

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 11, 2025**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **February 11, 2025**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Arrowhead Ranch Utility Company LLC; DOCKET NUMBER: 2022-0302-MWD-E; IDENTIFIER: RN105309165; LOCATION: Dripping Springs, Hays County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0014824001, Effluent Limitations and Monitoring Requirements A and B, and Standard Permit Conditions Number 1.a, by failing to properly calculate the daily average flow; 30 TAC §305.125(1) and TPDES Permit Number WQ0014824001, Special Provisions Number 9, by failing to maintain Bermuda grass overseeded with rye grass on the disposal site; 30 TAC §305.125(1), TWC, §26.121(a)(1), and TPDES Permit Number WQ0014824001, Effluent Limitations and Monitoring Requirements A, by failing to comply with permitted effluent limitations; 30 TAC §222.45 and §305.125(1) and TPDES Permit Number WQ0014824001, Special Provisions Number 27, by failing to submit a copy of the issued water quality permit to the health department with jurisdiction in the area where the system is located before commencing operation of the proposed subsurface drip irrigation system, and retain proof of deliv-

ery; 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0014824001, Effluent Limitations and Monitoring Requirements B, by failing to collect and analyze effluent samples at the intervals specified in the permit; 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0014824001, Effluent Limitations and Monitoring Requirements B, by failing to monitor effluent flow from the treatment system at the intervals specified in the permit; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0014824001, Operational Requirements Number 1 and Special Provisions Number 14, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, and failing to ensure effluent is not applied for irrigation when the ground is saturated; and 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and TPDES Permit Number WQ0014824001, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$53,643; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Benjamin Dominguez dba Bayou Shadows Water System and Beau Ray, Incorporated; DOCKET NUMBER: 2024-0182-PWS-E; IDENTIFIER: RN103953956; LOCATION: Alvin, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(iii), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; and 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$315; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: City of The Colony; DOCKET NUMBER: 2023-1544-MWD-E; IDENTIFIER: RN105292783; LOCATION: The Colony, Denton County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011570001, Final Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$26,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$20,900; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: INEOS USA LLC; DOCKET NUMBER: 2021-0818-AIR-E; IDENTIFIER: RN100238708; LOCATION: Alvin, Brazoria County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(1) - (3), 113.100, 116.115(c), and 122.143(4), 40 Code of Federal Regulations (CFR) §60.18(c)(3)(ii) and §63.11(b)(6)(ii), New Source Review (NSR) Permit Numbers 95 and PSDTX854M2, Special Conditions (SC) Numbers 7.A. and 12.A., Federal Operating Permit (FOP) Number O2327, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A., 20, and 26, and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain the

net heating value of the gas being combusted at 300 British thermal units per standard cubic foot or greater if the flare is steam-assisted or air-assisted; 30 TAC §§101.20(1) - (3), 116.115(c), and 122.143(4), 40 CFR §60.18(c)(1) and §63.11(b)(4), NSR Permit Numbers 95 and PSDTX854M2, SC Numbers 7.C. and 12.C., FOP Number O2327, GTC and STC Numbers 1.A., 3.A.(i), and 26, and THSC, §382.085(b), by failing to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours; 30 TAC §101.20(2) and §122.143(4), 40 CFR §61.354(a)(2), FOP Number O2327, GTC and STC Number 1.A., and THSC, §382.085(b), by failing to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit; 30 TAC §§101.20(2), 113.120, 113.890, 116.115(c), 117.310(c)(2)(A) and (B) and 122.143(4), 40 CFR §63.138(b)(1)(i) and §63.2450(a), NSR Permit Numbers 123117 and 97769, SC Numbers 5, 5.F., and 7, FOP Numbers O2327 and 03966, PSDTX1460 and GHGPSDTX135, GTC and STC Numbers 1.A. and 7, and THSC, §382.085(b), by failing to comply with the concentration limit; 30 TAC §§101.20(2), 113.1090, and 122.143(4), 40 CFR §63.6650(b)(3), FOP Number O2327, GTC and STC Number 1.A., and THSC, §382.085(b), by failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period; 30 TAC §§101.20(3), 116.115(b)(2)(E)(i), and 122.143(4), NSR Permit Numbers 95 and PSDTX854M2, General Conditions Number 7, FOP Number O2327, GTC and STC Number 20, and THSC, §382.085(b), by failing to maintain records containing the information and data sufficient to demonstrate compliance with the permit; 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Numbers 95, 101, 97769, and 123117, and PSDTX854M2, PSDTX1460, and GHGPSDTX135, SC Numbers 1 and 2, FOP Numbers O2327 and 03966, GTC and STC Numbers 7 and 20, and THSC, §382.085(b), by failing to comply with the maximum allowable emissions rates; 30 TAC §§101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Numbers 123117, PSDTX1460, and GHGPSDTX135, SC Numbers 4 and 7, FOP Number O3966, GTC and STC Numbers 1.A. and 7, and THSC, §382.085(b), by failing to comply with the emissions and concentration limits; 30 TAC §§101.20(3), 116.115(c), 117.345(c), and 122.143(4), NSR Permit Numbers 123117, PSDTX1460, and GHGPSDTX135, SC Number 20.H., FOP Number O3966, GTC and STC Numbers 1.A. and 7, and THSC, §382.085(b), by failing to submit a copy of the testing and sampling reports within 60 days after the completion of the testing and sampling; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 95 and PSDTX854M2, SC Number 61.C.(1), FOP Number O2327, GTC and STC Number 20, and THSC, §382.085(b), by failing to maintain records for the calibration of the lower explosive limit (LEL) detector; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 95 and PSDTX854M2, SC Number 61.C.(2), FOP Number O2327, GTC and STC Number 20, and THSC, §382.085(b), by failing to maintain records for the functionality test of the LEL detector; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 95 and PSDTX854M2, SC Numbers 65.A. and 65.C., FOP Number O2327, GTC and STC Number 20, and THSC, §382.085(b), by failing to maintain records to support planned maintenance, startup, or shutdown activities; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 95 and 123117, PSDTX854M2, PSDTX1460, and GHGPSDTX135, SC Numbers 1 and 2, FOP Numbers O2327 and 03966, GTC and STC Numbers 7, 20, and 26, and THSC, §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(a)(1)(B) and §122.143(4), FOP Number O2327, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30

TAC §101.201(b) and §122.143(4), FOP Number O2327, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to create a final record for a non-reportable emissions event no later than two weeks after the end of an emissions event; 30 TAC §101.201(b)(1)(G) and §122.143(4), FOP Number O2327, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to identify all required information on the final record for a reportable emissions event; 30 TAC §106.8(c)(2) and (4) and §122.143(4), FOP Number O2327, GTC and STC Number 22, and THSC, §382.085(b), by failing to provide records upon request and maintain records containing sufficient information to demonstrate compliance with all applicable Permits by Rules; 30 TAC §115.725(a)(2)(D) and §122.143(4), FOP Number O2327, GTC and STC Number 1.A., and THSC, §382.085(b), by failing to comply with the operating parameter limit; 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 101, SC Numbers 3.(A)(1) and 3.B.(2), FOP Number O2327, GTC and STC Number 20, and THSC, §382.085(b), by failing to comply with the emissions limit; 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 101, SC Number 3.B.(3), FOP Number O2327, GTC and STC Number 26, and THSC, §382.085(b), by failing to comply with the firing rate limit; 30 TAC §117.340(a) and §122.143(4), FOP Number O3966, GTC and STC Number 1.A., and THSC, §382.085(b), by failing to maintain and operate a totalizing fuel flow meter to individually and continuously measure the gas and liquid fuel usage; 30 TAC §117.340(j) and §122.143(4), FOP Number O2327, GTC and STC Number 1.A., and THSC, §382.085(b), by failing to record the operating time for stationary internal combustion engines with a non-resettable elapsed run-time meter; 30 TAC §122.121 and §122.210(a) and THSC, §382.054 and §382.085(b), by failing to obtain a revision for an FOP prior to operating emission units at the site; 30 TAC §122.210(a) and THSC, §382.085(b), by failing to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions; 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O2327, GTC and THSC, §382.085(b), by failing to report all instances of deviations; and 30 TAC §122.210(a) and THSC, §382.085(b), by failing to submit an application for a revision to an FOP at a site to change, add, or remove one or more permit terms and conditions; PENALTY: \$224,672,900; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$898,692; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: J&L Imperium Industries, LLC; DOCKET NUMBER: 2024-0571-WQ-E; IDENTIFIER: RN11081162; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System General Permit Number TXG113175, Part III, Section A, Permit Requirements Number 1 and Part IV, Standard Permit Conditions Number 7.f, by failing to submit monitoring results at the intervals specified in the permit; PENALTY: \$12,500; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: Maple Energy Holdings, LLC; DOCKET NUMBER: 2022-1169-AIR-E; IDENTIFIER: RN110681939; LOCATION: Pecos, Reeves County; TYPE OF FACILITY: oil and gas production plant; RULES VIOLATED: 30 TAC §106.4(c) and §106.359(c)(1), Permit by Rule Registration Number 162349, and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain all facilities with the potential to emit air contaminants in good working order and operated properly; and 30 TAC §106.6(b) and (c) and 116.110(a), and THSC, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$23,437; ENFORCEMENT COORDINATOR: Danielle

Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: MELROSE Water Supply Corporation; DOCKET NUMBER: 2022-0753-MLM-E; IDENTIFIER: RN102689346; LOCATION: Nacogdoches, Nacogdoches County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a) and (c) and TWC, §11.1272(c), by failing to review and update the drought contingency plan at least every five years to include all elements for municipal use by a retail public water supplier; 30 TAC §290.41(c)(3)(K), by failing to seal the wellhead by a gasket or sealing compound and provide a well casing vent that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.41(c)(3)(N), by failing to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data; 30 TAC §290.42(e)(3)(D), by failing to provide facilities for determining the amount of disinfectant used daily and the amount of disinfectant remaining for use; 30 TAC §290.42(e)(4)(A), by failing to provide a small bottle of fresh ammonia solution for testing for chlorine leakage which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency; 30 TAC §290.42(e)(4)(C), by failing to provide forced air ventilation, which includes high level and floor level screened and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch outside, for enclosures containing more than one 150-pound cylinder of chlorine; 30 TAC §290.42(f)(1)(E)(ii)(I), by failing to provide adequate containment facilities for all liquid chemical storage tanks; 30 TAC §290.42(f)(2)(D), by failing to use a chemical feed system designed to minimize the possibility of leaks and spills and provide protection against backpressure and siphoning; 30 TAC §290.42(I), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(c)(3), by failing to maintain the facility's storage tanks in strict accordance with current American Water Works Association standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch; 30 TAC §290.43(c)(3), by failing to ensure the discharge opening of the overflows of the facility's storage tanks are above the surface of the ground and were not subject to submergence; 30 TAC §290.43(c)(4), by failing to provide all ground storage tanks with a liquid level indicator; 30 TAC §290.43(d)(3), by failing to provide a device to readily determine air-water-volume for all tanks greater than 1,000-gallon capacity; 30 TAC §290.44(h)(4), by failing to have all backflow prevention assemblies tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; 30 TAC §290.45(b)(1)(C)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(D)(i) and THSC, §341.0315(c), by failing to provide two or more wells having a total capacity of 0.6 gallons per minute per connection; 30 TAC §290.46(e) and THSC, §341.033(a), by failing to use a water works operator who holds an applicable, valid license issued by the executive director (ED); 30 TAC §290.46(f)(2) and (3)(A)(i) and (ii)(II), (IV), and (iii), by failing to maintain water works operation and maintenance records and make them readily available for review by the ED upon request; 30 TAC §290.46(i), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(l), by failing to flush all dead-end mains at monthly intervals; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good

working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(m)(6), by failing to maintain all pumps, motors, valves, and other mechanical devices in good working condition; 30 TAC §290.46(p)(2), by failing to provide the ED with a list of all the operators and operating companies that the public water system uses on an annual basis; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.46(v), by failing to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code; 30 TAC §290.118(a) and (b), by failing to meet the maximum secondary constituent levels of greater than 7.0 for pH or receive written approval from the ED to use the water source for public drinking water; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with monitoring requirements; PENALTY: \$100,788; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: Mike Stephens; DOCKET NUMBER: 2024-0632-PST-E; IDENTIFIER: RN102713997; LOCATION: Bangs, Brown County; TYPE OF FACILITY: temporarily out-of-service underground storage tank (UST) system; RULES VIOLATED: 30 TAC §§37.815(a) and (b) and 334.49(c)(4)(C) and 334.54(b)(3) and TWC, §26.3475(d), by failing to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years, and failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator, Class A, Class B, and Class C, for the facility; PENALTY: \$7,580; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(9) COMPANY: RestorationCity; DOCKET NUMBER: 2024-0655-PWS-E; IDENTIFIER: RN101261592; LOCATION: Hungerford, Wharton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that the valves and mains can be easily located during emergencies; 30 TAC §290.110(e) and (f)(1)(A), by failing to include all samples collected at sites designated in the monitoring plan as microbiological and residual monitoring sites in the compliance determination calculations; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$400; ENFORCEMENT COORDINATOR: Miles Caston, (512) 239-4593; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: Texas Department of Transportation; DOCKET NUMBER: 2023-1737-MWD-E; IDENTIFIER: RN102075918; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0012024001, Effluent Limitations and

Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$16,312; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$13,050; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: TRI-CON, INCORPORATED dba Exxpress Mart 14; DOCKET NUMBER: 2023-0790-PST-E; IDENTIFIER: RN102469095; LOCATION: Lumberton, Hardin County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.48(h)(1)(B)(ii) and TWC, §26.3475(c)(2), by failing to conduct the annual walkthrough inspection of the underground storage tank (UST) system's containment sumps; and 30 TAC §334.48(c)(1) and §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs in a manner which will detect releases at a frequency of at least once every 30 days, and failing to conduct a test of the proper operation of the release detection equipment at least annually; PENALTY: \$11,451; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: Trinity River Authority of Texas; DOCKET NUMBER: 2022-1152-MWD-E; IDENTIFIER: RN106317308; LOCATION: Hurst, Tarrant County; TYPE OF FACILITY: wastewater collection system and associated manhole; RULES VIOLATED: TWC, §26.121(a)(1), by failing to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state; and 30 TAC §319.303(c), by failing to include all the precautionary statements in the Public Notice for a spill of 100,000 gallons or more; PENALTY: \$11,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,250; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(13) COMPANY: Trinity River Authority of Texas; DOCKET NUMBER: 2024-0563-MWD-E; IDENTIFIER: RN102004355; LOCATION: Roanoke, Denton County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1) and (4), Texas Pollutant Discharge Elimination System Permit Number WQ001345700, Permit Conditions Number 2.g, by failing to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state; PENALTY: \$24,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$24,750; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: W.R. GRACE and COMPANY - CONN; DOCKET NUMBER: 2022-0653-AIR-E; IDENTIFIER: RN100223379; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical processing and manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review (NSR) Permit Numbers 19344 and 21140, Special Conditions (SC) Number 6.H, Federal Operating Permit (FOP) Number O1473, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 16, and Texas Health and Safety Code (THSC), §382.085(b), by failing to repair a leaking component during the next scheduled unit shutdown; 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 19344, SC Number 7.B, FOP Number O1473, GTC and STC Number 16, and THSC, §382.085(b), by failing to sample the natural gas for heaters every six months to determine total sulfur and net heating value; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O1473, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$19,378; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL

OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(15) COMPANY: West Texas Commercial Properties LLC; DOCKET NUMBER: 2023-0997-PWS-E; IDENTIFIER: RN101215127; LOCATION: Amherst, Lamb County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement covering land within 150 feet of the facility's well; 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; and 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; PENALTY: \$1,150; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: WINDFERN PARK OWNER'S ASSOCIATION; DOCKET NUMBER: 2023-0756-PWS-E; IDENTIFIER: RN102877776; LOCATION: Houston, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.45(d)(2)(B)(ii) and Texas Health and Safety Code (THSC), §341.0135(c), by failing to provide ground storage capacity equal to 50% of the maximum daily demand (MDD); 30 TAC §290.45(d)(2)(B)(iii) and THSC, §341.0135(c), by failing to provide at least one service pump with a total capacity of three times the MDD; 30 TAC §290.46(f)(2) and (3)(B)(v), and (E)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(s)(1), by failing to calibrate the facility's two well meters at least once every three years; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$3,350; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202406347

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: December 30, 2024



### Notice of Opportunity to Comment on a Shutdown/Default Order of an Administrative Enforcement Action

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475, authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the

release detection, spill, and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations, the proposed penalty, the proposed technical requirements necessary to bring the entity back into compliance, and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. In accordance with TWC, §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 11, 2025**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed S/DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed S/DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 11, 2025**. The commission's attorney is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: Laila Quick Stop LLC; DOCKET NUMBER: 2021-0699-PST-E; TCEQ ID NUMBER: RN101888469; LOCATION: 2900 South Western Street, Amarillo, Randall County; TYPE OF FACILITY: UST system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs; 30 TAC §334.606, by failing to maintain required operator training certification documentation on-site and provide it upon request to a TCEQ or TCEQ-authorized investigator; 30 TAC §334.7(d)(1)(B) and (3), by failing to notify the agency of any change or additional information regarding the USTs within 30 days of occurrence of the change or addition; and TWC, §26.3475(a) and (c)(1) and 30 TAC §334.50(b)(1)(A) and (2), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, also, by failing to provide release detection for the piping associated with the USTs; PENALTY: \$11,250; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: Amarillo Regional Office, 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

TRD-202406311  
Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: December 27, 2024



Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 11, 2025**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 11, 2025**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: 4283929 Delaware, LLC; DOCKET NUMBER: 2023-1717-AIR-E; TCEQ ID NUMBER: RN104271523; LOCATION: 511 New Hope Road West, McKinney, Collin County; TYPE OF FACILITY: pet crematorium; RULES VIOLATED: Texas Health and Safety Code (THSC), §382.085(b), 30 TAC §116.115(b)(2)(E)(i) and (c), New Source Review (NSR) Permit Number 152484, General Condition (GC) Number 7, and Special Condition (SC) Number 20.C, by failing to maintain records containing the information and data sufficient to demonstrate compliance with the permit; THSC, §382.085(b), 30 TAC §116.115(b)(2)(E)(i) and (c), NSR Permit Number 152484, GC Number 7 and SC Number 19.A, by failing to maintain a copy of the Permit; and THSC, §382.085(b), 30 TAC §116.115(c), NSR Permit Number 152484, and SC Number 10.C, by failing to certify the scale annually to the National Institute of Standards and Technology Compound Handbook 44 standards by a third party; PENALTY: \$4,703; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: HAQUE SALMA ENTERPRISE INC; DOCKET NUMBER: 2021-0193-PST-E; TCEQ ID NUMBER: RN101444651; LOCATION: 5407 San Pedro Avenue, San Antonio, Bexar County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases in a manner which will detect a release at a frequency of at least once every 30 days; TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect the impressed current cathodic protection system at least once every 60 days to ensure the rectifier and other system components are operating properly; TWC, §26.3475(d) and 30 TAC §334.49(c)(4)(C), by failing

to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator - Class A, B, and C for the facility; 30 TAC §334.606, by failing to maintain operator training certification records on-site and make them available for inspection upon request by agency personnel; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; PENALTY: \$11,347; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: KUCHURI LLC dba BM Cigarette Mart; DOCKET NUMBER: 2022-0969-PST-E; TCEQ ID NUMBER: RN102375052; LOCATION: 1013 South Blue Mound Road, Blue Mound, Tarrant County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; and 30 TAC §334.606, by failing to maintain required operator training certification documentation on-site and make them available for inspection upon request by agency personnel; PENALTY: \$8,355; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: Michael Ruff dba Premium Sandstone, LLC and Premium Sandstone, LLC; DOCKET NUMBER: 2020-1302-WQ-E; TCEQ ID NUMBER: RN106222235; LOCATION: the northside of Interstate Highway 20, two miles east of the intersection of Interstate Highway 20 and State Highway 193, Gordon, Palo Pinto County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; 30 TAC §311.74(a) and §311.75, and TWC, §26.121(c) and §26.553, by failing to maintain authorization to discharge water associated with quarry activities to water in the State located in a water quality protection area in the John Graves Scenic Riverway; PENALTY: \$21,250; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart; DOCKET NUMBER: 2020-1267-PST-E; TCEQ ID NUMBER: RN109830588; LOCATION: 8922 Airport Boulevard, San Antonio, Bexar County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements were met; 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously is-

sued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; and TWC, §26.3467(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the regulated USTs; PENALTY: \$8,688; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(6) COMPANY: NORTHWEST PETROLEUM LP dba Veterans QMart; DOCKET NUMBER: 2021-0584-PST-E; TCEQ ID NUMBER: RN100527506; LOCATION: 4450 Farm-to-Market Road 1960 West, Houston, Harris County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(B), by failing to monitor the USTs for releases in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring for tanks installed on or after January 1, 2009; TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; and TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system; PENALTY: \$15,124; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202406312  
Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: December 27, 2024

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**Supreme Court of Texas**

Order Amending the Texas Plan for Recognition and Regulation of Specialization in the Law; Amending Part I of the Texas Board of Legal Specialization Standards for Attorney Certification; and Adopting Standards for Attorney Certification in Judicial Administration

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the January 10, 2025, issue of the Texas Register.)*

TRD-202406235  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: December 20, 2024

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