



Expedited Compliance Order (ECO)

Drinking Water Advisory Work Group

April 2026

Expedited Compliance Order

Objective

- To achieve compliance faster and to improve agency efficiency by reducing the time and staff resources necessary to process these enforcement actions

Method

- New process will set reduced penalties in recognition of entities returning to compliance more quickly than typical orders.
- Since compliance will have already been achieved, tracking of orders for compliance after Agenda will no longer be necessary.
- New process includes generating orders in significantly less time than typical orders.

Legal Authority

- TWC § 7.002 (Enforcement Authority) allows for the issuance of an administrative order.
- Administrative orders include agreed orders and default orders and may include penalties and corrective measures.
- The Commission may delegate to the Executive Director the authority to issue administrative orders.
- The statutory requirements as to what must be in an administrative order are limited (*e.g.*, findings of fact are not required, but an uncontested finding that the Commission has jurisdiction in TWC § 7.070).

Eligible Programs and # of Violations

Drinking Water: 102

Waste: 76
Municipal solid waste: 1
Petroleum storage tanks: 75

Water: 11
Wastewater: 3
Edwards Aquifer: 3
License Irrigator: 2
Onsite Sewage Facility: 1
Water Rights: 2

Air: 4

Eligible Programs/Violations

1. All violations in NOE must be one of the identified violations.
2. All violations must be able to be corrected within 60 days from the date of the settlement offer.
3. Violations typically cannot include a suspected or confirmed release or spill or require remediation.
4. Enforcement case does not meet Findings Agreed Order criteria

Respondent Considerations

No active/pending matters at the Office of the Attorney General (OAG)

No pending or active default or shutdown order; no revocation pending at any facility.

No outstanding delinquent fees or penalties.

Same respondent and same facility have not been offered an ECO for the same violation.

Not a Repeat Violator or Unsatisfactory Performer

Other Considerations

All ECOs will still be published in the Texas Register for 30-day comment period.

Respondents will still be able to participate in the Supplemental Environmental Project (SEP) program.

Penalty Considerations



Example: PWS (minor facility)

	Traditional Order	Expedited Compliance Order
Total Payable Penalty	\$1,140	\$570
Enforcement Coordinator Assigned	7/15/2024	7/15/2024
Initial Proposed Order Mailed	1/17/2025	8/15/2024
Settlement Achieved?	No	Yes
Outcome	Referred to Litigation Division 4/15/2025	Achieved compliance 10/16/2024

Example: PWS (minor facility)

Citation: 30 TAC 290.43(c)(4)

Allegation: Failed to provide all ground storage tanks (“GST”) with a liquid level indicator

Penalty – Major Facility: \$175

Penalty – Minor Facility: \$75

Questions?

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