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: September 29, 2026

Subject: **Backup Revision**
October 7, 2026, Commission Agenda
Draft Item No. 35 – City of Bellaire
Docket No. 2025-1364-MLM-E

Enclosed please find the following:

Executive Summary:

- Page 2, Violation Information, Violation No. 4. – Correct 30 Tex. Admin. Code § 382.125(1) to 305.125(1).

Penalty Calculation Worksheet:

- Page 9, Violation No. 4, Rule Cite(s) – Correct 30 Tex. Admin. Code § 305.25(1) to 305.125(1).

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

cc: Eli Martinez, Interim Public Interest Counsel
Melissa Schmidt, Office of 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
Melissa Cordell, Special Assistant, Office of Compliance and Enforcement

Executive Summary – Enforcement Matter – Case No. 65472
City of Bellaire
RN101721538
Docket No. 2025-1364-MLM-E

Violation Information

1. Failed to prevent nuisance odor conditions. Specifically, TCEQ staff conducted odor surveys at the City of Bellaire WWTF and in the surrounding vicinity, off-site, on June 7, 2022, June 13, 2022, August 1, 2022, July 12, 2023, and August 3, 2023, and detected moderate to very strong raw sewage odors that resulted in the documentation of nuisance odor conditions [TEX. HEALTH & SAFETY CODE § 101.4 and 30 TEX. ADMIN. CODE § 382.085(a) and (b)].

2. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the facility's automatic fine screens have been out of service, toiletries and rags were accumulating in the treatment units, and the aerated grit removal basin contained large amounts of solids, trash, and vegetation overgrowth due to the aerated grit removal basin's blower not functioning properly [30 TEX. ADMIN. CODE § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010550001, Operational Requirements No. 1].

3. Failed to provide a backup unit for preliminary treatment. Specifically, the facility does not have a backup bar screen when the primary screening device is out of service. The facility utilizes two mechanical bar screens; both were out of service; however, the Unit A fine screen was still in use at the time of the investigation [30 TEX. ADMIN. CODE § 317.4(b)].

4. Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized [30 TEX. ADMIN. CODE §§ 305.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By January 20, 2023, replaced the aerated grit removal basin air diffusers and removed solids, trash, and vegetation overgrowth from the aerated grit removal at the Facility;

b. By July 12, 2023, repaired both the facility's automatic fine screens;

c. By November 2, 2023, submitted an updated Nuisance Odor Prevention Plan to TCEQ for review;

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2. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the facility's automatic fine screens have been out of service, toiletries and rags were accumulating in the treatment units, and the aerated grit removal basin contained large amounts of solids, trash, and vegetation overgrowth due to the aerated grit removal basin's blower not functioning properly [30 TEX. ADMIN. CODE § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010550001, Operational Requirements No. 1].

3. Failed to provide a backup unit for preliminary treatment. Specifically, the facility does not have a backup bar screen when the primary screening device is out of service. The facility utilizes two mechanical bar screens; both were out of service; however, the Unit A fine screen was still in use at the time of the investigation [30 TEX. ADMIN. CODE § 317.4(b)].

4. Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized [30 TEX. ADMIN. CODE §§ 305.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By January 20, 2023, replaced the aerated grit removal basin air diffusers and removed solids, trash, and vegetation overgrowth from the aerated grit removal at the Facility;

b. By July 12, 2023, repaired both the facility's automatic fine screens;

c. By November 2, 2023, submitted an updated Nuisance Odor Prevention Plan to TCEQ for review;

Screening Date	13-Feb-2024	**Docket No.** 2025-1364-MLM-E	**PCW**
Respondent	City of Bellaire		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65472		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101721538		
Media	Water Quality		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 305.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6

Violation Description Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized.

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 requirements were not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 7 — 617 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $35,000

Seven quarterly events are recommended, from the June 7, 2022 investigation date to the February 14, 2024 screening date.

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 $35,000

Economic Benefit (EB) for this violation

Estimated EB Amount $7,289

Statutory Limit Test

Violation Final Penalty Total $38,500

This violation Final Assessed Penalty (adjusted for limits) $38,500

Screening Date	13-Feb-2024	**Docket No.** 2025-1364-MLM-E	**PCW**
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Reg. Ent. Reference No.	RN101721538		
Media	Water Quality		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 305.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6

Violation Description Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized.

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 requirements were not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 7 — 617 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $35,000

Seven quarterly events are recommended, from the June 7, 2022 investigation date to the February 14, 2024 screening date.

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 $35,000

Economic Benefit (EB) for this violation

Estimated EB Amount $7,289

Statutory Limit Test

Violation Final Penalty Total $38,500

This violation Final Assessed Penalty (adjusted for limits) $38,500

Executive Summary – Enforcement Matter – Case No. 65472
City of Bellaire
RN101721538
Docket No. 2025-1364-MLM-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MLM – AIR, WQ
Small Business:
No
Location(s) Where Violation(s) Occurred:
City of Bellaire, 4401 Edith Street, Bellaire, Harris County
Type of Operation:
Wastewater treatment facility
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.
Texas Register Publication Date: July 24, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $145,500
Amount Deferred for Expedited Settlement: $29,100
Total Paid to General Revenue: $0
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $116,400
Name of SEP: Fine Screen 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): June 13, 2023
Complaint Information: Alleged an odor.
Date(s) of Investigation: July 12, 2023 through August 3, 2023
Date(s) of NOE(s): October 24, 2023

Violation Information

1. Failed to prevent nuisance odor conditions. Specifically, TCEQ staff conducted odor surveys at the City of Bellaire WWTF and in the surrounding vicinity, off-site, on June 7, 2022, June 13, 2022, August 1, 2022, July 12, 2023, and August 3, 2023, and detected moderate to very strong raw sewage odors that resulted in the documentation of nuisance odor conditions [TEX. HEALTH & SAFETY CODE § 101.4 and 30 TEX. ADMIN. CODE § 382.085(a) and (b)].

2. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the facility's automatic fine screens have been out of service, toiletries and rags were accumulating in the treatment units, and the aerated grit removal basin contained large amounts of solids, trash, and vegetation overgrowth due to the aerated grit removal basin's blower not functioning properly [30 TEX. ADMIN. CODE § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010550001, Operational Requirements No. 1].

3. Failed to provide a backup unit for preliminary treatment. Specifically, the facility does not have a backup bar screen when the primary screening device is out of service. The facility utilizes two mechanical bar screens; both were out of service; however, the Unit A fine screen was still in use at the time of the investigation [30 TEX. ADMIN. CODE § 317.4(b)].

4. Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized [30 TEX. ADMIN. CODE §§ 382.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By January 20, 2023, replaced the aerated grit removal basin air diffusers and removed solids, trash, and vegetation overgrowth from the aerated grit removal at the Facility;

b. By July 12, 2023, repaired both the facility's automatic fine screens;

c. By November 2, 2023, submitted an updated Nuisance Odor Prevention Plan to TCEQ for review;

d. By July 18, 2024, the updated Nuisance Odor Prevention Plan was approved by TCEQ; and

e. By March 13, 2026, both carbon air scrubbers were connected to the fine screen covers and were operating.

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. Within 30 days, comply with the Nuisance Odor Prevention Plan; and

b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Kadrienn Woodard, Enforcement Division, Enforcement Team BB, MC R-12, (713) 767-3602; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
TCEQ SEP Coordinator: Adena Crider, SEP Coordinator, Litigation Division, MC 175, (512) 239-0648
Respondent: The Honorable Gus Pappas, Mayor, City of Bellaire, 7008 South Rice Avenue, Bellaire, Texas 77401-4411
Sharon Citino, City Manager, City of Bellaire, 7008 South Rice Avenue, Bellaire, Texas 77401-4411
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	31-Oct-2023					
PCW	25-Aug-2026	**Screening**	13-Feb-2024	**EPA Due**		

RESPONDENT/FACILITY INFORMATION			
Respondent	City of Bellaire		
Reg. Ent. Ref. No.	RN101721538		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	65472	**No. of Violations**	4
Docket No.	2025-1364-MLM-E	**Order Type**	1660
Media Program(s)	Water Quality	**Government/Non-Profit**	Yes
Multi-Media	Air	**Enf. Coordinator**	Kadrienn Woodard
		EC's Team	Enforcement Team BB

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

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) ***Subtotal 1*** **$142,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **10.0%** Adjustment ***Subtotals 2, 3, & 7*** **$14,250**

Notes: Enhancement for five NOVs with dissimilar violations.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments ***Subtotal 5*** **-$11,250**

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

Total EB Amounts $12,691
Estimated Cost of Compliance $67,600
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 ***Final Subtotal*** **$145,500**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$145,500**

STATUTORY LIMIT ADJUSTMENT ***Final Assessed Penalty*** **$145,500**

DEFERRAL **20.0%** Reduction ***Adjustment*** **-$29,100**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$116,400**

Screening Date 13-Feb-2024 **Docket No.** 2025-1364-MLM-E **PCW**

Respondent City of Bellaire

Policy Revision 5 (January 28, 2021)

Case ID No. 65472

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101721538

Media Water Quality

Enf. Coordinator Kadrienn Woodard

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*)	0	0%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 10%

>> 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 five NOVs with dissimilar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 10%

Screening Date 13-Feb-2024 **Docket No.** 2025-1364-MLM-E **PCW**

Respondent City of Bellaire

Policy Revision 5 (January 28, 2021)

Case ID No. 65472

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101721538

Media Water Quality

Enf. Coordinator Kadrienn Woodard

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and (b)

Violation Description Failed to prevent nuisance odor conditions. Specifically, TCEQ staff conducted odor surveys at the City of Bellaire WWTF and in the surrounding vicinity, off-site, on June 7, 2022, June 13, 2022, August 1, 2022, July 12, 2023, and August 3, 2023, and detected moderate to very strong raw sewage odors that resulted in the documentation of nuisance odor conditions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual		x	
Potential			

OR

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes: Human health or the environment has been exposed to significantamounts 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 — 422 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $62,500

Five single events are recommended (one for each day an odor was detected that contributed to the documented nuisance odor conditions).

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

Estimated EB Amount $4,173

Statutory Limit Test

Violation Final Penalty Total $68,750

This violation Final Assessed Penalty (adjusted for limits) $68,750

Economic Benefit Worksheet

Respondent City of Bellaire
Case ID No. 65472
Reg. Ent. Reference No. RN101721538
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$20,000	7-Jun-2022	8-Aug-2026	4.17	$4,173	n/a	$4,173
Notes for DELAYED costs	Estimated cost to implement measures designed to minimize odors from the Facility from causing nuisance odor conditions. The Date Required is the initial date an odor was detected 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	$20,000				TOTAL	$4,173	

Screening Date	13-Feb-2024	**Docket No.** 2025-1364-MLM-E	**PCW**
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Reg. Ent. Reference No.	RN101721538		
Media	Water Quality		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010550001, Operational Requirements No. 1

Violation Description Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the facility's automatic fine screens have been out of service, toiletries and rags were accumulating in the treatment units, and the aerated grit removal basin contained large amounts of solids, trash, and vegetation overgrowth due to the aerated grit removal basin's blower not functioning properly.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	**Harm** Major	Moderate	Minor
Actual			
Potential	x		

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: 3 — 370 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $22,500

Three seminannual events are recommended, from the June 7, 2022 investigation date to the June 12, 2023 compliance date.

Good Faith Efforts to Comply

25.0% Reduction $5,625

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

Notes: The Respondent achieved compliance on July 12, 2023, prior to the October 24, 2023 NOE date.

Violation Subtotal $16,875

Economic Benefit (EB) for this violation

Estimated EB Amount $1,229

Statutory Limit Test

Violation Final Penalty Total $19,125

This violation Final Assessed Penalty (adjusted for limits) $19,125

Economic Benefit Worksheet

Respondent City of Bellaire
Case ID No. 65472
Reg. Ent. Reference No. RN101721538
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	$15,000	7-Jun-2022	12-Jul-2023	1.10	$55	$1,096	$1,151
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	$500	7-Jun-2022	20-Jan-2023	0.62	$16	n/a	$16
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$2,000	7-Jun-2022	20-Jan-2023	0.62	$62	n/a	$62

Notes for DELAYED costs

Estimated Equipment cost to repair/replace the automatic fine sceens. Date Required is the date the violation was initially documented. Final date is the compliance date.

Estimated Other Equipment cost to repair/replace the grit removal basin's blower. Date Required is the date the violation was initially documented. Final date is the compliance date.

Estimated Remediation/Disposal cost to remove the accumulated toiletries and rags from the treatment units. Date Required is the date the violation was initially documented. Final date is the compliance date.

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 $17,500

TOTAL $1,229

Screening Date	13-Feb-2024	**Docket No.** 2025-1364-MLM-E	**PCW**
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Reg. Ent. Reference No.	RN101721538		
Media	Water Quality		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 317.4(b)

Violation Description Failed to provide a backup unit for preliminary treatment. Specifically, the facility does not have a backup bar screen when the primary screening device is out of service. The facility utilizes two mechanical bar screens; both were out of service; however, the Unit A fine screen was still in use at the time of the investigation.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential	x		

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: 3 — 370 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $22,500

Three seminannual events are recommended, from the June 7, 2022 investigation date to the June 12, 2023 compliance date.

Good Faith Efforts to Comply

25.0% Reduction $5,625

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

Notes: The Respondent achieved compliance on July 12, 2023, prior to the October 24, 2023 NOE date.

Violation Subtotal $16,875

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $19,125

This violation Final Assessed Penalty (adjusted for limits) $19,125

Economic Benefit Worksheet

Respondent City of Bellaire
Case ID No. 65472
Reg. Ent. Reference No. RN101721538
Media Water Quality
Violation No. 3

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)				0.00	$0	n/a	$0
Notes for DELAYED costs	See Economic Benefit for Violation No. 2.						
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	$0	TOTAL	$0

Screening Date	13-Feb-2024	**Docket No.** 2025-1364-MLM-E	**PCW**
Respondent	City of Bellaire		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65472		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN101721538		
Media	Water Quality		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 305.25(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6

Violation Description Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized.

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 requirements were not met.

Adjustment $20,000

$5,000

Violation Events

Number of Violation Events: 7 — 617 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $35,000

Seven quarterly events are recommended, from the June 7, 2022 investigation date to the February 14, 2024 screening date.

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 $35,000

Economic Benefit (EB) for this violation

Estimated EB Amount $7,289

Statutory Limit Test

Violation Final Penalty Total $38,500

This violation Final Assessed Penalty (adjusted for limits) $38,500

Economic Benefit Worksheet

Respondent City of Bellaire
Case ID No. 65472
Reg. Ent. Reference No. RN101721538
Media Water Quality
Violation No. 4

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	7-Jun-2022	31-Aug-2026	4.24	$212	$4,236	$4,448
Buildings				0.00	$0	$0	$0
Other (as needed)	$100	28-Mar-2022	18-Jul-2024	2.31	$1	$15	$16
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)	$15,000	7-Jun-2022	13-Mar-2026	3.77	$2,825	n/a	$2,825

Notes for DELAYED costs

Estimated Equipment cost to comply with the Nuisance Odor Prevention Plan. Date Required is the date the violation was initially documented. Final date is the estimated compliance date. Estimated Other cost to connect the carbon air scrubbers to the fine screen covers. Final date is the date of compliance.

Estimated Other cost to submit an update to the nusiance odor prevention plan and obtain approval. Date required is the date the violation was initally documented. Final date is the date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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 $30,100

TOTAL $7,289

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 CN600690291, RN101721538, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator: CN600690291, City of Bellaire **Classification:** SATISFACTORY **Rating:** 2.05

Regulated Entity: RN101721538, CITY OF BELLAIRE **Classification:** SATISFACTORY **Rating:** 2.57

Complexity Points: 8 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: 4401 EDITH ST BELLAIRE, TX 77401-5634, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

STORMWATER PERMIT TXR05GR68

WASTEWATER PERMIT WQ0010550001

WASTEWATER EPA ID TX0020613

Compliance History Period: September 01, 2020 to August 31, 2025 **Rating Year:** 2025 **Rating Date:** 09/01/2025

Date Compliance History Report Prepared: April 28, 2026

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 28, 2021 to April 28, 2026

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

Name: TCEQ Staff Member **Phone:** (512) 239-1000

Site and Owner/Operator History:

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

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

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

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

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

Item 1	May 11, 2021	(1740189)
Item 2	June 07, 2021	(1740190)
Item 3	August 16, 2021	(1757255)
Item 4	September 13, 2021	(1766341)
Item 5	September 16, 2021	(1798531)
Item 6	October 08, 2021	(1776920)
Item 7	November 10, 2021	(1783710)
Item 8	December 15, 2021	(1790738)
Item 9	February 16, 2022	(1806404)
Item 10	March 31, 2022	(1813473)
Item 11	April 14, 2022	(1820043)

Item 12	May 16, 2022	(1828881)
Item 13	June 15, 2022	(1835175)
Item 14	July 15, 2022	(1842378)
Item 15	August 17, 2022	(1848508)
Item 16	September 14, 2022	(1856310)
Item 17	September 21, 2022	(1882250)
Item 18	October 14, 2022	(1862665)
Item 19	November 14, 2022	(1869579)
Item 20	December 16, 2022	(1875429)
Item 21	February 14, 2023	(1890064)
Item 22	March 14, 2023	(1898625)
Item 23	June 07, 2023	(1897467)
Item 24	June 15, 2023	(1919199)
Item 25	July 14, 2023	(1926164)
Item 26	August 09, 2023	(1933125)
Item 27	September 12, 2023	(1939264)
Item 28	October 20, 2023	(1946113)
Item 29	November 18, 2023	(1951804)
Item 30	December 13, 2023	(1961568)
Item 31	January 17, 2024	(1968162)
Item 32	February 18, 2024	(1977224)
Item 33	March 14, 2024	(1983791)
Item 34	April 20, 2024	(1990320)
Item 35	May 16, 2024	(1996777)
Item 36	June 19, 2024	(2003729)
Item 37	July 28, 2024	(2011283)
Item 38	August 20, 2024	(2016885)
Item 39	October 21, 2024	(2030027)
Item 40	November 21, 2024	(2036346)
Item 41	December 19, 2024	(2042459)
Item 42	January 20, 2025	(2049286)
Item 43	May 19, 2025	(2078623)
Item 44	June 18, 2025	(2085715)
Item 45	July 15, 2025	(2092824)
Item 46	December 18, 2025	(2124895)
Item 47	January 20, 2026	(2131506)
Item 48	February 18, 2026	(2138953)

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: 07/31/2025 (2099402)
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: 08/05/2025 (2070489)
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)
30 TAC Chapter 305, SubChapter F 305.125(4)
Permit Conditions No. 2(g) PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater.

3 Date: 08/31/2025 (2108687)
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

Compliance History Report for CN600690291, RN101721538, Rating Year 2025 which includes Compliance History (CH) components from April 28, 2021, through April 28, 2026.

4 Date: 09/30/2025 (2108688)
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: 10/31/2025 (2118032)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
CITY OF BELLAIRE	**§**	
RN101721538	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-1364-MLM-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 City of Bellaire (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26, and TEX. HEALTH & SAFETY CODE ch. 382. 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 4401 Edith Street in Bellaire, Harris County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5). The Facility consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

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, TEX. HEALTH & SAFETY CODE ch.382, 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 $145,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of $29,100 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, $116,400 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. By January 20, 2023, replaced the aerated grit removal basin air diffusers and removed solids, trash, and vegetation overgrowth from the aerated grit removal at the Facility;

   b. By July 12, 2023, repaired both the facility's automatic fine screens;

   c. By November 2, 2023, submitted an updated Nuisance Odor Prevention Plan to TCEQ for review;

   d. By July 18, 2024, the updated Nuisance Odor Prevention Plan was approved by TCEQ;

   e. By March 13, 2026, both carbon air scrubbers were connected to the fine screen covers and were operating.

II. ALLEGATIONS

During an investigation at he Facility conducted on July 12, 2023, and August 3, 2023, an investigator documented that the Respondent:

1. Failed to prevent nuisance odor conditions. Specifically, TCEQ staff conducted odor surveys at the City of Bellaire WWTF and in the surrounding vicinity, off-site, on June 7, 2022, June 13, 2022, August 1, 2022, July 12, 2023, and August 3, 2023, and detected moderate to very strong raw sewage odors that resulted in the documentation of nuisance odor conditions, in violation of 30 TEX. ADMIN. CODE § 101.4 and TEX. HEALTH & SAFETY CODE § 382.085(a) and (b).

2. Failed to ensure the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the facility's automatic fine screens have been out of service, toiletries and rags were accumulating in the treatment units, and the aerated grit removal basin contained large amounts of solids, trash, and vegetation overgrowth due to the aerated grit removal basin's blower not functioning properly, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010550001, Operational Requirements No. 1.

3. Failed to provide a backup unit for preliminary treatment. Specifically, the facility does not have a backup bar screen when the primary screening device is out of service. The facility utilizes two mechanical bar screens; both were out of service; however, the Unit A fine screen was still in use at the time of the investigation, in violation of 30 TEX. ADMIN. CODE § 317.4(b).

4. Failed to comply with the nuisance odor prevention plan. Specifically, the building that enclosed the top part of the influent fine screens no longer exists and the two air scrubbers are not being utilized, in violation of and 30 TEX. ADMIN. CODE §§ 305.125(1) and 309.13(g), and TPDES Permit No. WQ0010550001, Other Requirements No. 6.

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 Bellaire, Docket No. 2025-1364-MLM-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 $116,400 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. Within 30 days after the effective date of this Order, comply with the Nuisance Odor Prevention Plan.

b. Within 45 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. 3.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____ _____
For the Commission Date

Kristie Mello-Jurack 08/29/202
_____ _____
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.

Sharon Citino 07/01/26
_____ _____
Signature Date

Sharon Citino City Manager
_____ _____
Name (Printed or typed) Title
Authorized Representative of
City of Bellaire

☐ *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: 2025-1364-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Bellaire
Penalty Amount:	$116,400
SEP Offset Amount:	$116,400
Type of SEP:	Compliance
Project Name:	*Fine Screen Improvements*
Location of SEP:	Harris County

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

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

1. Project Description

A. Project

Respondent hired a contractor to repair both automatic fine screens at the Facility. Specifically, the SEP Offset Amount was used for materials, supplies, and equipment for the repair of the automatic fine screens (the "Project"). Respondent hired qualified contractors to perform the Project. The SEP was performed in accordance with all federal, state, and local environmental laws and regulations.

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

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

B. Environmental Benefit

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

C. Expenses

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

Expenses

Item	Total
Fine Screen #1 Repair	$84,719.06
Fine Screen #2 Repair	$74,814.66
Total	**$159,533.72**

2. Records

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

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

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

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

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

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

F. Dated photographs of the completed Project.

3. Additional Information and Access

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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