $12,500
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: February 25, 2025
Date(s) of NOE(s): March 3, 2025

Violation Information

1. Failed to maintain adequate safeguards to prevent the discharge of untreated wastewater during electrical power failures by means of alternate power sources,

standby generators, and/or retention of inadequately treated wastewater. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system [30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010795001, Operational Requirements No. 4].

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed to through another use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization [30 TEX. ADMIN. CODE § 210.4(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Immediately, until such time that authorization to provide reclaimed water to an aesthetic pond is obtained, cease providing reclaimed water to the pond;

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Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Taylor Williamson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2097; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: G.L. Jarvis, Board President, Horizon Regional Municipal Utility District, 14100 Horizon Boulevard, Horizon City, Texas 79928
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	10-Mar-2025					
PCW	25-Jul-2025	**Screening**	11-Mar-2025	**EPA Due**		

RESPONDENT/FACILITY INFORMATION

Respondent	Horizon Regional Municipal Utility District		
Reg. Ent. Ref. No.	RN102329075		
Facility/Site Region	6-El Paso	**Major/Minor Source**	Major

CASE INFORMATION

Enf./Case ID No.	67597	**No. of Violations**	2
Docket No.	2025-0465-MWD-E	**Order Type**	1660
Media Program(s)	Water Quality	**Government/Non-Profit**	Yes
Multi-Media		**Enf. Coordinator**	Taylor Williamson
		EC's Team	Enforcement Team 1

Admin. Penalty $ Limit **Minimum** $0 **Maximum** $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) ***Subtotal 1*** **$12,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **25.0%** Adjustment ***Subtotals 2, 3, & 7*** **$3,125**

Notes: Enhancement for one NOV with similar violations and one agreed order with a denial of liability.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

Total EB Amounts $1,945
Estimated Cost of Compliance $17,500
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 ***Final Subtotal*** **$15,625**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$15,625**

STATUTORY LIMIT ADJUSTMENT ***Final Assessed Penalty*** **$15,625**

DEFERRAL **20.0%** Reduction ***Adjustment*** **-$3,125**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$12,500**

Screening Date 11-Mar-2025 **Docket No.** 2025-0465-MWD-E **PCW**

Respondent Horizon Regional Municipal Utility District

Policy Revision 5 (January 28, 2021)

Case ID No. 67597

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102329075

Media Water Quality

Enf. Coordinator Taylor Williamson

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 25%

>> 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 one NOV with similar violations and one agreed order with a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 25%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 25%

Screening Date	11-Mar-2025	**Docket No.** 2025-0465-MWD-E	**PCW**
Respondent	Horizon Regional Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67597		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102329075		
Media	Water Quality		
Enf. Coordinator	Taylor Williamson		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System Permit No, WQ0010795001, Operational Requirements No. 4

Violation Description Failed to maintain adequate safeguards to prevent the discharge of untreated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential	x		

OR

Percent 30.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $17,500

$7,500

Violation Events

Number of Violation Events: 1 — 14 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $7,500

One monthly event is recommended from the investigation date February 25, 2025, to the screening date March 11, 2025.

Good Faith Efforts to Comply

0.0% Reduction $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $7,500

Economic Benefit (EB) for this violation

Estimated EB Amount $1,688

Statutory Limit Test

Violation Final Penalty Total $9,375

This violation Final Assessed Penalty (adjusted for limits) $9,375

Economic Benefit Worksheet

Respondent Horizon Regional Municipal Utility District
Case ID No. 67597
Reg. Ent. Reference No. RN102329075
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment	$15,000	26-Aug-2024	5-Apr-2026	1.61	$80	$1,608	$1,688
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Estimated equipment cost to equip the lift stations with safeguards to prevent discharge of untreated wastewater during power failures. The Date Required is the date the violation was first documented, 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 $15,000

TOTAL $1,688

Screening Date	11-Mar-2025	**Docket No.** 2025-0465-MWD-E	**PCW**
Respondent	Horizon Regional Municipal Utility District		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67597		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102329075		
Media	Water Quality		
Enf. Coordinator	Taylor Williamson		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 210.4(a)

Violation Description Failed to notify and obtain authorization from the Executive Director before providing reclaimed to another for an allowable use. Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	**Harm** Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 20.0%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 1 — 14 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One quarterly event is recommended from the investigation date February 25, 2025, to the screening date March 11, 2025.

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 $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $257

Statutory Limit Test

Violation Final Penalty Total $6,250

This violation Final Assessed Penalty (adjusted for limits) $6,250

Economic Benefit Worksheet

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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
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)	$2,500	26-Aug-2024	14-Sep-2026	2.05	$257	n/a	$257
Notes for DELAYED costs	Estimated other cost to cease providing reclaimed water for pond use until such time that authorization to dispose of reclaimed effluent via evaporation is obtained. The Date Required is the date the violation was first documented, 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 $2,500

TOTAL $257

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN601229560, RN102329075, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN601229560, Horizon Regional Municipal Utility District **Classification:** SATISFACTORY **Rating:** 10.11

Regulated Entity: RN102329075, HORIZON REGIONAL MUD CITY PLANT **Classification:** SATISFACTORY **Rating:** 4.14

Complexity Points: 10 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 13223 Berkley Drive, in El Paso County, Texas

TCEQ Region: REGION 06 - EL PASO

ID Number(s):

WASTEWATER PERMIT WQ0010795001
WASTEWATER EPA ID TX0086045
WASTEWATER AUTHORIZATION R10795001A
STORMWATER PERMIT TXR05EQ04

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

Date Compliance History Report Prepared: August 21, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 21, 2020 to August 21, 2025

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

Name: Taylor Williamson **Phone:** (512) 239-2097

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: 06/24/2025 ADMINORDER 2022-1612-MWD-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)

Rqmt Prov: Effluent Limits PERMIT

Description: Failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0010795001, Interim Effluent Limitations and Monitoring Requirements No. 1

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	September 04, 2020	(1670983)	Item 8	November 17, 2020	(1715829)
Item 2	September 10, 2020	(1671502)	Item 9	December 15, 2020	(1715830)
Item 3	September 15, 2020	(1688051)	Item 10	February 16, 2021	(1728902)
Item 4	September 25, 2020	(1673166)	Item 11	February 24, 2021	(1702604)
Item 5	September 30, 2020	(1681474)	Item 12	March 04, 2021	(1702275)
Item 6	October 16, 2020	(1694407)	Item 13	March 08, 2021	(1704025)
Item 7	November 13, 2020	(1690255)			

Item 14	March 17, 2021	(1728903)	Item 40	November 16, 2023	(1952821)
Item 15	May 19, 2021	(1741755)	Item 41	December 14, 2023	(1938568)
Item 16	June 18, 2021	(1752823)	Item 42	March 11, 2024	(1966554)
Item 17	July 07, 2021	(1738019)	Item 43	April 17, 2024	(1991344)
Item 18	August 18, 2021	(1750043)	Item 44	May 03, 2024	(1976741)
Item 19	September 18, 2021	(1767502)	Item 45	May 17, 2024	(1997800)
Item 20	September 30, 2021	(1763441)	Item 46	July 17, 2024	(2012331)
Item 21	October 18, 2021	(1778013)	Item 47	August 16, 2024	(2017899)
Item 22	October 25, 2021	(1765645)	Item 48	September 20, 2024	(2024936)
Item 23	November 08, 2021	(1764570)	Item 49	September 25, 2024	(2015268)
Item 24	November 17, 2021	(1784752)	Item 50	October 18, 2024	(2031048)
Item 25	December 06, 2021	(1765800)	Item 51	November 15, 2024	(2023113)
Item 26	January 19, 2022	(1799622)	Item 52	November 18, 2024	(2037367)
Item 27	January 24, 2022	(1781922)	Item 53	December 13, 2024	(2023114)
Item 28	February 14, 2022	(1807456)	Item 54	December 17, 2024	(2043755)
Item 29	August 16, 2022	(1849574)	Item 55	January 17, 2025	(2050320)
Item 30	September 19, 2022	(1857344)	Item 56	February 19, 2025	(2057870)
Item 31	October 19, 2022	(1863697)	Item 57	March 07, 2025	(2046453)
Item 32	November 17, 2022	(1870606)	Item 58	March 14, 2025	(2048875)
Item 33	December 19, 2022	(1876462)	Item 59	March 19, 2025	(2066436)
Item 34	February 17, 2023	(1891091)	Item 60	March 31, 2025	(2055170)
Item 35	March 17, 2023	(1899660)	Item 61	April 17, 2025	(2073247)
Item 36	May 19, 2023	(1913616)	Item 62	May 19, 2025	(2079631)
Item 37	August 18, 2023	(1934155)	Item 63	June 17, 2025	(2086741)
Item 38	September 19, 2023	(1940296)	Item 64	July 25, 2025	(2077665)
Item 39	October 20, 2023	(1947133)			

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: 08/30/2024 (2003331)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to maintain a total chlorine residual of at least 1.0 mg/L. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of at least 1.0 mg/L for total chlorine residual. The result of the total chlorine residual analysis was 0.76 mg/L. This value was obtained with the utilization of the TCEQ Region 6 DR300.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to install adequate safeguards to prevent the discharge of untreated wastes during electrical power failures from the wastewater collection system (i.e. lift stations) by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater. Currently, the HR MUD WWTP has no equipment in place to supply power to any lift stations within its collection system during electrical power failures.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to employ an operator holding a Class B Wastewater license or higher to operate the facility a minimum of five days per week. Currently, the facility is being operated part-time by a Class B Wastewater Operator that is also acting as the chief operator for the public water system associated with the HR MUD.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 210, SubChapter A 210.4(a)
R10795001A PERMIT
Description: Failure to provide notification and obtain authorization for the disposal of treated effluent via evaporation in the aesthetic pond (subsequent holding pond) located within the Horizon Golf Course. The facility's Reclaimed Water Use Authorization (R10795001A) for the reclaimed water provided to the Horizon Golf Course from the HR MUD WWTP allows for disposal of treated effluent via irrigation.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 210, SubChapter B 210.23(f)
R10795001A PERMIT

Description: Failure to furnish certification by a Texas Licensed Professional Engineer that the pond liner provided for the aesthetic pond (subsequent holding pond) utilized to dispose of treated effluent via evaporation at the Horizon Golf Course meets the appropriate criteria prior to use. Google Earth time lapse indicates that the aesthetic pond (subsequent holding pond) was placed into service in 2020.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A
All NOVs Issued During Component Period 8/21/2020 and 8/21/2025

1 Date: 03/31/2021 (1728904)

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

2 Date: 05/31/2021 (1748157)

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

3 Date: 11/15/2021 (1765718)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125
Permit OP
Description: Failure to comply with operational requirements in permit as per 30 TAC §305.125; specifically, at the time of the investigation digester one (1) was non-operational. Mr. Gould informed the investigator that the digester had been down for approximately one (1) month.

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125
Permit OP
Description: Failure to comply with operational requirements in permit as per 30 TAC §305.125; specifically, at the time of the investigation digester two (2) was full due to being overloaded, had thicken sludge and excessing foaming (See Electronic Attachment: Site Photographs).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125
Permit OP
Description: Failure to maintain calibration records for the analytical balance as per 30 TAC §305.125. At the time of the investigation the facility was not maintaining calibration records for the analytical balance.

4 Date: 11/30/2021 (1791784)

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

5 Date: 02/28/2022 (1814509)

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

6 Date: 03/28/2022 (1794694)

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 327 327.3(b)
WQ0010795001 PERMIT

Description: Failure to report all accidental discharges or spills of treated or untreated wastewater within 24 hours of the occurrence as per 30 Texas Administrative Code (TAC) §327.32. At the time of the investigation the entity failed to report the incident within 24 hours of the occurrence as per 30 Texas Administrative Code (TAC) §327.32.

7 Date: 03/31/2022 (1821077)

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: 04/30/2022 (1829915)

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: 05/31/2022 (1836212)

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: 06/30/2022 (1843410)

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

11 Date: 12/31/2022 (1883275)

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

12 Date: 03/31/2023 (1906462)

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

13 Date: 05/31/2023 (1920226)

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

14 Date: 06/30/2023 (1927193)

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

15* Date: 11/30/2023 (1962595)

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

16* Date: 12/31/2023 (1969182)

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

17* Date: 01/31/2024 (1978248)

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

18* Date: 02/29/2024 (1984821)

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

19* Date: 05/31/2024 (2004762)

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

20* Date: 08/30/2024 (2003331)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to maintain a total chlorine residual of at least 1.0 mg/L. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of at least 1.0 mg/L for total chlorine residual. The result of the total chlorine residual analysis was 0.76 mg/L. This value was obtained with the utilization of the TCEQ Region 6 DR300.

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to install adequate safeguards to prevent the discharge of untreated wastes during electrical power failures from the wastewater collection system (i.e. lift stations) by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater. Currently, the HR MUD WWTP has no equipment in place to supply power to any lift stations within its collection system during electrical power failures.

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
WQ0010795001 PERMIT
Description: Failure to employ an operator holding a Class B Wastewater license or higher to operate the facility a minimum of five days per week. Currently, the

facility is being operated part-time by a Class B Wastewater Operator that is also acting as the chief operator for the public water system associated with the HR MUD.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 210, SubChapter A 210.4(a)
R10795001A PERMIT

Description: Failure to provide notification and obtain authorization for the disposal of treated effluent via evaporation in the aesthetic pond (subsequent holding pond) located within the Horizon Golf Course. The facility's Reclaimed Water Use Authorization (R10795001A) for the reclaimed water provided to the Horizon Golf Course from the HR MUD WWTP allows for disposal of treated effluent via irrigation.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 210, SubChapter B 210.23(f)
R10795001A PERMIT

Description: Failure to furnish certification by a Texas Licensed Professional Engineer that the pond liner provided for the aesthetic pond (subsequent holding pond) utilized to dispose of treated effluent via evaporation at the Horizon Golf Course meets the appropriate criteria prior to use. Google Earth time lapse indicates that the aesthetic pond (subsequent holding pond) was placed into service in 2020.

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

Appendix B
All Investigations Conducted During Component Period August 21, 2020 and August 21, 2025

Item 1*	September 04, 2020**	(1670983)
Item 2*	September 10, 2020**	(1671502)
Item 3*	September 15, 2020**	(1688051)
Item 4*	September 25, 2020**	(1673166)
Item 5*	September 30, 2020**	(1681474)
Item 6*	October 16, 2020**	(1694407)
Item 7*	November 13, 2020**	(1690255)
Item 8*	November 17, 2020**	(1715829)
Item 9*	December 15, 2020**	(1715830)
Item 10*	February 16, 2021**	(1728902)
Item 11*	February 24, 2021**	(1702604)
Item 12*	March 04, 2021**	(1702275)
Item 13*	March 08, 2021**	(1704025)
Item 14*	March 17, 2021**	(1728903)
Item 15	April 20, 2021**	(1728904)
Item 16*	May 19, 2021**	(1741755)
Item 17	June 18, 2021**	(1748157)
Item 18*	July 07, 2021**	(1738019)
Item 19*	August 18, 2021**	(1750043)
Item 20*	September 18, 2021**	(1767502)
Item 21*	September 30, 2021**	(1763441)
Item 22*	October 18, 2021**	(1778013)
Item 23*	October 25, 2021**	(1765645)
Item 24*	November 08, 2021**	(1764570)
Item 25	November 17, 2021**	(1765718)
Item 26*	December 06, 2021**	(1765800)
Item 27	December 17, 2021**	(1791784)
Item 28*	January 19, 2022**	(1799622)
Item 29*	January 24, 2022**	(1781922)
Item 30*	February 14, 2022**	(1807456)
Item 31	March 18, 2022**	(1814509)
Item 32	March 28, 2022**	(1794694)
Item 33	April 20, 2022**	(1821077)
Item 34	May 20, 2022**	(1829915)
Item 35	June 16, 2022**	(1836212)
Item 36	July 20, 2022**	(1843410)
Item 37*	August 16, 2022**	(1849574)
Item 38*	September 19, 2022**	(1857344)
Item 39*	October 19, 2022**	(1863697)
Item 40	October 24, 2022**	(1845673)
Item 41*	November 17, 2022**	(1870606)
Item 42*	December 19, 2022**	(1876462)
Item 43	January 20, 2023**	(1883275)
Item 44*	February 17, 2023**	(1891091)
Item 45*	March 17, 2023**	(1899660)
Item 46	April 20, 2023**	(1906462)
Item 47*	May 19, 2023**	(1913616)
Item 48	June 20, 2023**	(1920226)
Item 49	July 19, 2023**	(1927193)
Item 50*	August 18, 2023**	(1934155)
Item 51*	September 19, 2023**	(1940296)
Item 52*	October 20, 2023**	(1947133)
Item 53*	November 16, 2023**	(1952821)
Item 54*	December 14, 2023**	(1938568)
Item 55	December 20, 2023**	(1962595)

Item 56	January 18, 2024**	(1969182)	Item 71*	November 15, 2024	(2023113)
Item 57	February 20, 2024**	(1978248)	Item 72*	November 18, 2024	(2037367)
Item 58*	March 11, 2024**	(1966554)	Item 73*	December 13, 2024	(2023114)
Item 59	March 19, 2024**	(1984821)	Item 74*	December 17, 2024	(2043755)
Item 60*	April 17, 2024**	(1991344)	Item 75*	January 17, 2025	(2050320)
Item 61*	May 03, 2024**	(1976741)	Item 76*	February 19, 2025	(2057870)
Item 62*	May 17, 2024**	(1997800)	Item 77	March 05, 2025	(2047367)
Item 63	June 19, 2024**	(2004762)	Item 78*	March 07, 2025	(2046453)
Item 64*	July 17, 2024**	(2012331)	Item 79*	March 14, 2025	(2048875)
Item 65	August 07, 2024**	(2002014)	Item 80*	March 19, 2025	(2066436)
Item 66*	August 16, 2024**	(2017899)	Item 81*	March 31, 2025	(2055170)
Item 67	August 28, 2024**	(2003331)	Item 82*	April 17, 2025	(2073247)
Item 68*	September 20, 2024	(2024936)	Item 83*	May 19, 2025	(2079631)
Item 69*	September 25, 2024	(2015268)	Item 84*	June 17, 2025	(2086741)
Item 70*	October 18, 2024	(2031048)	Item 85*	July 25, 2025	(2077665)

* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT RN102329075	**§ § § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-0465-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 Horizon Regional Municipal Utility District (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at 13223 Berkley Drive in El Paso, El Paso 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 $15,625 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $12,500 of the penalty and $3,125 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.

II. ALLEGATIONS

During a record review for the Facility conducted on February 25, 2025, an investigator documented that the Respondent:

1. Failed to maintain adequate safeguards to prevent the discharge of untreated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 317.3(e) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No, WQ0010795001, Operational Requirements No. 4. Specifically, the Facility did not have any equipment to supply power to the lift stations within its collection system.

2. Failed to notify and obtain authorization from the Executive Director before providing reclaimed to through another use, in violation of 30 TEX. ADMIN. CODE § 210.4(a). Specifically, the Facility's Re-use of Domestic Reclaimed Water Authorization No. R10795001A allows for disposal of treated effluent via irrigation; however, aerial time lapse images show disposal activities via evaporation from an aesthetic pond without authorization.

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: Horizon Regional Municipal Utility District, Docket No. 2025-0465-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 undertake the following technical requirements:

a. Immediately upon the effective date of this Order, until such time that authorization to provide reclaimed water to an aesthetic pond is obtained, cease providing reclaimed water to the pond, in accordance with 30 TEX. ADMIN. CODE § 210.4(a).

b. Within 15 days after the effective date of this Order, submit written certification of compliance with Ordering Provision No. 2.a in accordance with Ordering Provision No. 2.d.

c. Within 90 days after the effective date of this Order, maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastewater during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater, in accordance with 30 TEX. ADMIN. CODE §§ 317.3(e) and TPDES Permit No, WQ0010795001, Operational Requirements No. 4.

d. Within 105 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. 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
El Paso Regional Office
Texas Commission on Environmental Quality
401 East Franklin Avenue, Suite 560
El Paso, Texas 79901-1212

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. Extension requests shall be sent to the Enforcement Division at the address listed above.

6. 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.

7. 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.

8. 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
Kristin Mello-Jurack	04/14/2026
For the Executive Director	Date

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

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

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

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

Signature	12-18-2025 Date
G.L. Jarvis	Board President
Name (Printed or typed) Authorized Representative of Horizon Regional Municipal Utility District	Title

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

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