# Enforcement Report to the Commission for April 2022
# FY22 Year-to-Date Totals

**Figure 1: Number of Notices of Violation**

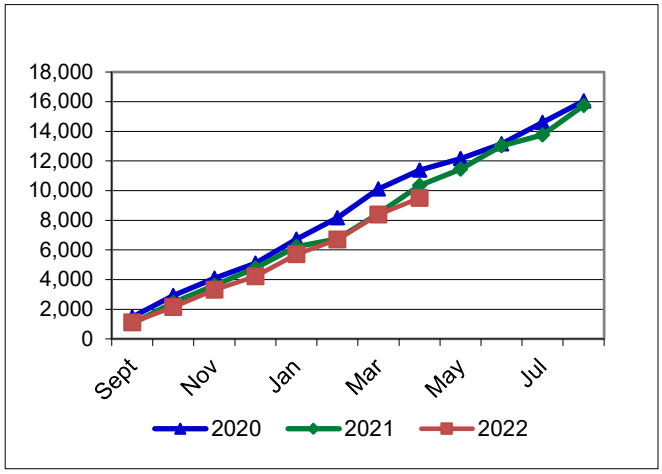



**Figure 2: Number of Enforcement Action Referrals**

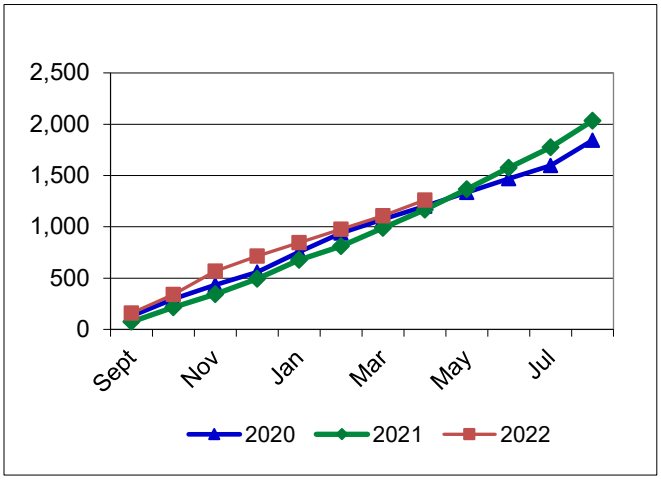



**Figure 3: Number of Effective Orders**

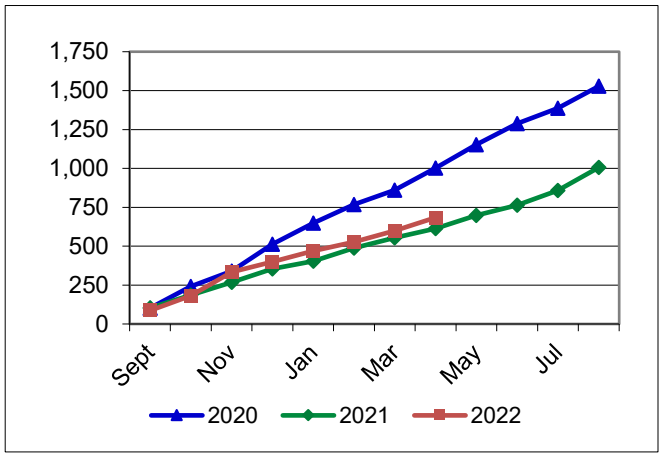



**Figure 4: Assessed Penalties**

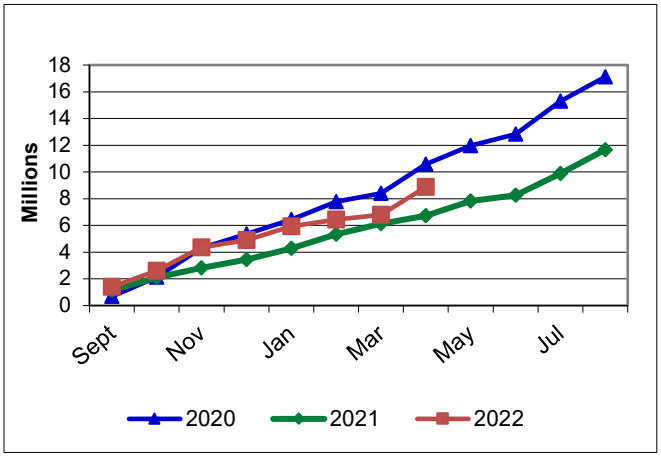



**Figure 5: Supplemental Environmental Projects**

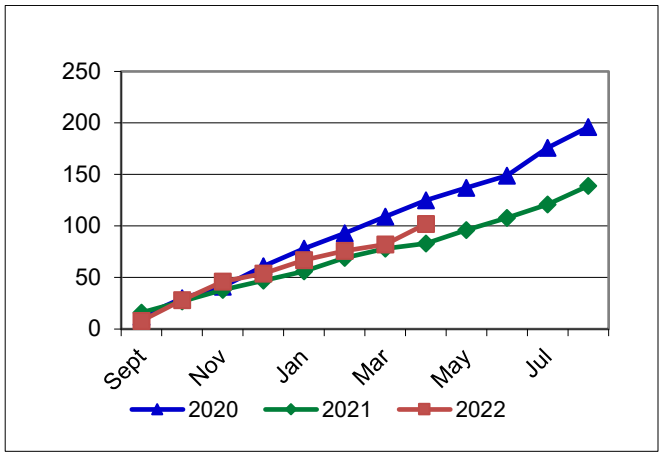



**Figure 6: Number of Backlogged Orders**

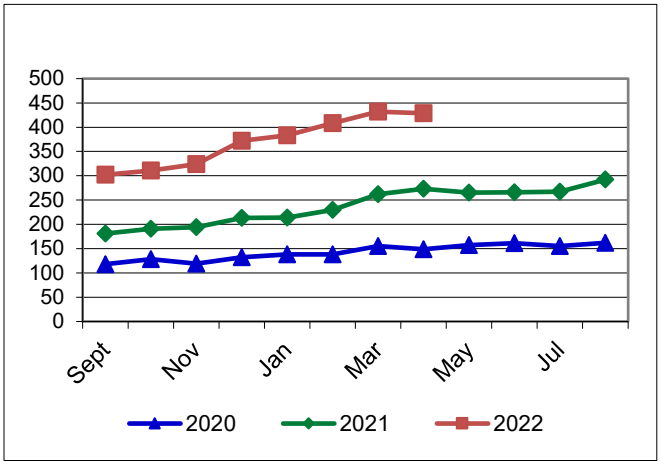



**Figure 7: Summary**

**For fiscal year 2022 through April, TCEQ has issued: 9,498 Notices of Violation, 1,261 Enforcement Action Referrals, 684 Effective Orders (see https://www14.tceq.texas.gov/epic/CIO/);**

**assessed $8,872,391 in administrative penalties; and approved 102 Supplemental Environmental Projects.**

# Enforcement Report to the Commission for April 2022
# FY22 Year-to-Date Totals

**Programs Summary:**

| PROGRAMS | Notices of Violation[1] | Effective Orders | Assessed Penalties |
|---|---|---|---|
| AGGREGATE PRODUCTION OPERATIONS | 26 | 3 | $10,875 |
| AGRICULTURE | 17 | 6 | $81,137 |
| AIR | 580 | 139 | $3,532,213 |
| DRY CLEANERS | 0 | 0 | $0 |
| INDUSTRIAL & HAZARDOUS WASTE[2] | 82 | 9 | $53,764 |
| MUNICIPAL SOLID WASTE | 176 | 24 | $334,099 |
| OCCUPATIONAL CERTIFICATION | 36 | 5 | $3,772 |
| PETROLEUM STORAGE TANKS | 601 | 164 | $1,297,195 |
| PUBLIC WATER SUPPLY[3] | 7,002 | 132 | $480,973 |
| WATER RIGHTS **YTD Complaints = 69** | 3 | 4 | $5,950 |
| WATER QUALITY[4] | 868 | 170 | $2,174,358 |
| MULTI-MEDIA | 108 | 28 | $898,055 |
| **YTD TOTALS** | **9,498** | **684** | **$8,872,391** |
| **FY21 Total for Year** | **15,745** | **1,006** | **$11,662,395** |
| **FY20 Total for Year** | **16,047** | **1,528** | **$17,118,896** |

**Year-to-Date Summary:**

| **YTD Penalty Summary** | |
|---|---|
| Total Deferred Penalties | $1,419,059 |
| Total Penalties to SEPs | $2,097,264 |
| Total Payable Penalties | $5,356,068 |
| **YTD Case Status Summary** | |
| Attorney General (AG) Judgments | 8 |
| Pending AG Cases[5] | 208 |
| Pending TCEQ Cases | 1,875 |
| Backlogged Cases | 429 |
| Resolved Cases | 95 |
| Orders Being Tracked | 2,071 |

[1] The YTD Total represents NOV letters issued for all programs. Each NOV letter may include violations from more than one program (i.e. Aggregate Production Operation and Water Quality violations may appear in the same NOV letter).
[2] Includes radioactive waste and underground injection control cases
[3] Includes Notices of Violation based on self-reported data
[4] Includes Notices of Violation based on self-reported data
[5] Active TCEQ AG Enforcement Cases attached

Active TCEQ AG Enforcement Cases as of 4/30/2022 (208)

| Case No. | Respondent | Projected Resolution FY22 |
|---|---|---|
| 2880 | City of Port Arthur | >1 Year |
| 3040 | Sam R. Dillon (receivership) | >1 Year |
| 5692 | Pulak Barua | >1 Year |
| 5864 | Kathie Bryant/Buena Vista Water System | <1 Year |
| 6394 | San Jacinto Utility Incorporated | >1 Year |
| 6991 | On Site Water Works | >1 Year |
| 7844 | ISO-TEX INC (Friendswood) / Thomas J. Maloney | >1 Year |
| 10945 | Shred Tech Inc | >1 Year |
| 24528 | English, Don L | >1 Year |
| 25187 | David Priess & Randy Priess | >1 Year |
| 25207 | Thunderbird Bay Water Services Inc + Charles Schram and American Central Land Corp | <1 Year |
| 26902 | Van Der Horst U S A Corporation | >1 Year |
| 31305 | Juna Martin Villarreal | >1 Year |
| 31746 | WSWS Company | >1 Year |
| 31942 | Zambrano, George | >1 Year |
| 33475 | BIG BIRD TREE SERVICE, INC | >1 Year |
| 36130 | Novosad, Mattie | <1 Year |
| 36204 | Nelson, Patricia Ramsey and McPike, Ruby | >1 Year |
| 36768 | Crow Sr, Richard D | >1 Year |
| 36828 | Betts, Ira | >1 Year |
| 36893 | Bullard, Ryan and Parker, David | >1 Year |
| 37837 | Pleasure Point HOA et al (receivership) | >1 Year |
| 37842 | Kaufman, James | >1 Year |
| 37906 | Z.A.O., Inc./Thunderbird Oil/Ray Bell & Eugene Bell | >1 Year |
| 38136 | Virginia Franklin Fuller dba Franklin Water System 1 and Franklin Water System 3 | >1 Year |
| 38317 | B & H Group, Inc. and Asif Hemani | >1 Year |
| 38667 | 8 Mile Park, L.P. | <1 Year |
| 38681 | Walia, Surjit Singh | <1 Year |
| 38751 | Templeton, William (contempt) | > 1 Year |
| 38811 | French, Michael Eugene | >1 Year |
| 38954 | Orange Co. v. Randy Romero, Tina Wallace, & Karen Stevens | >1 Year |
| 39142 | Esparza, Rodolfo | <1 Year |
| 39489 | Barcenas, Santos | >1 Year |
| 39757 | RANGER UTILITY COMPANY | >1 Year |
| 40200 | Syll Holt, Kimberly Branson and Michael Branson dba Walnut Bend Water System | >1 Year |
| 40439 | Beverlin, Terry | >1 Year |
| 40452 | J&S Water Company, L.L.C. | >1 Year |
| 41070 | Chatarpal, Thakoor | >1 Year |
| 41982 | Ramon C. Gonzales, Jr. dba Warren Road Subdivision Water Supply | <1 Year |
| 42001 | Essex, Dorothy A | >1 Year |
| 42006 | Duda, Richard J. | >1 Year |
| 42079 | Harris, Kelly | > 1 Year |
| 42419 | State of Texas v. Bulldog Tire Recycling, Inc. and Theodore M. Theil | >1 Year |
| 42802 | Harris Co. v. PMSV River Oaks | >1 Year |
| 43458 | Shawn M. Horvath/Aero Valley Water Service (contempt) | >1 Year |

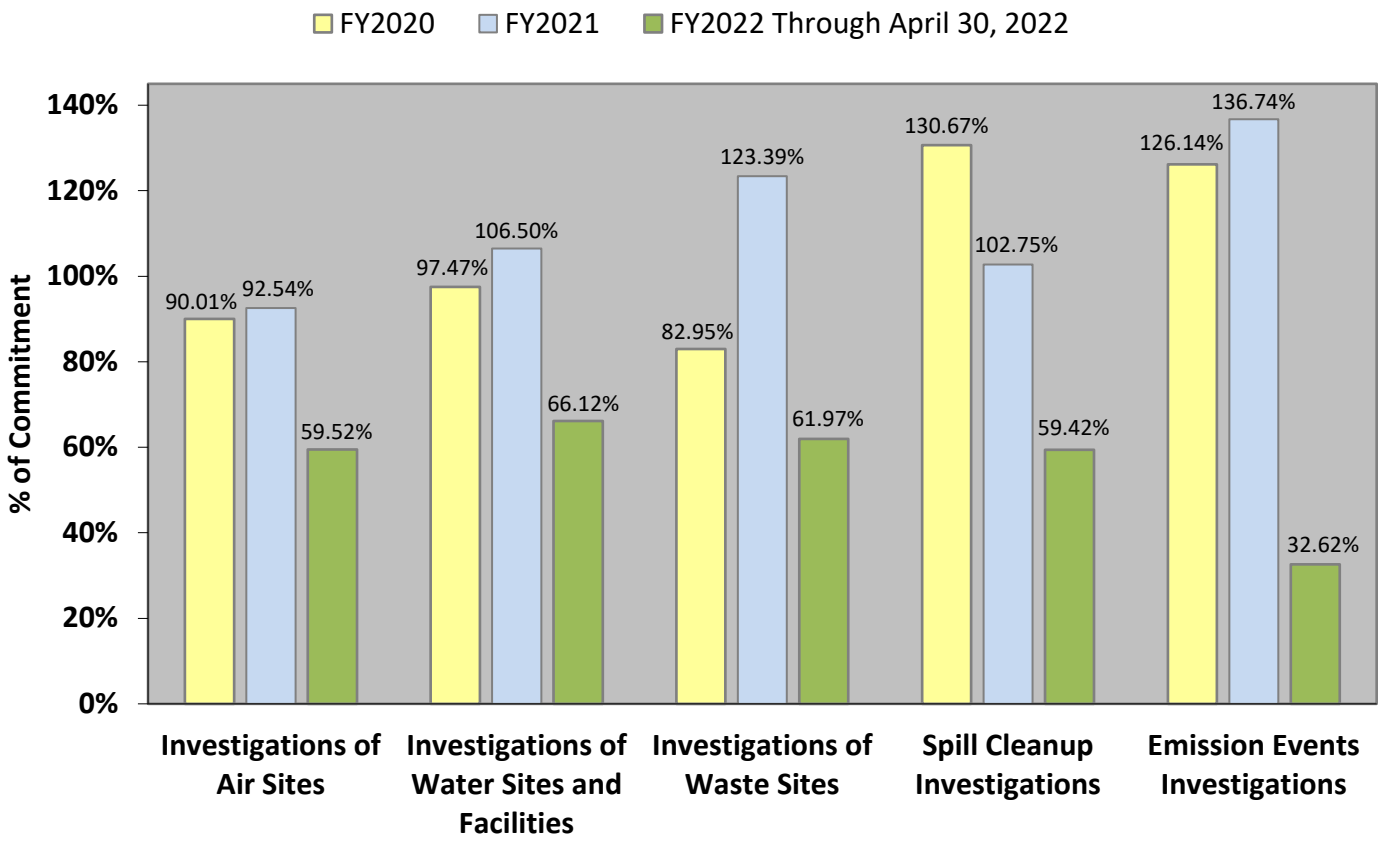
| Case No. | Respondent | Projected Resolution FY22 |
|---|---|---|
| 45103 | Gonzales, Ramon C. Jr. | >1 Year |
| 45272 | Duncan, William Bartley | > 1 Year |
| 45503 | Austin Equipment Company, LC | >1 Year |
| 45890 | Suburban Utility Co | >1 Year |
| 45955 | Brown, Doris | >1 Year |
| 46117 | Jerry M. Baker, Diana L. Baker & Ashley Martin | >1 Year |
| 46172 | Ector Co. v. Quell Petroluem | >1 Year |
| 46237 | Grayson Co. v. Tim Sommers, James Glendening, Touche International, Inc., Trident Environmental (contempt) | >1 Year |
| 46367 | Natividad Hernandez (contempt) | >1 Year |
| 46421 | MUSGROVE, WILLIAM LAFON | >1 Year |
| 46658 | Haz-Pak Inc | >1 Year |
| 46947 | Hill Top Café | >1 Year |
| 47066 | Martinez, Reyna A. | >1 Year |
| 47146 | Karen Reeves, Pleasant Ridge, Timber Creek | >1 Year |
| 47189 | WEIR BROS, INC. dba Weir Brothers Sand Pit | >1 Year |
| 47264 | Ector Co. v. Javelina Envtl, Enrique Villanueva, and Thomas Contreras | >1 Year |
| 47725 | Falcons Lair Utility & Reclamation District | >1 Year |
| 47726 | Denton County Road Utility District 1 | >1 Year |
| 47750 | Ector Co. v. Ruiz Enterprises & Aaron Ruiz | >1 Year |
| 47871 | Wayne Lee and Paula Lee | >1 Year |
| 47914 | Ector Co. v. Freedom Tank Rentals & Mfg. | >1 Year |
| 47937 | Ector Co. v. Martin Muniz | >1 Year |
| 47940 | James Travis Lowman | >1 Year |
| 47983 | State of Texas v. LGI LAND, LLC. | >1 Year |
| 48071 | Ector Co. v. Audie Meade dba Aaa Septic Tank Svcs | >1 Year |
| 48178 | Moore, John L. and John C. (contempt) | >1 Year |
| 48482 | Robert Harold Payne | >1 Year |
| 48690 | Travis Co. v. Mohammad Khurshid | >1 Year |
| 49457 | Leroy Leonard Limas | >1 Year |
| 49463 | Alamo Commercial Properties, Ltd. | >1 Year |
| 49567 | Catalpa Water Supply Corporation | >1 Year |
| 49595 | Ector Co. v. Fishing Tool Repair & Manufacturing | >1 Year |
| 50002 | Ector Co. v. Fishing Tool Repair & Manufacturing | >1 Year |
| 50069 | John M. Brown | >1 Year |
| 50114 | Vanover, Rhonda | >1 Year |
| 50238 | Yarbrough, Shawn Mark / Walnut Ridge Estates | >1 Year |
| 50293 | Moody, Leroy | >1 Year |
| 50654 | Mitesh C-Store, S A Patel and K V Patel | >1 Year |
| 51455 | Village Of Surfside Beach | <1 Year |
| 51514 | Tom Green County FWSD 2 | >1 Year |
| 51736 | Las Palomas Water Services Company (52379 & 53739 merged w/this case) | > 1 Year |
| 51907 | Saeed A. Ally FKA Jeffco Reclamation & Storage, LLC | >1 Year |
| 52084 | Travis Co. v. John Schleis | >1 Year |
| 52184 | Corey Steven Abel | >1 Year |

| Case No. | Respondent | Projected Resolution FY22 |
|---|---|---|
| 52324 | Lass Water Company, Inc. (15 water systems/5 regions) | >1 Year |
| 52773 | Fort Bend Co. v. Volkswagen/Audi et al | >1 Year |
| 52774 | Dallas Co. v. Volkswagen/Robert Bosch, LLC et al | >1 Year |
| 52775 | Montgomery Co. v. Volkswagen et al | >1 Year |
| 52776 | Victoria Co. v. Volkswagen et al | >1 Year |
| 52777 | Harris Co. v. Volkswagen et al | >1 Year |
| 52778 | Webb Co. v. Volkswagen et al | >1 Year |
| 52779 | State & Travis Co. v. Volkswagen et al | >1 Year |
| 52780 | Bexar Co. v. Volkswagen et al | >1 Year |
| 52781 | Ector Co. v. Volkswagen at al | >1 Year |
| 52782 | El Paso Co. v. Volkswagen et al | >1 Year |
| 52783 | Hunt Co. v. Volkswagen et al | >1 Year |
| 52784 | Tarrant Co. v. Volkswagen, et al | >1 Year |
| 52785 | Nueces Co. v. Volkswagen et al | >1 Year |
| 52786 | Hidalgo Co. v. Volkswagen et al | >1 Year |
| 52842 | Pasadena Refining System, Inc. | <1 Year |
| 52870 | Travis Co. v. Jesse Alba | <1 Year |
| 53256 | BVS Construction Inc. | <1 Year |
| 53703 | Angelina County WCID 4 | <1 Year |
| 53717 | Jack Marley | >1 Year |
| 53757 | Petro-Tech Environmental, LLC | >1 Year |
| 53821 | Ann Robinson | >1 Year |
| 53932 | Joe Martinez Sr | >1 Year |
| 54017 | Comal Ag Operations LLC, Santa Rita Land & Cattle Holdings LTD | >1 Year |
| 54219 | David Lee Bronw | >1 Year |
| 54247 | THE PREMCOR REFINING GROUP INC. et al | >1 Year |
| 54572 | Walker Co. v. Volkswagon et al | >1 Year |
| 54573 | Taylor Co. v. Volkswagon et al | >1 Year |
| 54574 | Lubbock Co. v. Volkswagon et al | >1 Year |
| 54575 | Denton Co. v. Volkswagen/Robert Bosch, LLC et al | >1 Year |
| 54576 | Jefferson Co. v. Volkswagon et al | >1 Year |
| 54577 | Parker Co. v. Volkswagon et al | >1 Year |
| 54578 | Brazos Co. v. Volkswagon et al | >1 Year |
| 54683 | R&K FABRICATING INC | >1 Year |
| 54863 | Raitz Enterprized Inc. | >1 Year |
| 54920 | Felipe Posada dba Key Road Subdivision (contempt) | >1 Year |
| 54926 | Tire Recycling & Processing LLC dba Santa Anita Reclamation | >1 Year |
| 54937 | Sha-Ada Group LLC | >1 Year |
| 55154 | Harris Co. v. Joel Burkholder | >1 Year |
| 55294 | Harris Co. v. Webb & Webb Construction, LLC | >1 Year |
| 55324 | The Dow Chemical Company | >1 Year |
| 55388 | Hunt Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Harris Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Bee Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Tarrant Co. v. Fiat-Chrysler | >1 Year |

| Case No. | Respondent | Projected Resolution FY22 |
|---|---|---|
| 55388 | Dallas Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Cameron Co.  v. Fiat-Chrysler | >1 Year |
| 55388 | El Paso v. Fiat-Chrysler | >1 Year |
| 55388 | Randall Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Montgomery Co. v. Fiat-Chrysler | >1 Year |
| 55388 | Bowie Co. v. Fiat-Chrysler | >1 Year |
| 55389 | RESEARCH LABORATORIES, INC. dba Custom Packaging and Joe Yarbrough | >1 Year |
| 55531 | Huntsman Petrochemical LLC | >1 Year |
| 55657 | Total Petrochemicals & Refining USA Inc. | >1 Year |
| 55659 | ExxonMobil Oil Corporation | >1 Year |
| 55729 | Devine Convenience LLC | >1 Year |
| 55827 | TEX-Q Express Inc | >1 Year |
| 55860 | Nuvira Hospitality, Inc./Ramesh Raj/Rohit Kumar dba Anchor Mote | >1 Year |
| 55935 | Buchanan Lake Village Inc. | >1 Year |
| 56001 | Harris Co. v. Jose A. Flores & Nohemy A. Granados-Flores | >1 Year |
| 56035 | Travis Co. V. Robert Grote Jr. and Diamond G Ventures, Inc. | >1 Year |
| 56284 | Liberty Co. v. Arkema Inc. | >1 Year |
| 56421 | MAGELLAN TERMINALS HOLDINGS LP | >1 Year |
| 56429 | Barbara Burch | >1 Year |
| 56439 | Harris Co. v. Arkema, Inc. | >1 Year |
| 56511 | TPC Group, LLC | >1 Year |
| 56763 | Harris Co. v. Affordable Land Services, LLC | >1 Year |
| 56843 | KMCO, LLC | >1 Year |
| 57121 | Richard Billings / Oak Hills Ranch Water (also case #s 47244 & 49950) | >1 Year |
| 57145 | Allen Lee Click, Travis County & TCEQ | >1 Year |
| 57160 | Oakhollow MH Park | >1 Year |
| 57317 | Seng Phet Souimaniphanah | >1 Year |
| 57447 | J.T. and Linda Horn | >1 Year |
| 57620 | Craft-Turney Water Supply Corporation & Arrington Lumber & Pallet Company, Inc. | >1 Year |
| 57771 | Equistar Chemicals, LP | >1 Year |
| 57942 | Blue Ridge Landfill TX, LP | >1 Year |
| 57996 | Harris Co. v. ExxonMobil Corporation (Decker Drive) | >1 Year |
| 58052 | Harris Co. v. Houston Refining, LP | >1 Year |
| 58077 | HFOTCO LLC | >1 Year |
| 58285 | Paso Del Norte Materials, LLC | >1 Year |
| 58332 | Exxon Mobil Corporation | >1 Year |
| 58498 | KM Liquid Terminals LLC | >1 Year |
| 58540 | Triple P.G. Sand Development, L.L.C.; Guniganti Family Property Holdings, L.L.C.; Prabhakar R. Guniganti; and Guniganti Children's 1999 Trust | <1 Year |
| 58718 | LIBERTY MATERIALS, INC. | <1 Year |
| 58822 | Dale W. Haggard | >1 Year |
| 58838 | Mountain River Water Co., Frank Sparks | >1 Year |
| 58927 | Harris Co. v. Sesco Cement, Corp. | >1 Year |
| 59091 | Antonial (Tony) Q. Butler | >1 Year |
| 59321 | Motiva Enterprises, LLC | >1 Year |

| Case No. | Respondent | Projected Resolution FY22 |
|---|---|---|
| 59536 | Intercontinental Terminals Company LLC | >1 Year |
| 59574 | ExxonMobil Baytown Olefins Plant (explosion (July fire) | >1 Year |
| 59656 | Inland Recycling, LLC, Inland Environmental and Remediation, Inc., David Polson, Boundary Ventures, and Kenneth Owens | <1 Year |
| 59896 | Elm Ridge Water Company, Inc. | >1 Year |
| 60093 | HDZ Swift Construction LLC | >1 Year |
| 60337 | Intercontinental Terminals Company LLC | >1 Year |
| 60536 | Harris Co. v. Project Storm LLC | >1 Year |
| 60551 | Harris Co. v. Pullman-Sage Processing, LLC | >1 Year |
| 60569 | Harris Co. v. Osies, Inc. | >1 Year |
| 60578 | Harris Co. v. Patricia McKinney | >1 Year |
| 60579 | Harris Co. v. Watson Grinding and Manufacturing Co. | >1 Year |
| 60610 | Montgomery Co. v. Ector Barrera, Justin R. Hasara, J & H Joint Land Ventures, Hasara Land Services, and Ash-Gram Materials | >1 Year |
| 60626 | Harris Co. v. Felix Escobedo | >1 Year |
| 60643 | Blackhorn Environmental Services, LLC | >1 Year |
| 60730 | Harris Co. v. Wesley Gene Zarsky | >1 Year |
| 60781 | Formosa Plastics Corporation | >1 Year |
| 60828 | Harris Co. v. Mario Perez and Teresa Perez | >1 Year |
| 60926 | Harris County, Texas and Harris County Flood Control District v. Ricardo F. Romero & Laura Romero & R & L Building Group, Inc. | >1 Year |
| 60949 | Harris Co. v. Lumina Global Inc. | >1 Year |
| 60973 | Magellan Termianls Holdings LP | >1 Year |
| 61441 | LyondellBasell Acetyls, LLC | <1 Year |
| 62076 | Pasadena Refining System, Inc. | >1 Year |
| TBD | Bowie Co. v. Volkswagen et al | >1 Year |
| TBD | Randall Co. v. Volkswagen et al | >1 Year |
| TBD | Leon Co. v. Volkswagen et al | >1 Year |
| TBD | Harrison Co. v. Volkswagen et al | >1 Year |
| TBD | Burnet Co. v. Volkswagen et al | >1 Year |
| TBD | Harris Co. v. USA Waste of Texas Landfills, Inc. | >1 Year |
| TBD | Harris Co. v. Alireza Lahijani, Individually and dba MEGA | >1 Year |
| TBD | City of Morgan's Point v. Frontier Logistics, L.P. & Barbours Cut Whse, LP | >1 Year |

**FY22 LBB Performance Measures***
**OCE Investigative Activities**




| Performance Measure* | FY2020 Annual Commitment | FY2020 Investigations Completed | FY2021 Annual Commitment | FY2021 Investigations Completed | FY2022 Annual Commitment | Total Investigations Completed (through 04/30/22) |
|---|---|---|---|---|---|---|
| **Investigations of Air Sites** | 11,177 | 10,060 | 11,177 | 10,343 | 11,177 | 6,653 |
| **Investigations of Water Sites and Facilities** | 13,144 | 12,812 | 13,144 | 13,998 | 13,144 | 8,691 |
| **Investigations of Waste Sites** | 10,200 | 8,461 | 10,200 | 12,586 | 10,200 | 6,321 |
| **Spill Cleanup Investigations** | 1,200 | 1,568 | 1,200 | 1,233 | 1,200 | 713 |
| **Emission Events Investigations** | 5,000 | 6,307 | 5,000 | 6,837 | 5,000 | 1,631 |

* Please note that the reporting of monthly investigations for the purpose of State Performance Measures is based on the approved definitions through the Legislative Budget Board (LBB). TCEQ's Annual Enforcement Report provides end of fiscal year totals of investigations and other similar evaluations that are part of an expanded universe beyond LBB definitions. Following are the numbers of "Total Investigations" reported in the TCEQ Annual Enforcement Report: FY2020: 108,236; FY2021: 117,297.