Jon Niermann, Chairman Emily Lindley, Commissioner Bobby Janecka, Commissioner Toby Baker, Executive Director



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 14, 2020

Mr. Somaiah Kurre, President Texas Concrete Sand and Gravel, Inc. 1017 Wakefield Drive Houston, Texas 77018

Re:

Proposed Agreed Order

Texas Concrete Sand and Gravel, Inc.

RN106352065; TPDES Multi-Sector General Permit No. TXR05DH81

Docket No. 2019-0211-WQ-E; Enforcement Case No. 57254

FOR SETTLEMENT PURPOSES ONLY

Dear Mr. Kurre:

The Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ") is pursuing an enforcement action against Texas Concrete Sand and Gravel, Inc. of the Texas Water Code and/or Commission Rules. These violations were discovered during a record review conducted on January 9, 2019 and investigations conducted from May 15, 2019 through May 23, 2019 and on September 24, 2019, and documented in letters dated January 16, 2019, July 12, 2019, and October 18, 2019, respectively, from the TCEQ Houston Regional Office.

Please find enclosed a proposed agreed order which we have prepared in an attempt to expedite this enforcement action. The order assesses an administrative penalty of \$19,063, identifies the violations that we are addressing and identifies specific technical requirements necessary to resolve them.

If you have any questions regarding this matter, we are available to discuss them in a conference in Dallas/Fort Worth or over the telephone. If we reach agreement in a timely manner, the TCEQ will then proceed with the remaining procedural steps to settle this matter. These steps include publishing notice of the proposed order in the *Texas Register*, and scheduling the matter for approval by the Commission. We believe that handling this matter expeditiously could save Texas Concrete Sand and Gravel, Inc. and the TCEQ a significant amount of time, as well as the expense associated with litigation.

Enclosed for your convenience is a return envelope. If you agree with the order as proposed, please sign and return the original order **and** the penalty payment (check payable to "TCEQ" and referencing Texas Concrete Sand and Gravel, Inc., Docket No. 2019-0211-WQ-E) to:

Mr. Somaiah Kurre Page 2 April 14, 2020

> 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

Should you believe you are unable to pay the proposed administrative penalty, you may claim financial inability to pay part or all of the penalty amount. In order to qualify for financial inability to pay, the penalty must exceed \$3,600 and be greater than 1% of annual gross revenues. If this is the case, please contact us immediately to obtain a list of financial disclosure documents that must be submitted within 30 days of the receipt of this letter. These documents, once properly completed and submitted, will be thoroughly reviewed to determine if we agree with the claim of financial inability. Please be aware that if financial inability is proven to the satisfaction of staff, discussions pertaining to the penalty amount adjustment will focus only on deferral and not on waiver of the penalty amount.

You may be able to perform or contribute to a Supplemental Environmental Project ("SEP"), which is a project that benefits the environment, to offset a portion of your penalty. If you are interested in performing an SEP, you must agree to the penalty amount and submit an SEP proposal within 30 days of receipt of this proposed order.

For additional information about the types of SEPs available and eligibility criteria, please go to the TCEQ's web site link at <a href="http://www.tceq.texas.gov/legal/sep/">http://www.tceq.texas.gov/legal/sep/</a> or contact the Enforcement Coordinator listed below.

Please note that any agreements we reach are subject to final approval in accordance with 30 Tex. Admin. Code § 70.10(a).

If we cannot reach a settlement of this enforcement action or you do not wish to participate in this expedited process, we will proceed with enforcement under the Commission's Enforcement Rules, 30 Tex. Admin. Code ch. 70. Specifically, if the signed order and penalty are not mailed and postmarked within 60 days from the date of this letter, your case will be forwarded to the Litigation Division and this settlement offer, including the penalty deferral, will no longer be available. The enforcement process described in 30 Tex. Admin. Code ch. 70 requires the staff to prepare and issue an Executive Director's Preliminary Report and Petition to the Commission. If you would like to obtain a copy of 30 Tex. Admin. Code ch. 70, or any other TCEQ rules, the rules themselves and the agency brochure entitled Obtaining TCEQ Rules (GI-032) are located on our agency website at <a href="http://www.tceq.texas.gov">http://www.tceq.texas.gov</a> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from the Central Office Publications Ordering Team at (512) 239-0028.

Mr. Somaiah Kurre Page 3 April 14, 2020

For any questions or comments about this matter or to arrange a meeting, please contact Mr. Caleb Olson of my staff at (817) 588-5856.

Sincerely,

Laurie Eaves, Manager Enforcement Division

Texas Commission on Environmental Quality

LE/co

Enclosures: Proposed Agreed Order, Return Envelope, Penalty Calculation Worksheets (3),

Site Compliance History

Mr. Somaiah Kurre Page 4 April 14, 2020

bcc:

Manager, Water Section, Houston Regional Office

Mr. Caleb Olson, Coordinator, Enforcement Division, R-4

Central Records, MC 213, Building E, 1st Floor STW MSGP\_TXRo5DH81\_CP\_2020-04-14\_Proposed Agreed Order Enforcement Division Electronic Reader File

# Texas Commission on Environmental Quality

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IN THE MATTER OF AN ENFORCEMENT ACTION	§ §	BEFORE THE
CONCERNING TEXAS CONCRETE SAND AND	§ §	TEXAS COMMISSION ON
GRAVEL, INC. RN106352065	§ §	ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2019-0211-WQ-E

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCEQ") consid	dered this agreement of the parties, resolving an enforcement
action regarding Texas Concrete	e Sand and Gravel, Inc. (the "Respondent") under the authority
of TEX. WATER CODE chs. 7 and	26. The Executive Director of the TCEQ, through the
Enforcement Division, and the	Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that 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. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

- 1. The Respondent operated an aggregate production operation located at 7530 Farm-to-Market Road 1010 in Cleveland, Liberty County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in Tex. WATER CODE § 26.001(5).
- 2. During a record review conducted on January 9, 2019, an investigator documented that:
  - a. The benchmark value of 50 milligrams per liter ("mg/L") for Total Suspended Solids was exceeded on February 22, 2016 with a value of 375 mg/L and on August 29, 2016 with a value of 179 mg/L and no investigations were documented.
  - b. The Respondent was not properly recording sampling records, including the records of monitoring such as the date, time, and location of sample or measurement; identity of the individual who collected the sample or made the measurement or observation; and records of analysis such as the date, time, and

place the analysis was conducted, the identity of the individual or laboratory that performed the analysis, the technique or method of analysis, the results, and the quality assurance and control records.

- c. On March 16, 2018, the pH at Outfall No. 1 was 5.75 standard units ("s.u."), failing to meet the minimum permitted numeric effluent limitation for pH of 6.0 s.u.
- d. The Respondent was collecting effluent samples at the northern pit pump of the stormwater retention pond rather than at the designated Outfall Nos. 1 and 2.
- 3. During an investigation conducted from May 15, 2019 through May 23, 2019, an investigator documented that during a rainfall event, water from the East Fork of the San Jacinto River entered the Facility's secondary process pond ("Pond 2") through an approximate 20-foot berm breach, resulting in the discharge of approximately 40 million gallons of process wastewater into the East Fork of the San Jacinto River.
- 4. During an investigation conducted on September 24, 2019, an investigator documented that:
  - a. Four berm breaches occurred at the Facility's primary process pond ("Pond 1"), resulting in the discharge of process wastewater into an existing drainage channel which led into the East Fork of the San Jacinto River.
  - b. The Respondent terminated coverage under Texas Pollutant Discharge Elimination System ("TPDES") Multi-Sector General Permit ("MSGP") No. TXR05DH81 on October 1, 2019, and, during a flyover of the Facility conducted on October 1, 2019, large bare areas of soil were observed where the dry mining pit was located and where the southern berm breaches of Pond 1 had been repaired.
- 4. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
  - d. By May 28, 2019, ceased discharging process wastewater and repaired the berm surrounding Pond 2.
  - e. By September 26, 2019, ceased discharging process wastewater and repaired the berm surrounding Pond 1.
  - c. By January 13, 2020:
    - i. Updated the Facility's operational guidance and conducted employee training to ensure that:

- (1) Sampling records are properly recorded including the records of monitoring such as the date, time, and location of sample measurement; identity of the individual who collected the sample or made the measurement or observation; and records of analysis such as the date, time, and place the analysis was conducted, the identity of the individual or laboratory that performed the analysis, the technique or method of analysis, the results, and the quality assurance and control records.
- (2) Investigations are properly conducted and recorded in the stormwater pollution prevent plan within 90 days of a benchmark value exceedance occurring.
- ii. Returned to compliance with the permitted numeric effluent limitations.

### II. CONCLUSIONS OF LAW

- As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to investigate the cause for each benchmark value exceedance within 90 days following the sampling event, in violation of 30 Tex. Admin. Code § 305.125(1) and expired TPDES MSGP No. TXR05AX64, Part IV, Section A, Item 3.
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to maintain complete and accurate records, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and (11)(C) and terminated TPDES MSGP No. TXR05DH81, Part III, Section E, Item 5.
- As evidenced by Finding of Fact No. 2.c, the Respondent failed to comply with permitted numeric effluent limitations, in violation of Tex. WATER CODE § 26.121(a)(1), 30 Tex. ADMIN. CODE § 305.125(1), and terminated TPDES MSGP No. TXR05DH81, Part V, Section J, Item 6(a)(1).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to collect representative samples from the designated outfalls, in violation of 30 Tex. Admin. Code § 305.125(1) and terminated TPDES MSGP No. TXR05DH81, Part III, Section D, Item 2(b)(1).
- 6. As evidenced by Finding of Fact No. 3, the Respondent failed to prevent the discharge of process wastewater into or adjacent to any water in the state, in violation of 30 Tex. ADMIN. CODE § 305.125(1), Tex. WATER CODE § 26.121(a)(1), and terminated TPDES MSGP No. TXR05DH81, Part V, Section J, No. 5(b).
- 7. As evidenced by Finding of Fact No. 4.a, the Respondent failed to prevent the discharge of process wastewater into or adjacent to any water in the state, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and terminated TPDES MSGP No. TXR05DH81, Part V, Section J, No. 5(b).

- 8. As evidenced by Finding of Fact No. 4.b, the Respondent failed to meet the final stabilization requirements before terminating coverage under TPDES MSGP No. TXR050000, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and terminated TPDES MSGP No. TXR05DH81, Part V, Section J, No. 11(a).
- 9. Pursuant to Tex. Water Code § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- An administrative penalty in the amount of \$19,063 is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. WATER CODE § 7.053. The Respondent paid the \$19,063 penalty.

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 10 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas Concrete Sand and Gravel, Inc., Docket No. 2019-0211-WQ-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, achieve final stabilization at the Facility or return the area to an alternative post-mining use.
  - b. Within 45 days after the effective date of this Order, submit a written certification of compliance with Ordering Provision No. 2.a. The written certification of compliance shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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:

Order Compliance Team 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

- All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 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 Order Compliance Team at the address listed above.

- 7. 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 in this Order.
- 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. 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.
- This Order may be executed in separate and multiple counterparts, which together shall 10. 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.
- 11. 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
For the Executive Director	Date
the attached Order, and I do agree to the te	nd the attached Order. I am authorized to agree to rms and conditions specified therein. I further ayment for the penalty amount, is materially relying
I also understand that failure to comply wit and/or failure to timely pay the penalty am	th the Ordering Provisions, if any, in this Order ount, may result in:
<ul> <li>additional penalties, and/or attorney</li> <li>Increased penalties in any future enfo</li> </ul>	ations submitted; eneral's Office for contempt, injunctive relief, fees, or to a collection agency; orcement actions; oneral's Office of any future enforcement actions; and
In addition, any falsification of any complia	ance documents may result in criminal prosecution.
Signature	Date
Name (Printed or typed) Authorized Representative of Texas Concrete Sand and Gravel, Inc.	Title
☐ If mailing address has changed, please	check this box and provide the new address below:

		V-18-15-	T-1774	7777 7427 6	75 W	
F 4	Penalty Ca	lculatio	n Workst	reet (PC	(W)	
Policy Revision 4 (A						March 26, 2014
TCEQ						
DATES Assigned						
PCW	6-Mar-2020 Screening	4-Feb-2019	EPA Due			
RESPONDENT/FACIL	TTV INFORMATION					
	Texas Concrete Sand and Grave	al Inc (PCW	No. 1V			
Reg. Ent. Ref. No.		ci, me i cv	140. 17			
Facility/Site Region	12-Houston		Major/M	inor Source	Minor	112
CASE INFORMATION	Funnition 1		100			
Enf./Case ID No.			No. c	of Violations		
Media Program(s)	2019-0211-WQ-E		Government	Order Type		
Multi-Media				Coordinator		
					Enforcement Team 1	
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	Penalty	/ Calculat	tion Section	n		
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TOTAL DASE PENA	ALIT (Sull of Violation b	ase penait	ies)		Subtotal I	\$4,125
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Compliance Hi	story	25.0%	Adjustment	Subto	tals 2, 3, & 7	\$1,031
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	77.50	ON STREET, STR	Arranging 1			
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	AND A DESCRIPTION ASS.	W. COMP. WESTER				
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					JAMES N. C.	
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	12,23					
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OTHER FACTORS	AS JUSTICE MAY REQUIR	E	16.7%		Adjustment	\$806
Reduces or enhances the Fina	Subtotal by the indicated percentage.				The second second	
Makes	Enhancement to capture the av	oided cost of	compliance ass	ociated with		
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	NAME OF THE OWNER OWNER OF THE OWNER OWNE	. The about				
Notes	No deferral is recon	nmended for F	indings Orders.			

\$5,625

PAYABLE PENALTY

Docket No. 2019-0211-WQ-E

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

PCW

Respondent Texas Concrete Sand and Gravel, Inc. (PCW No. 1)

Case ID No. 57254

Reg. Ent. Reference No. RN106352065

Media Water Quality

Enf. Coordinator Caleb Olson

**Compliance History Worksheet** 

Component	tory Site Enhancement (Subtotal 2) Number of	Number	Adjus
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
Orders	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	o	. 0%
Judgments	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%
and Consent Decrees	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	Ó	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)	o	0%
Addits	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%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	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%
peat Violator	Adjustment Perce		
	ory Person Classification (Subtotal 7)		
Satisfactory I	Performer Adjustment Perce	entage (Sul	ototal 7
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Compliance History Notes	Enhancement for one NOV with same/similar violations and one agreed order contain of liability.	ining a denial	
Compliance	Total Compliance History Adjustment Percentage (Su	ıbtotals 2,	3, & 7,
Compliance			

	Date 4-Feb-2019		t No. 2019-0211-WQ-E	PCV
	dent Texas Concrete Sand a No. 57254	ind Graver, Inc. (PCW)	vo. 1)	Policy Revision 4 (April 20) PCW Revision March 26, 20
Reg. Ent. Reference				
	edia Water Quality			
Violation Nu	ator Caleb Olson			
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Human	health or the environment wi	Il or could be exposed	to insignificant amounts of po	lutants
		protective of human h	ealth or environmental recept	
Notes	a service that the service	result of the violation.		
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Good Faith Efforts to C		.0%		duction \$15
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	Extraordinary Ordinary	×		
	N/A	^		
		The Respondent achie January 13		
			Violation S	ubtotal \$1,35
conomic Benefit (EB)	for this violation		Statutory Limit T	est
	mated EB Amount	\$271	Violation Final Penalt	
esti				
	This	violation Final Asse	ssed Penalty (adjusted for	limits) \$2,01

Respondent		conomic te Sand and Grave	the same and a series for a		rksheet		
Case ID No. eg. Ent. Reference No.	57254 RN106352065 Water Quality	5	A STATE OF THE STATE OF			Percent Interest	Years of Depreciation
violation no.	TO THE THE					5.0	1
Item Description		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	\$250	22-May-2016	13-Jan-2020	3.65	\$46	n/a	\$46
Remediation/Disposal		7 7 7 7	TUCK THE WAY BY	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)  Notes for DELAYED costs	employee tr pollution p	aining to ensure i revention plan ("S e last date an inv	that Investigatio 5WP3") within 90 estigation could	to upd ns are i days o have b	ate the Facility's o properly conducted of a benchmark va	perational guidance I and recorded in th lue exceedance occi I recorded for the ex	e stormwater urring. Date
Other (as needed)	employee tr pollution pr required is th	aining to ensure I revention plan ("S e last date an inv occurred on	that Investigatio SWP3") within 90 estigation could February 22, 20	to upd ns are i days o have b 016. Fil	ate the Facility's o properly conducted of a benchmark va een conducted and nal date is the date item (except for	perational guidance d and recorded in th lue exceedance occu d recorded for the ex e of compliance. r one-time avoide	e stormwater urring. Date cceedance tha d costs)
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal	employee tr pollution pr required is th	aining to ensure I revention plan ("S e last date an inv occurred on	that Investigatio SWP3") within 90 estigation could February 22, 20	to upd ns are p days o have b 016. Fil tering	ate the Facility's o properly conducted of a benchmark va een conducted and nal date is the date item (except for	perational guidance I and recorded in th lue exceedance occu I recorded for the exe e of compliance.  Tone-time avoided	e stormwater arring. Date sceedance tha d costs) \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	employee tr pollution pr required is th	aining to ensure I revention plan ("S e last date an inv occurred on	that Investigatio SWP3") within 90 estigation could February 22, 20	to upd ns are in days of have b 016. Fin tering 0.00 0.00	ate the Facility's o properly conducted of a benchmark va- een conducted and nal date is the date item (except for \$0 \$0	perational guidance I and recorded in th lue exceedance occu I recorded for the exection of compliance.  r one-time avoided \$0 \$0	e stormwater arring. Date sceedance tha d costs) \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel Ispection/Reporting/Sampling	employee tr pollution pr required is th	aining to ensure I revention plan ("S e last date an inv occurred on	that Investigatio SWP3") within 90 estigation could February 22, 20	to upd ns are in days of have b 016. Fin tering 0.00 0.00 0.00	ate the Facility's o properly conducted of a benchmark va een conducted and nal date is the date  item (except for \$0 \$0 \$0	perational guidance I and recorded in th lue exceedance occu d recorded for the exe e of compliance.  r one-time avoider \$0 \$0 \$0	e stormwater urring. Date sceedance tha d costs) \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel  spection/Reporting/Sampling  Supplies/Equipment	employee tr pollution pr required is th	aining to ensure I revention plan ("S e last date an inv occurred on	that Investigatio SWP3") within 90 estigation could February 22, 20	to upd ns are p days of have b 016. Fin tering 0.00 0.00 0.00	ate the Facility's o properly conducted of a benchmark va- een conducted and nal date is the date item (except for \$0 \$0 \$0 \$0	perational guidance d and recorded in th lue exceedance occu d recorded for the ex e of compliance.  r one-time avoider \$0 \$0 \$0 \$0 \$0	e stormwater urring. Date sceedance tha d costs) \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  spection/Reporting/Sampling  Supplies/Equipment  Financial Assurance	employee tr pollution pr required is th	raining to ensure trevention plan ("Se last date an invoccurred on	that investigatio GWP3") within 90 estigation could February 22, 20 costs before en	to upd ns are () days of have b 016. Fin tering 0.00 0.00 0.00 0.00	ate the Facility's o properly conducted of a benchmark va- een conducted and nal date is the date item (except for \$0 \$0 \$0 \$0	perational guidance I and recorded in th lue exceedance occu I recorded for the exceedance.  Tone-time avoider  \$0 \$0 \$0 \$0 \$0 \$0 \$0	e stormwater urring. Date sceedance tha  d costs)  \$0  \$0  \$0  \$0  \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal  Personnel  spection/Reporting/Sampling  Supplies/Enanceal Assurance  ONE-TIME avoided costs	employee tr pollution pi required is th	raining to ensure trevention plan ("Se last date an invocurred on ALIZE avoided of the last date and last date avoided of the last date avoided of	that investigation (WP3") within 90 estigation could february 22, 20 ests before en 4-Feb-2019	to upd ns are p 0 days of have b 016. Fin tering 0.00 0.00 0.00 0.00 0.00	ate the Facility's o properly conducted of a benchmark va een conducted and nal date is the date item (except for \$0 \$0 \$0 \$0 \$0 \$14	perational guidance I and recorded in th lue exceedance occu I recorded for the except of compliance.  r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e stormwater urring. Date sceedance tha d costs) \$0 \$0 \$0 \$0 \$10 \$10 \$114
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance	employee tr pollution prequired is th	raining to ensure trevention plan ("See last date an invocurred on ALIZE avoided Color of the ALIZE av	that investigation in the control of	to upd ns are p d days of have b 016. Fin tering 0.00 0.00 0.00 0.00 0.00 2.71 2.19	ate the Facility's or properly conducted of a benchmark value en conducted and nall date is the date item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$14 \$11	perational guidance I and recorded in th lue exceedance occu I recorded for the exceedance.  Tone-time avoider  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$100	e stormwater urring. Date sceedance tha  d costs)  \$0  \$0  \$0  \$0  \$114  \$111
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  aspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance  ONE-TIME avoided costs	s100 S100 One-Time ar and record could have t	raining to ensure trevention plan ("See last date an invocurred on ALIZE avoided Color of the last date and invocurred on ALIZE avoided Color of the last date and cost is the deen conducted and cost is the each cost is the each cost is the each conducted and cost is the last decost decost is the last decost decost is the last decost dec	that investigation in the Stigation in the Stigation in the Stigation for the except of the stigation in the	to upd ns are in a days of have bold. File tering 0.00 0.00 0.00 0.00 2.71 2.19 to invest the sxx the	ate the Facility's or properly conducted of a benchmark value en conducted and all date is the date item (except for \$0 \$0 \$0 \$0 \$0 \$14 \$11 \$11 \$193. Date required eedance that occurreening date.	perational guidance I and recorded in th lue exceedance occu I recorded for the except of compliance.  r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	stormwater urring. Date sceedance tha  d costs) \$0 \$0 \$0 \$0 \$114 \$111 e exceedance investigation c, 2016. Final
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Assertion/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	s100 S100 One-Time ar and record could have t	raining to ensure trevention plan ("See last date an invocurred on ALIZE avoided Color of the last date and invocurred on ALIZE avoided Color of the last date and cost is the deen conducted and cost is the each cost is the each cost is the each conducted and cost is the last decost decost is the last decost decost is the last decost dec	that investigation in the Stigation in the Stigation in the Stigation for the except of the stigation in the	to upd ns are in a days of have bold. File tering 0.00 0.00 0.00 0.00 2.71 2.19 to invest the sxx the	ate the Facility's or properly conducted of a benchmark value en conducted and all date is the date item (except for \$0 \$0 \$0 \$0 \$0 \$14 \$11 \$12. Stigate the cause of P3. Date required eedance that occurreening date.	perational guidance If and recorded in the If the exceedance occur If recorded for the exceedance. If one-time avoider If the exceedance occur If the exceedance occur If the exceedance occur If the exceedance occur If the last date an occur If a benchmark value occur If a benchmark value exceed ast date an investigation occur If the last date an investigation occu	stormwater urring. Date sceedance tha  d costs)  \$0  \$0  \$0  \$0  \$114  \$111  e exceedance investigation c, 2016. Final

Screening Date	4-Feb-2019 Docket No. 2019-0211-WQ-	E PCW
Respondent Case ID No.	Texas Concrete Sand and Gravel, Inc. (PCW No. 1)	Policy Revision 4 (April 2014 PCW Revision March 26, 201
Reg. Ent. Reference No.		PER REVISION MULTI 20, 202
	Water Quality	
Enf. Coordinator		
Violation Number Rule Cite(s)		a visco v
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1) and (11)(C) and terminated TPDE TXR05DH81, Part III, Section E, Item 5	S MSGP No.
Violation Description	Failed to maintain complete and accurate records. Specifically, the Re not properly recording sampling records, including the records of monithe date, time, and location of sample or measurement; identity of the who collected the sample or made the measurement or observation; a analysis such as the date, time, and place the analysis was conducted of the individual or laboratory that performed the analysis, the techniq of analysis, the results, and the quality assurance and control re	toring such as he individual and records of I, the identity que or method
		Base Penalty \$25,00
>> Environmental Prone	ty and Human Health Matrix	
	Harm	AG 5
OR Release	Major Moderate Minor	
OR Actual Potential	Percent 0.0	0%
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	X Percent 2.5	5%
Matrix	Between 30% and 70% of the rule requirements were not met.	
Notes	And the second of the second o	
A STATE OF THE PARTY OF	Adjustment	\$24,375
		\$62
		\$02
/iolation Events		
Number of	/iolation Events 1 1 Number of violat	ion days
Hamber of	Violation Evaluation	121, 224
	daily	
	monthly	
		Base Penalty \$62
	semiannual	
	annual	
	single event X	
	One single event is recommended.	
Good Faith Efforts to Com	ply 10.0%	Reduction \$6
al ros transmission and a	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary X	
	Ordinary X	
	Notes The Respondent achieved compliance by January 13, 2020.	
	Violat	tion Subtotal \$56
conomic Benefit (EB) for	this violation Statutory Li	mit Test
	ed EB Amount \$24 Violation Final F	Penalty Total \$84
	This violation Final Assessed Penalty (adjuste	
	This violation Final Assessed Penalty (adjuste	ed for limits) \$84

	E	conomic	Benefit	Wo	rksheet		
Respondent	Texas Concret	te Sand and Grave	I. Inc. (PCW No	0. 1)	1111111111111		
Case ID No.			10 272 15 277 15				
Reg. Ent. Reference No.							
집 중요 유튜 이 시민들이는 일찍다고 있는데 그렇게 되었다면 하면 되었다면 했다. 하나 있다. [1							
	Water Quality					Percent Interest	Years of
Violation No.	2					1,000,000,000	Depreciation
						5.0	1
	Thom Cook	Date Required	Final Date	Yrs	Interest Saved	The second secon	EB Amount
12,012,013,020		Date Required	Final Date	115	Interest Saved	Costs Saved	EB AMOUNT
Item Description							
Delayed Costs							
Equipment		1		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	\$250	8-Feb-2018	13-Jan-2020	1.93	\$24	n/a	\$24
Remediation/Disposal	9230	1 0100 2010	15 500 2020	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)							
	employed monitoring st	e training to ensur uch as the date, ti	e that sampling me, and locatio	record n of sar	ate the Facility's o ls are properly rec mple or measurem	perational guidance orded including the tent; identity of the	\$0 and conduct records of individual who
Notes for DELAYED costs	employed monitoring st collected the time, and pla- analysis, the	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti	e that sampling me, and locatio he measuremen s conducted, the nod of analysis,	to upd record n of sar nt or ob ne ident the res	s0  ate the Facility's of the property recommend or measurem servation; and recoity of the individual sults, and the quality.	perational guidance orded including the lent; identity of the cords of analysis suc al or laboratory that ity assurance and co	#0  and conduct records of individual who h as the date, performed the ontrol records.
Notes for DELAYED costs	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upda precord n of sar nt or ob ne ident the res nitially o	\$0 ate the Facility's of some property recomple or measurem servation; and recoity of the individual sults, and the qualidocumented. Final	n/a  perational guidance orded including the tent; identity of the cords of analysis suc al or laboratory that ity assurance and co I date is the date of	\$0 and conduct records of individual who h as the date, performed the introl records. compliance.
Notes for DELAYED costs  Avoided Costs	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upd precord n of sar nt or ob ie ident the res nitially o	\$0 ate the Facility's of a re properly recomple or measurem servation; and recity of the individual sults, and the qualidocumented. Finalitem (except for	n/a  perational guidance orded including the tent; identity of the cords of analysis suc al or laboratory that ity assurance and co I date is the date of	\$0 and conduct records of individual who h as the date, performed the introl records. compliance.
Notes for DELAYED costs  Avoided Costs  Disposal	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upd record n of san nt or ob ie ident the res nitially o	\$0 ate the Facility's of a sare properly recommended in the properly recommended in the properly of the individual sults, and the qualifocumented. Fina item (except for \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and cold date is the date of one-time avoided	\$0 and conduct records of individual who h as the date, performed the ontrol records. compliance.  1 costs) \$0
Notes for DELAYED costs  Avoided Costs  Disposal Personnel	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upd g record n of sar nt or ob ie ident the res nitially of tering	ate the Facility's of a sare properly recomple or measurem servation; and recity of the individual documented. Fina item (except for \$0	perational guidance orded including the lent; identity of the cords of analysis such or laboratory that ity assurance and cold date is the date of some-time avoided \$0 \$0 \$0	and conduct records of individual who h as the date, performed the ontrol records. compliance.  d costs) \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  (nspection/Reporting/Sampling	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upd g record n of sar nt or ob ie ident the res nitially of tering 0.00 0.00	\$0 ate the Facility's of sare properly recomple or measurem servation; and recity of the individual sults, and the qualidocumented. Fina  item (except for \$0 \$0 \$0 \$0	perational guidance orded including the nent; identity of the cords of analysis suc al or laboratory that ity assurance and co I date is the date of one-time avoideo \$0 \$0 \$0	\$0 and conduct records of individual who h as the date, performed the ontrol records. compliance.  \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upd g record n of sar nt or ob ie ident the res nitially of tering 0.00 0.00 0.00	\$0 ate the Facility's of some properly recomple or measurem servation; and recity of the individual sults, and the qualidocumented. Final item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis suc al or laboratory that ity assurance and co I date is the date of  r one-time avoided \$0 \$0 \$0 \$0 \$0	#0 and conduct records of individual who h as the date, performed the ontrol records. compliance.  #0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upday record not san to robate identition the resulting 0.00 0.00 0.00 0.00 0.00 0.00	s0 ate the Facility's of a reproperly recomple or measurem servation; and recity of the individuation and the qualidocumented. Finalitem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and coll date is the date of some-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and conduct records of individual who has the date, performed the introl records. compliance.  d costs)  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$
Avoided Costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upday record not san to record not san to record not san to record not rec	ate the Facility's of a sare properly recomple or measurem servation; and recity of the individual sults, and the qualifocumented. Fina stem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and co I date is the date of  r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and conduct records of individual who has the date, performed the ontrol records. compliance.  d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upday record not san to robate identition the resulting 0.00 0.00 0.00 0.00 0.00 0.00	s0 ate the Facility's of a reproperly recomple or measurem servation; and recity of the individuation and the qualidocumented. Finalitem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and coll date is the date of some-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	#0 and conduct records of individual who h as the date, performed the introl records. compliance.  # costs # 0 # 0 # 0 # 0 # 0 # 0 # 0 # 0 # 0 # 0
Avoided Costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upday record not san to record not san to record not san to record not rec	ate the Facility's of a sare properly recomple or measurem servation; and recity of the individual sults, and the qualifocumented. Fina stem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and co I date is the date of  r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and conduct records of individual who has the date, performed the ontrol records. compliance.  d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance  ONE-TIME avoided costs  Other (as needed)	employer monitoring si collected the time, and pla- analysis, the Date requir	e training to ensur uch as the date, ti sample or made t ce the analysis wa technique or meti red is the date the	e that sampling me, and locatio he measuremen s conducted, the nod of analysis, violation was in	to upday record not san to record not san to record not san to record not rec	ate the Facility's of a sare properly recomple or measurem servation; and recity of the individual sults, and the qualifocumented. Fina stem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	perational guidance orded including the tent; identity of the cords of analysis such or laboratory that ity assurance and co I date is the date of  r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and conduct records of individual who has the date, performed the ontrol records. compliance.  d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

100 100 200 200	et No. 2019-0211-WQ-E			Screening Date
VISION MARCH 25 2111		d and Gravel, Inc. (PCW		Respondent Case ID No.
vision March 26, 201	,cw			eg. Ent. Reference No.
			Water Quality	Media
			Caleb Olson	Enf. Coordinator Violation Number
	x. Admin. Code § 305.125(1), and	de 5 25 121/a\/1\ 30 T		Rule Cite(s)
	31, Part V, Section J, Item 6(a)(1)			
	effluent limitations. Specifically, on 5.75 standard units ("s.u."), failing to ffluent limitation for pH of 6.0 s.u.	ne pH at Outfall No. 1 wa	March 16, 2018	Violation Description
\$25,000	Base Penalty			
		Health Matrix	y and Huma	Environmental, Prope
		larm		Release
		derate Minor	Major	R Actua
	Percent 5.0%			Potentia
				Programmatic Matrix
	College Landson	oderate Minor	Major	Falsification
	Percent 0.0%			
	gnificant amounts of pollutants that do	has been evanced to in	or the environm	Human healt
	vironmental receptors as a result of the			matrix not exceed le
		violation.	C/C1963 000	Notes
	Adjustment \$23,750			***************************************
	1379			
44.55				
\$1,250				
\$1,250				ation Events
\$1,250	1 Number of violation days		alation Evanta	
\$1,250	1 Number of violation days	1	olation Events	
\$1,250	1 Number of violation days	1	daily	
\$1,250	1 Number of violation days		daily weekly	
\$1,250 \$1,250	Number of violation days  Violation Base Penalty	1 X	daily	
			daily weekly monthly quarterly semiannual	
			daily weekly monthly quarterly semiannual annual	
			daily weekly monthly quarterly semiannual	
	Violation Base Penalty	X	daily weekly monthly quarterly semiannual annual single event	Number of
		X	daily weekly monthly quarterly semiannual annual single event	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018.	X  ommended for the samp	daïly weekly monthly quarterly semiannual annual single event	Number of
	Violation Base Penalty e collected on March 16, 2018. Reduction	x ommended for the samp	daïly weekly monthly quarterly semiannual annual single event	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018.	ommended for the samp	daïly weekly monthly quarterly semiannual annual single event	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018. Reduction	x ommended for the samp	daïly weekly monthly quarterly semiannual annual single event	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018. Reduction	X  in the sample of the sample	daily weekly monthly quarterly semiannual annual single event uarterly event is	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018.  Reduction (Settlement Offer	X  IO.0% NOE/NOV NOE/NOV to EDP  X  The Respondent act	daily weekly monthly quarterly semiannual annual single event  uarterly event is  Extraordinary Ordinary N/A	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018.  Reduction (Settlement Offer	X  X  10.0%  NOE/NOV NOE/NOV to EDP  X	daily weekly monthly quarterly semiannual annual single event uarterly event is  ety  Extraordinary Ordinary	Number of
\$1,250 \$125	Violation Base Penalty e collected on March 16, 2018.  Reduction //Settlement Offer eved compliance by 3, 2020.	X  IO.0% NOE/NOV NOE/NOV to EDP  X  The Respondent act	daily weekly monthly quarterly semiannual annual single event  uarterly event is  Extraordinary Ordinary N/A	Number of
\$1,250	Violation Base Penalty e collected on March 16, 2018.  Reduction (/Settlement Offer eved compliance by 3, 2020.  Violation Subtotal	X  IO.0% NOE/NOV NOE/NOV to EDP  X  The Respondent act	daily weekly monthly quarterly semiannual annual single event  uarterly event is  Extraordinary Ordinary N/A Notes	One of One
\$1,250 \$125 \$1,125	Violation Base Penalty e collected on March 16, 2018.  Reduction eysettlement Offer eved compliance by 3, 2020.  Violation Subtotal Statutory Limit Test	X  10.0%  NOE/NOV NOE/NOV to EDP  X  The Respondent act January	daily weekly monthly quarterly semiannual annual single event is uarterly event is Extraordinary Ordinary N/A Notes	One of On
\$1,250 \$125	Violation Base Penalty e collected on March 16, 2018.  Reduction (/Settlement Offer eved compliance by 3, 2020.  Violation Subtotal	X  ID.0% NOE/NOV NOE/NOV to EDP  X  The Respondent act January	daily weekly monthly quarterly semiannual annual single event  uarterly event is  Extraordinary Ordinary N/A Notes	One of On

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No.	Texas Concret	e Sand and Grave			0.1171111111111111111111111111111111111		
Reg. Ent. Reference No.							
Media Violation No.	Water Quality 3					Percent Interest	Years of Depreciation
						5.0	15
Item Description		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment		1.0		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		E-SCALL SECTION		0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	16-Mar-2018	13-Jan-2020	1.83	\$92	n/a	\$92
Notes for DELAYED costs	adjustments i d	to return to comp ate the violation	liance with the was initially doc	permitt :umente	ed numeric effluened. Final date is th	ility and make any r t limitations. Date r e date of compliance	equired is the
Avoided Costs	ANNUA	LIZE avoided c	osts before en	tering	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		\$1,000			TOTAL		\$92

PCW	[2] 아이는 그리아 [1] 그리아 [2] 그리아 [2] 아이를 보는 아이를 보는 것이 되었다면 하는 것이 되었다면 하는 것이 없는 것이다.	Screening Date
evision 4 (April 2014) vision March 26, 2014	사람님들 사람들이 가는 사람이 가는 사람들이 가장 보고 있다면 가장 사람이 있다면 가장 하는 것이 없는 것이 되었다.	Case ID No.
		Reg. Ent. Reference No.
	Vater Quality	Media
	aleb Cison 4	Enf. Coordinator Violation Number
	30 Tex. Admin. Code § 305.125(1) and terminated TPDES MSGP No. TXR05DH81, Part III, Section D, Item 2(b)(1)	Rule Cite(s)
	Failed to collect representative samples from the designated outfalls. Specifically, the Respondent was collecting effluent samples at the northern pit pump of the stormwater retention pond rather than at the designated Outfall Nos. 1 and 2.	Violation Description
\$25,000	Base Penalty	
	y and Human Health Matrix	>> Environmental, Proper
	Harm Major Moderate Minor	Release
	D	OR Actual
	X Percent 3.0%	Potential
		>>Programmatic Matrix
	Major Moderate Minor Percent 0.0%	Falsification
	or the environment will or could be exposed to insignificant amounts of pollutants exceed levels that are protective of human health or environmental receptors as a	Matrix Human healti
	result of the violation.	Notes that would not
	The state of the s	Now India
	Adjustment \$24,250	dy 1, 1250 + 1273, 13, 13, 13, 15.
\$750		
	(a) (b) (c) (a) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	/iolation Events
	Inthon Supplies of violation days	Number of V
	lation Events 1 26 Number of violation days	Number of V
	dally	1
	monthly monthly	
\$750	quarterly X Violation Base Penalty	1.1
	semiannual	
	annual single event	
i	ly event is recommended from the investigation date (January 9, 2019) to the	One quarte
	screening date (February 4, 2019).	
40	0.000	
\$0	y 0.0% Reduction Reduction Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	Good Faith Efforts to Comp
	xtraordinary	
	Ordinary	
	N/A X	
3.41	Notes The Respondent does not meet the good faith criteria for this violation.	
\$750	Violation Subtotal	
7 3 3 3		conomic Benefit (EB) for t
27.00		
\$1,094	EB Amount \$581 Violation Final Penalty Total	Estimated
\$1,094	This violation Final Assessed Penalty (adjusted for limits)	

	E	conomic	Reneur	WO	rksneet		
Respondent	Texas Concret	e Sand and Grave	I. Inc. (PCW No	. 1)			
Case ID No.			A PARTY OF THE PAR	,			
eg. Ent. Reference No.							
	Water Quality					Percent Interest	Years of
Violation No.	. 4						Depreciation
						5.0	15
	Thom Cock	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
2 2 2		Date Required	rmai bate	115	Interest Saved	Costs Saveu	ED Amount
Item Description	1						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Bulldings				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	50	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
transfer a transfer and the same				0.00	\$0	n/a	\$0
Permit Costs							
Permit Costs Other (as needed) Notes for DELAYED costs				0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs	ANNUA	ALIZE avoided c	osts before en	0.00	\$0	n/a	\$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs	ANNUA	LIZE avoided co	osts before en	0.00	\$0 item (except for	n/a one-time avoide	\$0 d costs)
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposat	ANNUA	LIZE avoided c	osts before er	tering	\$0 item (except for	n/a one-time avoide	\$0 d costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUA	ALIZE avoided c	osts before er	0.00 tering 0.00 0.00	\$0 item (except for \$0 \$0	n/a one-time avoide \$0 \$0	\$0 d costs) \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel pection/Reporting/Sampling	ANNUA	ALIZE avoided c	osts before er	0.00 tering 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0	n/a one-time avoide \$0 \$0 \$0	\$0 d costs) \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel Personnel Supplies/Equipment	ANNUA	ALIZE avoided co	osts before en	0.00 tering 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0 \$0	n/a one-time avoide \$0 \$0 \$0 \$0 \$0	\$0 d costs) \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Sampling Sampling Supplies/Equipment Financial Assurance				0.00 tering 0.00 0.00 0.00 0.00	\$0 item (except for \$0 \$0 \$0 \$0 \$0	n/a one-time avoide \$0 \$0 \$0 \$0 \$0	\$0 d costs) \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$307	30-Jun-2019	1-Oct-2019	0.00 tering 0.00 0.00 0.00 0.00 0.00 0.00 0.25	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 d costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Sampling Sampling Supplies/Equipment Financial Assurance	\$307 \$250	30-Jun-2019 16-Mar-2018	1-Oct-2019 1-Oct-2019	0,00 tering 0,00 0,00 0,00 0,00 0,00 0,00 0,25 1,55	\$0 item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$2 \$4 \$20	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$250	\$0 d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$270
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$30.7 \$250 One-time a	30-Jun-2019 16-Mar-2018 /olded cost is the	1-Oct-2019 1-Oct-2019 estimated avoid	0,00 tering 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cosl	\$0  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$2 \$0 \$2 \$307 \$250 salyze effluent sample	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$2  \$311  \$270  es (\$100 per
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$307 \$250 One-time av	30-Jun-2019 16-Mar-2018 voided cost is the	1-Oct-2019 1-Oct-2019 estimated avoi + \$7 accrued i	0.00 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost	\$0  item (except for \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 \$307 \$250 \$3172e effluent sample the last date a sample the la	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per riple could have
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Personnel Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$307 \$250 One-time av	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued innual monitorin	0.00 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost	\$0  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 \$307 \$250 \$31yze effluent sample the last date a samate is the date authorate.	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per riple could have
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAT PERSONNEL DECLION/REPORTING/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	\$307 \$250 One-time av	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued innual monitorin	0.00 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost	\$0  item (except for \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 \$307 \$250 \$31yze effluent sample the last date a samate is the date authorate.	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per riple could have
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$307 \$250 One-time as sample x thre been collected	30-Jun-2019 16-Mar-2018 voided cost is the e missed samples if or the first bi-ar	1-Oct-2019 1-Oct-2019 1-Oct-2019 + \$7 accrued i nual monitorin PDES MSGP No	0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost g perior	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$1 \$20 \$1 \$20 \$20 \$1 \$20 \$20 \$3 \$4 \$20 \$4 \$20 \$4 \$5 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$20 \$307 \$250  salyze effluent sample the last date a sam ate is the date authorated.	\$0 d costs) \$0 \$0 \$0 \$0 \$311 \$270 es (\$100 per apple could have
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL  ONE-TIME avoided costs  Other (as needed)	\$307 \$250 One-time at sample x thre been collected	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued in noual monitorin PDES MSGP No avoided cost to	0.00 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost terest) g period	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$1 \$1 \$20 \$1 \$20 \$20 \$20 \$20 \$3 \$4 \$20 \$4 \$20 \$5 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$307 \$250 slyze effluent sample the last date a sample ate is the date authorited, rational guidance ar	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per nple could have prization under
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL  ONE-TIME avoided costs  Other (as needed)	\$307 \$250 One-time at sample x thre been collected	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued in noual monitorin PDES MSGP No avoided cost to	0.00 0.00 0.00 0.00 0.00 0.00 0.25 1.55 ded cost terest) g period	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$1 \$1 \$20 \$1 \$20 \$20 \$20 \$20 \$3 \$4 \$20 \$4 \$20 \$5 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$20 \$307 \$250  salyze effluent sample the last date a sam ate is the date authorated.	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per opple could have orization under onduct
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL  ONE-TIME avoided costs  Other (as needed)	\$307 \$250 One-time av sample x thre been collected Other cos employee tra	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued in nual monitorin PDES MSGP No avoided cost to at representati	0.00  o.00  o.00  o.00  o.00  o.00  o.25  fed cosl nterest) g period TXR05  o update	item (except for \$0.50 \$	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$307 \$250 slyze effluent sample the last date a sample ate is the date authorited, rational guidance ar	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per uple could have orization under under to outfall Nos. 1
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL PERSONNE	\$307 \$250 One-time av sample x thre been collected Other cos employee tra	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued innual monitorin PDES MSGP No avoided cost to at representative	0.00  o.00  o.00  o.00  o.00  o.00  o.00  o.terest) g period TXR05  o update ve samp	item (except for \$0.50 \$	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 slyze effluent sample the last date a samate is the date authorited, rational guidance arom the designated Final date is the date	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per uple could have orization under under to outfall Nos. 1
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL  ONE-TIME avoided costs  Other (as needed)	\$307 \$250 One-time av sample x thre been collected Other cos employee tra	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued innual monitorin PDES MSGP No avoided cost to at representative	0.00  o.00  o.00  o.00  o.00  o.00  o.00  o.terest) g period TXR05  o update ve samp	item (except for \$0\$0\$0\$0\$0\$0\$0\$0.	n/a  one-time avoide  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 slyze effluent sample the last date a samate is the date authorited, rational guidance arom the designated Final date is the date	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$0  \$270  es (\$100 per uple could have orization under under to outfall Nos. 1
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  DISPOSAL PERSONNEL PERSONNE	\$307 \$250 One-time av sample x thre been collected Other cos employee tra	30-Jun-2019 16-Mar-2018 voided cost is the emissed samples for the first bi-ar	1-Oct-2019 1-Oct-2019 estimated avoid + \$7 accrued innual monitorin PDES MSGP No avoided cost to at representative	0.00  o.00  o.00  o.00  o.00  o.00  o.00  o.terest) g period TXR05  o update ve samp	item (except for \$0\$0\$0\$0\$0\$0\$0\$0.	n/a  one-time avoider  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$10 \$250 slyze effluent sampler the last date a sample the last date authority of the last date authority of the designated final date is the date the date is the date.	\$0  d costs)  \$0  \$0  \$0  \$0  \$0  \$311  \$270  es (\$100 per uple could have orization under under to outfall Nos. 1

	Р	enalty Cald	culatio	n Worksh	neet (PC	CW)	
Policy Revision 4 (A		ON THE PROPERTY OF THE PROPERT	/LICEO 7.	270 7 2007			on March 26, 2014
DATES Assigned PCW	15-Jul-2019 21-Jan-2020	Screening 24	-Jul-2019	EPA Due		]	
RESPONDENT/FACIL	TY INFORMAT	ION					
		Sand and Gravel,	Inc. (PCW	No. 2)			
Reg. Ent. Ref. No. Facility/Site Region				Major/M	linor Source	Minor	
r demey/one negion	TE TIOUSCOIT			130,0171	mor source	I THINGS	
CASE INFORMATION	Teane 4			244		7	
Enf./Case ID No.	2019-0211-WQ	-E	-	No. c	of Violations Order Type		
Media Program(s)	Water Quality			Government	/Non-Profit	No	
Multi-Media					Coordinator	Caleb Olson	
Admin. Penalty \$	Limit Minimum	\$0 Max	kimum [	\$25,000	EC's Team	Enforcement Team	1
		Penalty (	Calculat	tion Section	n		
TOTAL BASE PENA	ITV (Sum o					Subtotal 1	\$7,500
TOTAL DASE PENA	LIT (Sum o	i violation bas	e penait	ies)		Subtotal I	\$7,500
ADJUSTMENTS (+	/-) TO SUBT	OTAL 1	. 1210.0.00	STAGES STREET, SA	Maria de la Companio		
Subtotals 2-7 are of Compliance Hi		ng the Total Base Penalt	y (Subtotal 1) 25.0%	by the Indicated po		tals 2, 3, & 7	\$1,875
Compliance in		2 221 22					41,075
Notes	Enhancement	for one NOV with s order containing			one agreed		
Culpability	No	1	0.0%	Enhancement		Subtotal 4	\$0
Notes	The R	espondent does no	t meet the	culpability crite	ria.		
Good Faith Eff	ort to Comply	Total Adjustment	s			Subtotal 5	-\$1,875
Economic Bend	efit Total EB Amounts Cost of Compliance			Enhancement* Fat the Total EB \$ A	amount	Subtotal 6	\$0
SUM OF SUBTOTA	LS 1-7				F	inal Subtotal	\$7,500
OTHER FACTORS A			- [	0.0%		Adjustment	
Notes							
					Final Pen	alty Amount	\$7,500
STATUTORY LIMIT	ADJUSTME	NT			Final Asses	ssed Penalty	\$7,500
DEFERRAL Reduces the Final Assessed Pe	nalty by the indicate	ed percentage.		0.0%	Reduction	Adjustment	\$0
Notes	No	deferral is recomm	ended for F	indings Orders.	u e		

\$7,500

PAYABLE PENALTY

Docket No. 2019-0211-WQ-E

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

PCW

Respondent Texas Concrete Sand and Gravel, Inc. (PCW No. 2)

Case ID No. 57254

Reg. Ent. Reference No. RN106352065

Media Water Quality

Enf. Coordinator Caleb Olson

Component	Written notices of violation ("NOVs") with same or similar violations as those in	Number	Adjus
NOVs	the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
Orders	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	O	0%
Judgments	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)	Ö	0%
and Consent Decrees	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)	o	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	o	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	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%
peat Violator	And the state of t		
. William . Walter			north L
Satisfactory	Performer Adjustment Perc	entage (Su	ptotal 7
npliance Hist	ory Summary		_
Compliance	Enhancement for one NOV with same/similar violations and one agreed order conta of liability.	ining a denia	
History Notes			34

Screening Date 24-Jul-2019 Docket No. 2019-0211-WQ-E	PCW
Respondent Texas Concrete Sand and Gravel, Inc. (PCW No. 2)	Paris of Design Supplied 2012
Case ID No. 57254	PCW Revision March 26, 2014
g. Ent. Reference No. RN106352065  Media Water Quality	
Enf. Coordinator Caleb Olson	
Violation Number 1	
Rule Cite(s) 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), ar	nd
terminated Texas Pollutant Discharge Elimination System Multi-Sector Ger Permit No. TXR05DH81, Part V, Section J, No. 5(b)	
Failed to prevent the discharge of process wastewater into or adjacent to water in the state. Specifically, during a rainfall event, water from the East I the San Jacinto River entered the Facility's secondary process pond ("Ponc through an approximate 20-foot berm breach, resulting in the discharge approximately 40 million gallons of process wastewater into the East Fork of San Jacinto River.	Fork of d 2") : of
Base P	enalty \$25,000
nvironmental, Property and Human Health Matrix	
Harm Release Major Moderate Minor	
Actual X	
Potential Percent 30.0%	
r <b>ogrammatic Matrix</b> Falsification Major Moderate Minor	
Percent 0.0%	
Matrix Notes  Human health or the environment has been exposed to pollutants which exceed levels that protective of human health or environmental receptors as a result of the violation.	it are
Notes protective of human health or environmental receptors as a result of the violation.	
Notes protective of human health or environmental receptors as a result of the violation.	17,500
Notes protective of human health or environmental receptors as a result of the violation.	
Notes protective of human health or environmental receptors as a result of the violation.	17,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  tion Events	17,500 \$7,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$	17,500 \$7,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  tion Events  Number of Violation Events 1 15 Number of violation day  daily	17,500 \$7,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  tion Events  Number of Violation Events 1 15 Number of violation day	17,500 \$7,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  Adjustment \$   Adjustment \$   The protective of human health or environmental receptors as a result of the violation.  Adjustment \$  Stripping to the violation day to the protection of the violation day to the protection of the violation day to the protection of the violation day to the violation day t	17,500 \$7,500  ss enalty \$7,500
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$:  **Tion Events**  Number of Violation Events 1 15 Number of violation day daily weekly monthly X quarterly Semiannual annual single event	17,500 \$7,500 \$7,500 rs
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  tion Events  Number of Violation Events 1 15 Number of violation day  daily weekly monthly X quarterly Semiannual annual single event  One monthly event is recommended from the initial date the unauthorized discharge occur (May 13, 2019) to the date of compliance (May 28, 2019).  Faith Efforts to Comply 25.0% Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary X	17,500 \$7,500 \$7,500 rs
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  Adjustment \$   Adjustment \$   In the violation Events	17,500 \$7,500 \$7,500 rs
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$:  Number of Violation Events 1 15 Number of violation day daily weekly monthly X quarterly semiannual annual single event	17,500 \$7,500  ss enalty \$7,500  rred  suction \$1,875
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$:  Number of Violation Events 1 15 Number of violation day daily weekly monthly X quarterly semiannual annual single event	17,500 \$7,500  ss \$7,500  rred \$1,875  btotal \$5,625
Notes protective of human health or environmental receptors as a result of the violation.  Adjustment \$  tion Events  Number of Violation Events 1 15 Number of violation day  daily weekly monthly X violation Base Possible 15 Number of violation day  weekly monthly X violation Base Possible 15 Number of violation day  One monthly event is recommended from the initial date the unauthorized discharge occur (May 13, 2019) to the date of compliance (May 28, 2019).  Faith Efforts to Comply 25.0% Before NOE/NOV to EDPRP/Settlement Offer Extraordinary X Notes The Respondent achieved compliance by May 28, 2019.  Violation Sul	17,500 \$7,500 \$7,500 \$7,500 \$1,875 \$1,875 \$1,875 \$25 \$25t

	Texas Concre	conomic te Sand and Grav		, a	rksheet		
Case ID No. Reg. Ent. Reference No. Media Violation No.	RN106352065 Water Quality					Percent Interest	Depreciation
Item Description		Date Required	Final Date	Yrs	Interest Saved	5.0 Costs Saved	EB Amount
Item Description							
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		1		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs		THE RESERVE AND		0.00	\$0	n/a	\$0
Other (as needed)	\$11,000	13-May-2019	28-May-2019	0.04	\$23	n/a	\$23
Notes for DELAYED costs						e berm surrounding te is the date of co	
Avoided Costs	ANNUA	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d 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		45		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	-	\$11,000			TOTAL[		\$23

and a second	Pen	alty Ca	alculation	n Worksh	neet (PC	CW)	
Policy Revision 4 (A		A60 4 17 9	11 1 6 1 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1	92111-27567	The Park of		March 26, 2014
TCEQ							
DATES Assigned			21 0-1 2010	T con our C		1	
PCW	15-Jan-2020 S	screening	31-Oct-2019	EPA Due			
RESPONDENT/FACILI	TY INFORMATION	4					
	Texas Concrete Sa		el, Inc. (PCW	/ No. 3)			
Reg. Ent. Ref. No.	RN106352065						
Facility/Site Region	12-Houston			Major/M	linor Source	Minor	
CASE INFORMATION							
Enf./Case ID No.	57254			7 No. c	of Violations	2	
	2019-0211-WQ-E				Order Type		
Media Program(s)	Water Quality			Government	/Non-Profit	No	
Multi-Media				Enf.	Coordinator		
Admits Provide A	Court of the Court	40 1		405.000	EC's Team	Enforcement Team 1	- 4
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$25,000			
		Donalt	Coloule	stion Costi			
				ation Section	)	AC-90 THE	
TOTAL BASE PENA	LTY (Sum of v	iolation b	ase penal	lties)		Subtotal 1	\$5,000
ADJUSTMENTS (	/-) TO SUPTOT	AL 4					7 7 1 1 1
ADJUSTMENTS (+ Subtotals 2-7 are of	btained by multiplying th	AL 1 e Total Base Pe	enalty (Subtotal	1) by the indicated or	ercentage.		
Compliance Hi		e total pass is	25.0%			tals 2, 3, & 7	\$1,250
12.10.10.10.10.10.10.10.10.10.10.10.10.10.	E. L	and Moules		Company of the Late of the Late of			
Notes	Enhancement for		11. L. C.		one agreed		
.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		order contai	ning a denial	or hability.			
Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
Culpability	NO I		0.0%	ennancement		Subtotal 4	\$0
Notes	The Resp	ondent does	not meet the	e culpability crite	ria.	A A CONTRACTOR OF THE PARTY OF	
		ALCOHOLD OF	Logic Display Co.				
Cond Falsh Fff		-1 6 -15	Line .			Cubental E	4040
Good Paith Eff	ort to Comply Tota	ai Adjustini	ents			Subtotal 5	-\$312
Economic Bene				Enhancement*		Subtotal 6	\$0
Estimated	Total EB Amounts Cost of Compliance	\$1,250 \$25,250	*Cappe	ed at the Total EB \$ A	Amount		- 11
		423/230					
SUM OF SUBTOTAL	LS 1-7				F	inal Subtotal	\$5,938
	10 11 12 22 23 23	L'alleber					
OTHER FACTORS A	S JUSTICE MA	Y REQUIF	RE	0.0%		Adjustment	
Reduces or enhances the Final	Subtotal by the indicate	d percentage.					
Notes							
o.cs					X		
					Final Pen	alty Amount	\$5,938
STATUTORY LIMIT	ADJUSTMENT				Final Asses	ssed Penalty	\$5,938
						7. (1.5/15/16.1)	
DEFERRAL	and some strength of	Consider the		0.0%	Reduction	Adjustment	\$0
Reduces the Final Assessed Pe	naity by the indicated pe	rcentage.		THE PROPERTY AND ADDRESS OF THE PARTY AND ADDR			
Notes	No defe	erral is recor	mmended for	Findings Orders.			
ivotes	ivo deit	ariar is recor	innended for	r maniga Ordera.	-		

\$5,938

PAYABLE PENALTY

Screening Date 31-Oct-2019

Docket No. 2019-0211-WQ-E Respondent Texas Concrete Sand and Gravel, Inc. (PCW No. 3)

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

PCW

Case ID No. 57254

Reg. Ent. Reference No. RN106352065

Media Water Quality Enf. Coordinator Caleb Olson

Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
A STANFOLD	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
Orders	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	o	0%
Judgments	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)	O	0%
and Consent Decrees	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%
Addits	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%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
O CA, CA	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%
tepeat Violator			
No Compliance Histo	Adjustment Percory Person Classification (Subtotal 7)	entage (Sui	ototai 3)
Satisfactory i		entage (Sui	btotal 7)
Compliance Hist	ory Summary		
Compliance History Notes	Enhancement for one NOV with same/similar violations and one agreed order conta of liability.	ining a denial	
nal Compliance	Total Compliance History Adjustment Percentage (Si	ubtotals 2,	3, & 7)
semplianes	Final Adjustment Percentag	Xivally or one a	100000

	eening Date			t No. 2019-0211-WQ-E	PCW
	Annual Control of the		and and Gravel, Inc. (PCW N	0. 3)	Policy Newson & Land Island
Reg. Ent. Re	Case ID No. ference No.				PCW Revision March 26, 2014
	Media	Water Quality			
I a c	Coordinator			•	
VIO	lation Number		- C-4- C 20E 42E(4) T-	W-L- G-L- 5 25 424/- 3/43	
	Rule Cite(s)	terminated Texa	s Pollutant Discharge Elimina	Water Code § 26.121(a)(1), an ation System ("TPDES") Multi-S 81, Part V, Section J, No. 5(b)	Sector
Violatio	on Description	water in the st primary process p	ate. Specifically, four berm ound ("Pond 1"), resulting in	wastewater into or adjacent to breaches occurred at the Facili the discharge of process waste nto the East Fork of the San Ja	ty's ewater
				Base P	enalty \$25,000
>> Environme	200	West 6	Health Matrix Harm		
OR	Release Actual	Major N	1oderate Minor		
	Potential			Percent 5.0%	
>>Programma	atic Matrix Falsification	Major N	Moderate Minor		
	Luisineacion	riajoi i	Toderace Pantor	Percent 0.0%	
	Human hoalth	or the environmen	t has been exposed to incide	aificant amounts of pollutants to	hat da
Matrix Notes	100 00 000 00		- I will be a second of the se	nificant amounts of pollutants t vironmental receptors as a res	
				Adjustment \$	23,750
					\$1,250
Violation Even	te de la laci				
Violation Even		a la vidorio de la Paris	The Committee of the School of the State of		J. P. C.
	Number of V	iolation Events	1	Number of violation day	s
		daily weekly monthly quarterly semiannual annual single event	X	Violation Base Pe	enalty \$1,250
	1	Single event			
	One quarterly		ended from the investigation of compliance (September 26	date (September 24, 2019) to 5, 2019).	the
Good Faith Effo	orts to Comp		25.0% P NOE/NOV to EDPRP/S		uction \$312
		Extraordinary			
		Ordinary N/A	X		
		Notes	The Respondent achiev September 26		
,				Violation Sul	ototal \$938
Economic Bene	fit (EB) for	this violation		Statutory Limit Te	st
	Estimate	d EB Amount	\$0	Violation Final Penalty	Total \$1,251
			This violation Final Asses	sed Penalty (adjusted for li	mits) \$1,251

N		conomic			rksheet		
		te Sand and Grav	ei, Inc. (PCW N	0. 3)			
Case ID No							
Reg. Ent. Reference No							
	Water Quality					Percent Interest	Years of
Violation No	. 1					reitent Interest	Depreciation
						5.0	15
	Thom Cook	Date Required	Plant Bass		And Color Basis in	The second second second	
4,000 4,000 4,000		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	1						
Delayed Costs	5						
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		1		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs		ACT THE TOTAL		0.00	\$0	n/a	\$0
Other (as needed)	\$250	24-Sep-2019	26-Sep-2019	0.01	\$0	n/a	\$0
Notes for DELAYED costs  Avoided Costs	required	l is the date the u	nauthorized dis	charge	occurred. Final da	e berm surrounding te is the date of con one-time avoided	npliance.
Disposal	Altitor	LIZE avoided C	osts before en	0.00			
Personnel				0.00	\$0 \$0	\$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 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
outer (as included)				0.00	30	30	30
Notes for AVOIDED costs							
- Let balak brown grow at							
L. The set operation where I							
Approx. Cost of Compliance		\$250			TOTAL		\$0

PCW cy Revision 4 (April 2014)		Resp
/ Revision March 26, 2014		Reg. Ent. Refere
٦	per 2	Violation Rule
	(S) 30 Tex. Admin. Code § 305.125(1) and terminated TPDES MSGP No. TXR05DH81, Part V, Section J, No. 11(a)	
	Failed to meet the final stabilization requirements before terminating coverage under TPDES MSGP No. TXR050000. Specifically, the Respondent terminated coverage under TPDES MSGP No. TXR05DH81 on October 1, 2019, and, during a flyover of the Facility conducted on October 1, 2019, large bare areas of soil were observed where the dry mining pit was located and where the southern berm breaches of Pond 1 had been repaired.	Violation Des
\$25,000	Base Penalty	
	perty and Human Health Matrix	>> Environmental,
	se Major Moderate Minor	OR
	ial X Percent 15.0%	UK .
		>>Programmatic M
	n Major Moderate Minor Percent 0.0%	Fals
٦		
1	alth or the environment will or could be exposed to pollutants that would exceed levels e protective of human health or environmental receptors as a result of the violation.	
_	Adjustment \$21,250	
\$3,750		
		iolation Events
	of Violation Events 1 30 Number of violation days	Nu
	dally weekly monthly X	
\$3,750	quarterly Violation Base Penalty semiannual single event	
	ly event is recommended from the date coverage under TPDES MSGP No. TXR05DH81 was terminated (October 1, 2019) to the screening date (October 31, 2019).	One
\$0		ood Faith Efforts t
	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.	
\$3,750	Violation Subtotal	
	or this violation Statutory Limit Test	conomic Benefit (E
\$4,688	eted EB Amount \$1,250 Violation Final Penalty Total	
\$4,688	This violation Final Assessed Penalty (adjusted for limits)	

	E	conomic	Benefit	Wo	rksheet		
Respondent		e Sand and Grave					
Case ID No		c cond one cran					
Reg. Ent. Reference No							
Media	<ul> <li>Water Quality</li> </ul>					Percent Interest	Years of
Violation No.	. 2					124/2012/01/02/02	Depreciation
						5.0	1
	Thomas Cook	Date Described	Cinal Data	Vec	Interest Saved		EB Amount
		Date Required	Final Date	115	Interest Saveu	Costs Saveu	EB AMOUNT
Item Description	1						
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	The second second			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)	\$25,000	1-Oct-2019	30-Sep-2020	1.00	\$1,250	n/a	\$1,250
						area to an alternativ	
Notes for DELAYED costs			overage under	TPDES		area to an alternativ DH81 was terminate	
	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da	MSGP No. TXR050 te of compliance,	DH81 was terminate	d. Final date i
Avoided Costs	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da	MSGP No. TXR050 te of compliance, item (except for	OH81 was terminate	d. Final date i
Avoided Costs	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da	MSGP No. TXR050 te of compliance.  item (except for	DH81 was terminate r one-time avoider \$0	d. Final date i
Avoided Costs Disposal Personnel	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da	MSGP No. TXR050 te of compliance, item (except for	OH81 was terminate	d. Final date i
Avoided Costs Disposal Personnel	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da tering 0.00 0.00	MSGP No. TXR050 te of compliance.  item (except for \$0 \$0	OH81 was terminate	d. Final date i
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	use. Date red	uired is the date o	overage under the anticipa	tering 0.00 0.00	MSGP No. TXR050 te of compliance.  item (except for \$0 \$0 \$0	OH81 was terminate r one-time avoider \$0 \$0 \$0 \$0	d. Final date I
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da tering 0.00 0.00 0.00	MSGP No. TXR05t te of compliance.  item (except for \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	d. Final date I
Avoided Costs  Disposal  Pressonnel  Inspection/Reporting/Sampling  Suppiles/Equipment  Financial Assurance	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da tering 0.00 0.00 0.00 0.00	MSGP No. TXR05t te of compliance.  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	d. Final date I
Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Suppiles/Equipment  Financial Assurance  ONE-TIME avoided costs	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da detering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	MSGP No. TXR050 te of compliance.  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	d. Final date I
Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Suppiles/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	use. Date red	uired is the date o	overage under the anticipa	TPDES ated da detering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	MSGP No. TXR050 te of compliance.  item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	d. Final date I

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# Compliance History Report

Compliance History Report for CN604045708, RN106352065, Rating Year 2019 which includes Compliance History (CH) components from September 1, 2014, through August 31, 2019.

ustomer, Respondent, CN604045708, Texas Concrete Sand and Classification: SATISFACTORY

Rating: 53.90

r Owner/Operator:

Gravel, Inc.

RN106352065, Plum Grove Plant

Classification: SATISFACTORY

Rating: 22.14

omplexity Points:

egulated Entity:

Repeat Violator: NO

H Group:

ocation:

04 - Mining

7530 Farm-to-Market Road 1010 in Cleveland, Liberty County, Texas

CEQ Region:

REGION 12 - HOUSTON

D Number(s):

ompliance History Period: September 01, 2014 to August 31, 2019

Rating Year: 2019

Rating Date: 09/01/2019

ate Compliance History Report Prepared: March 06, 2020

gency Decision Requiring Compliance History: Enforcement

omponent Period Selected: March 06, 2015 to March 06, 2020

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

Name: Caleb Olson

Phone: (817) 588-5856

### ite and Owner/Operator History:

Has the site been in existence and/or operation for the full five year compliance period?

YES

Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

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

Final Orders, court judgments, and consent decrees:

Effective Date: 12/13/2016

ADMINORDER 2016-0143-WQ-E (1660 Order-Agreed Order With Denial)

Classification: Major

30 TAC Chapter 342, SubChapter B 342.25(d)

Description: Failed to renew the Aggregate Production Operation (APO) registration annually.

Classification: Major

Citation: TWC Chapter 26 26.121(a)(2)

Description: Failed to prevent the unauthorized discharge of industrial waste

### Criminal convictions:

N/A

### Chronic excessive emissions events:

N/A

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

### 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:

03/08/2019 (1539125)

Self Report? NO Citation:

Description:

2D TWC Chapter 26, SubChapter A 26.121(a)(2)

Failure to prevent the unauthorized discharge of industrial wastewater (process

Classification:

Moderate

water) into or adjacent to any water in the state.

### F. Environmental audits:

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

I. Participation in a voluntary pollution reduction program:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A