Control Number: 44820

Item Number: 37

Addendum StartPage: 0

119 Maxwell Road B-7, Frisco, Texas 75034
(972) 292-3223 * (972) 292-2790 (fax)
city@cityofhackberry.net

August 30, 2016

Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RE: Commission Staff's First Request For Information To The City of Hackberry
     Question No. Staff 1 – 1, Docket No. 44820

Staff 1 – 1

   a) The water system has violations listed in the Drinking Water Watch website maintained by the
       TCEQ for not providing the Public Notice for Total Coliform Rule violations in September
       2011 & October 2011. If these public notices were provided or if you have any questions
       regarding these violations, please contact TCEQ's Water Supply Division to discuss.

       **The documentation was submitted to TCEQ on March 14, 2012. Documents were
       resubmitted on August 17, 2016. Crystal Watkins, Environmental Investigator with
       TCEQ received required documentation and has submitted documents to the TCEQ
       Central Office (See attached Item A). The witnesses in this cause are Brenda Lewallen,
       City Administrator, and USW Utility Group.**

   b) The system has a violation for the wastewater system for "Failure to comply with the permitted
       effluent limitations", the violation is from August 2011. If you have any questions regarding
       this violation, please contact TCEQ's Water Quality Division to discuss.

       **The revised order is currently being reviewed by the section manager and executive
       director with TCEQ (See attached Item B). The witnesses in this cause are Brenda
   Lewallen, City Administrator, and USW Utility Group.**

1

c) The wastewater system received an Agreed Order from TCEQ's Enforcement division, signed on 4/8/2016. Provide documentation from TCEQ that verifies these violations have been corrected and the system is now in compliance.

On June 12, 2015, the City of Hackberry mailed payment to TCEQ for full payment of the administrative penalty in the amount of $19,425.00. TCEQ Agreed Order dated April 6, 2016, Findings Of Fact, #7 acknowledges the City has implemented all corrective measures (See attached Item C). The witnesses in the cause are Sharon Harper with the City of Hackberry and Connie Fluharty with USW Utility Group.

Thank You,

Sharon Harper
Deputy Secretary
City of Hackberry
deputysecretary@cityofhackberry.net
972-292-3223 (office)
972-292-2790 (fax)

Item (a)
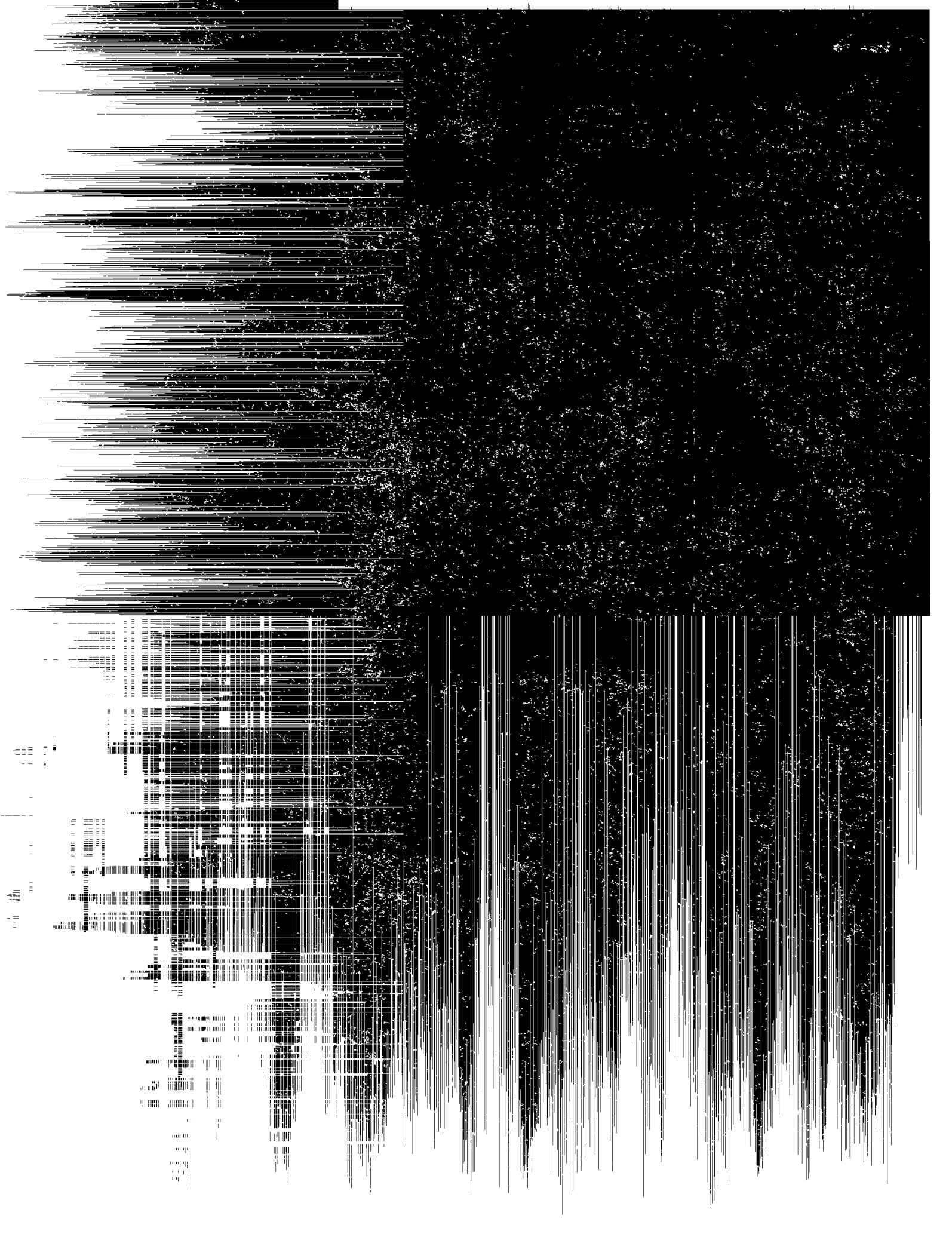
Texas Commission on Environmental Quality

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS: TIER III
Public Notice to be posted within **90 days** of initial violation notification

Public Water System (PWS) name: _City of Hackberry_

PWS ID: _0601091_ Month / Year of violation(s): _Sept + Oct 2011_

Type of Total Coliform Rule or Ground Water Rule violation(s):

____Distribution Routine Monitoring/Temporary Increased Routine Monitoring violation
____Repeat Monitoring violation
____Triggered Source Monitoring (raw groundwater source sample) violation
____Surface Water Treatment Rule Monitoring or Reporting violation

30 TAC 290.122(c) requires that your PWS make an adequate, good-faith effort to reach <u>all</u>
consumers served by the system by appropriate methods (check all below that apply):

COMMUNITY WATER SYSTEM:
____Mail or directly distribute PN to each customer receiving a bill and to other service
connections to which water is delivered by the public water system _complaints from_
Did Not deliver to customers due to _previous_
and at least one of the following methods if direct delivery may not reach all _Notifications_
persons regularly served by the system:
_✓_ Publish PN in local newspaper
____Deliver multiple PNs for distribution by customers that provide their drinking
water to others (e.g. apartment building owners or large private employers)
____Post PN in public places
____Deliver PN to community organizations
____Post PN on the Internet at: _www._____

NONCOMMUNITY WATER SYSTEM:
____Mail or directly deliver PN to each customer and service connection, or
____Post PN in conspicuous places within the water system

**and at least one of the following methods if direct delivery or public posting
may not reach all persons regularly served by the system:**
____Publish PN in local newspaper
____Deliver multiple PNs for distribution by customers that provide their drinking
water to others (e.g. apartment building owners or large private employers)
____Post PN in public places
____Deliver PN to community organizations
____Post PN on the Internet at: _www._____

REQUIRED SIGNATURE ON REVERSE SIDE

Revised 01/18/2012

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, 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."

Certified by: (print name): _Charles Vakes_ Title: _Regional Manager_

Date of Delivery to Customers: _Mar 2, 2012_ Phone: _C. 82 459 5475_

Signature: _____ Date: _3/14/2012_

Fax to (512) 239-3666 or mail a copy of this completed form, <u>AND</u> copies of the Public Notices given to your customers to: TCEQ – Public Drinking Water Section MC – 155, Attn: Public Notice. P. O. Box 13087 Austin, TX 78711-3087

BOTH SIDES OF THIS FORM, PLUS THE COMPLETED MANDITORY LANGUAGE, MUST BE DELIVERED TO THE TCEQ FOR PUBLIC NOTICE COMPLIANCE.

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

7009 2250 0001 4548 5721

OFFICIAL USE

AUSTIN, TX 78711

Postage	$	$0.45
Certified Fee		$2.95
Return Receipt Fee (Endorsement Required)		$2.35
Restricted Delivery Fee (Endorsement Required)		$0.00
Total Postage & Fees	$	$5.75

0068

01

Postmark Here

03/14/2012

Sent To
TCEQ Public Drinking - Public Notice

Street, Apt. No.; or PO Box No.
P.O. Box 13087

City, State, ZIP+4
Austin, TX 78711-3087

PS Form 3800, August 2006   See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ■ Print your name and address on the reverse so that we can return the card to you.
- ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TCEQ - Public Drinking Water
Section MC-155
ATTN: Public Notic
P.O. Box 13087
Austin, TX 78711-3087

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)   C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
   If YES, enter delivery address below: ☐ No

3. Service Type
   ☑ Certified Mail   ☐ Express Mail
   ☐ Registered   ☐ Return Receipt for Merchandise
   ☐ Insured Mail   ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)   ☐ Yes

2. Article Number
(Transfer from service label)

7009 2250 0001 4548 5721

PS Form 3811, February 2004   Domestic Return Receipt   102595-02-M-1540

Name:	ELIZABETH WRENN		Run dates:	03/02/12 to 03/02/12	
Company:	CITY OF HACKBERRY		Class:	1710	
Address:	119 MAXWELL ROAD B-7		Ad ID:	878732	
	FRISCO, TX 75034		Ad Taker:	SLAKE	
Account ID:	31444		Sales Person:	922	
Account #:	6036938				
Telephone:	(972) 292-3223		Inserts	2	
Fax:	(972) 292-2790		W ords:	112	
E-mail:	hackberry@prodigy.net		Lines:	17	
SIC code:			Columns:	3	
			Depth (Inches):	2.0	

Packages:

Payments	Method	Card Type	Name on Card	Last 4 Digits	Expire Date	Check Number	Amount Paid

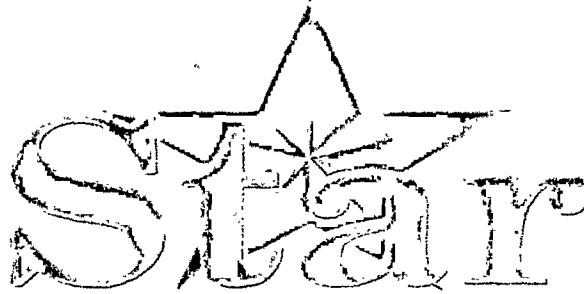|	
Total:	$66.00
Paid Amount:	– $0.00
Amount Due:	$66.00

Routine Monitoring Violation Total Coliform Rule

City of Hackberry/ PWS ID 0610091 failed to collect the required number of bacteriological samples for coliform monitoring of the water distribution system during September & October 2011. This monitoring is required by the Texas Commission on Environmental Quality's "Drinking Water Standards" and the federal "Safe Drinking Water Act," Public Law 95-523.

Bacteriological samples are used to monitor water quality and indicate if the water is free of coliform bacteria. Our water system is required to submit TWO bacteriological samples each month. Failure to collect all required bacteriological samples is a violation of the monitoring requirements and we are required to notify you of this violation.

Star
COMMUNITY NEWSPAPERS

Frisco Enterprise

AFFIDAVIT OF LEGAL NOTICE

I, _Della Hemphill_, Account Representative of the Frisco Enterprise, a newspaper printed in the English language in Collin County, State of Texas, do hereby certify that this notice was Published in The Frisco Enterprise on the following dates, to-wit

March 2, 2012

Uniform Rule   166.00
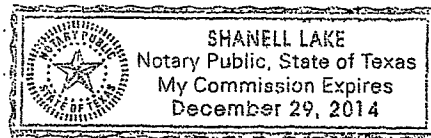
(Description)   **(Cost)**

[signature]

Account Rep. of The Frisco Enterprise

Subscribed and sworn on this

_2nd_ day of _March_ , 2012

[signature]

Notary Public, State of Texas

'GDS	NOTICES	NOTICES	NOTICES	PRICES DOMESTIC

ICE

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CHECKS

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Public Notice

Pursuant to Chapter 59, Texas Property code, Centennial Storage Center which is located at 12300 College Parkway, Frisco, TX 75035 will hold a public auction of property to satisfy a landlords lien. Auction will be held on 03/17/2012 at 10:30am. Tenants to be auctioned will be James Hawkins, retail copier, office furniture, leather sofa and office chairs. Jeffery Wendt, bedroom set, computer, gun cabinet, dinning room set, washer, dryer. Lester Flores, Tv, jewelry box, refrigerator, ladder, computer, dresser. Katheryn Sherman, filing cabinet, household goods. Felicia Benjamin, Purses, Tv, fan, misc. boxes. Anthony Cater, many hand tools, ladder, dolly, computer. Hattie McGuire, sm hockey table, bedroom set, dinning chairs, Lg mirror, coffee table. Jean Bierwagen, lawn mower, misc. household goods, sewing machine.

NOTICE OF HEARING

Notice is hereby given that the City Council will conduct a Public Hearing to consider the below listed request(s) on **Tuesday, March 20, 2012**, at 6:30 P.M. at the George A. Purefoy Municipal Center Council Chambers at the Frisco City Hall, 6101 Frisco Square Boulevard, Frisco, Texas.

Zoning Case No: Z11-0020

Request: Amend Planned Development-216 to modify the boundaries and amend the zoning exhibit and development standards.

Location: 410.0± acres on the Southwest corner of US Hwy 380 and Dallas Parkway. Zoned Agricultural & Planned Development-216.

Routine Monitoring Violation - Total Coliform Rule

City of Hackberry/ PWS ID 0610091 failed to collect the required number of bacteriological samples for coliform monitoring of the water distribution system during September & October 2011. This monitoring is required by the Texas Commission on Environmental Quality's "Drinking Water Standards" and the federal "Safe Drinking Water Act," Public Law 95-523.

Bacteriological samples are used to monitor water quality and indicate if the water is free of coliform bacteria. Our water system is required to submit TWO bacteriological samples each month. Failure to collect all required bacteriological samples is a violation of the monitoring requirements and we are required to notify you of this violation.

Competitive Sealed Proposal (CSP)
CSP 402-2012-02-17

Competitive Sealed Proposals will be received for HVAC Service and Repair for Frisco ISD. Proposals can be obtained on the Frisco ISD website at http://www.friscoisd.org/inside/purchasing.htm , (click on bidding system on left side of page) and will be received until:

March 19, 2012 at 10:00 AM Central

CSP 402-2012-02-17 HVAC Service and Repair

Frisco ISD strongly requests that bidders submit this bid electronically however; vendors may obtain proposal packets by calling 469-633-6386. Frisco ISD reserves the right to waive any informality or to reject any or all proposals. Proposal submissions will not be accepted via email or fax.

Competitive Sealed Proposal (CSP)
CSP 403-2012-02-17

Competitive Sealed Proposals will be received for Fire alarm Service

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TEXAS,
AMEND-

Sharon Harper

From:	Connie Fluharty <cfluharty@uswatercorp.net>
Sent:	Tuesday, August 23, 2016 2:27 PM
To:	City
Subject:	FW: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

SEE BELOW

Thank you,
Connie Fluharty
DFW Regional Manager/ Texas Compliance Manager

USW
UTILITY GROUP
Water and Wastewater Utility Operations,
Maintenance, Engineering, Construction

The U S Water Services Corporation
P.O. Box 1210
Bridgeport, Tx 76426

Cell: 1-940-393-5590
E-mail cfluharty@uswatercorp.net

From: Crystal Watkins [mailto:crystal.watkins@tceq.texas.gov]
Sent: Tuesday, August 23, 2016 2:24 PM
To: Connie Fluharty
Subject: RE: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

Connie,

I submitted that documentation to the appropriate person on August 17, 2016. It may take them a while to resolve it. I will double check and let you know.

Thanks,

Crystal Watkins
Texas Commission on Environmental Quality
Environmental Investigator, Region 4-DFW
Office: (817) 588-5800
Direct: (817) 588-5804
Fax : (817) 588-5701

If you would like to comment on my customer service, you can use the following link:

http://www.tceq.texas.gov/customersurvey., or you can contact my supervisor directly at: charles.l.marshall@tceq.texas.gov.

From: Connie Fluharty [mailto:cfluharty@uswatercorp.net]
Sent: Tuesday, August 23, 2016 2:18 PM

1

To: Crystal Watkins <crystal.watkins@tceq.texas.gov>
Subject: FW: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

Crystal,
See below on the City of Hackberry.

Thank you,
Connie Fluharty
DFW Regional Manager/ Texas Compliance Manager
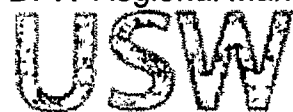
USW
UTILITY GROUP
Water and Wastewater Utility Operations
Maintenance, Engineering, Construction

the U S Water Services Corporation
P.O. Box 1018
Bridgeport, Tx 76426

Cell: 1-940-393-5590
E-mail cfluharty@uswatercorp.net

From: Sharon Harper [mailto:deputysecretary@cityofhackberry.net]
Sent: Tuesday, August 23, 2016 8:15 AM
To: Connie Fluharty
Subject: RE: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

Hi Connie,

Can you find out the status this morning from Crystal? I need to send all info FedEx today.

Thanks,
Sharon

From: Connie Fluharty [mailto:cfluharty@uswatercorp.net]
Sent: Wednesday, August 17, 2016 2:28 PM
To: City
Subject: Fwd: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

Sharon ,
I will let you know if there is anything else we need. Thanks (see below)

---------- Forwarded message ----------
From: **Crystal Watkins** <crystal.watkins@tceq.texas.gov>
Date: Wednesday, August 17, 2016
Subject: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication
To: Connie Fluharty <cfluharty@uswatercorp.net>

I think that should be fine. I will submit it to Central Office and let you know what they say.

2

Thanks,

Crystal Watkins

Texas Commission on Environmental Quality
Environmental Investigator, Region 4-DFW
Office: (817) 588-5800

Direct: (817) 588-5804

Fax: (817) 588-5701

If you would like to comment on my customer service, you can use the following link:

http://www.tceq.texas.gov/customersurvey., or you can contact my supervisor directly at: charles.l.marshall@tceq.texas.gov.

From: Connie Fluharty [mailto:cfluharty@uswatercorp.net]
Sent: Wednesday, August 17, 2016 2:10 PM
To: Crystal Watkins <crystal.watkins@tceq.texas.gov>
Subject: Fwd: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication

Crystal,

please let me know if this will work on the violations.
---------- Forwarded message ----------
From: **Sharon Harper** <deputysecretary@cityofhackberry.net>
Date: Wednesday, August 17, 2016
Subject: PWS ID 0610091 - Cert of Delivevery & Newspaper Publication
To: "Connie Fluharty (cfluharty@uswatercorp.net)" <cfluharty@uswatercorp.net>

Connie,

Attached is the Certificate of Delivery and Newspaper Publication for PWS ID 0610091 regarding 'Routine Monitoring Violation Total Coliform Rule' for September and October 2011.

Thank You,

Sharon Harper

Deputy Secretary

City of Hackberry

deputysecretary@cityofhackberry.net

(972) 292-3223 (Office)

(972) 292-2790 (Fax)

--

Thanks,

Connie Fluharty

--

Thanks,

Connie Fluharty

Item (b)

From:	Melissa Castro <Melissa.Castro@Tceq.Texas.Gov>
Sent:	Tuesday, August 23, 2016 3:54 PM
To:	Sharon Harper
Subject:	RE: Status of Agreed Order Docket No. 2011-2180-MWD-E

Hi Sharon,

I just got a status that the case was submitted to our section manager and executive director. I hope that we can send the revised order to you soon to proceed with the case process. :

Melissa Castro
Enforcement Coordinator
TCEQ Water Enforcement Section
melissa.castro@tceq.texas.gov
(512) 239-0855

-----Original Message-----
From: Sharon Harper [mailto:deputysecretary@cityofhackberry.net]
Sent: Tuesday, August 23, 2016 3:51 PM
To: Melissa Castro
Subject: RE: Status of Agreed Order Docket No. 2011-2180-MWD-E

Hi Melissa,

Do you have any updates on the status of Docket No. 2011-2180-MWD-E?

Thank You,
Sharon Harper
Deputy Secretary
City of Hackberry
deputysecretary@cityofhackberry.net
(972) 292-3223 (Office)
(972) 292-2790 (Fax)

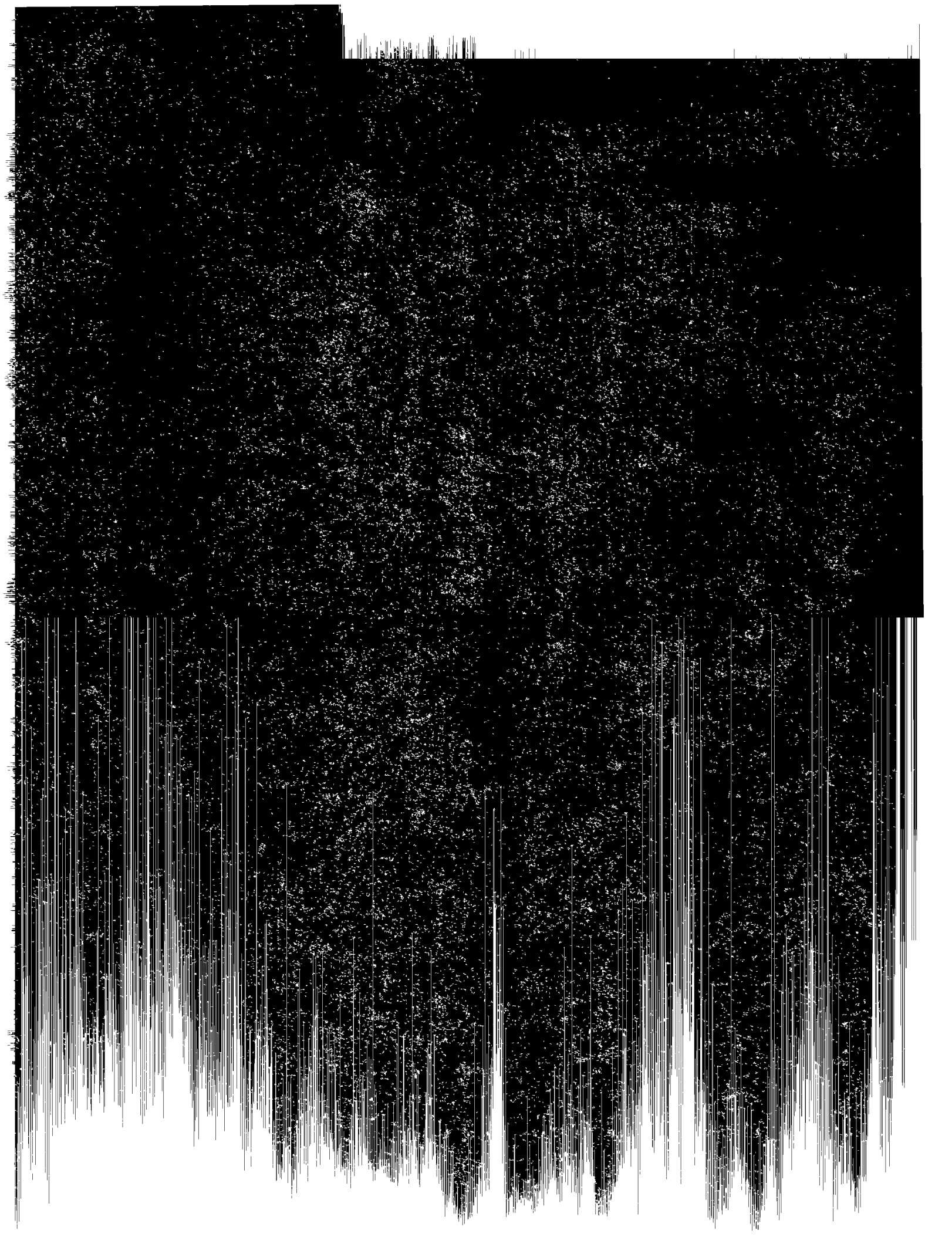-----Original Message-----
From: Melissa Castro [mailto:Melissa.Castro@Tceq.Texas.Gov]
Sent: Tuesday, August 16, 2016 12:27 PM
To: Sharon Harper
Subject: Re: Status of Agreed Order Docket No. 2011-2180-MWD-E

Hi Sharon. The case is currently with our Management Review team correcting some previous errors with the Order. I will have specifics tomorrow and will call you to discuss. Since I was reassigned the case, I am doing my best to get up to speed. Thank you.

Melissa Castro

> On Aug 16, 2016, at 11:34 AM, Sharon Harper <deputysecretary@cityofhackberry.net> wrote:
>
> Hello Melissa,
>
> Do you have an update on this docket number that you can send me? Please call me as soon as possible at 972-292-3223 to discuss?
>
>
>
> Thank You Very Much,
> Sharon Harper
> 972-292-3223
>
> From: Sharon Harper
> Sent: Monday, August 15, 2016 2:43 PM
> To: 'melissa.castro@tceq.texas.gov'
> Subject: Status of Agreed Order Docket No. 2011-2180-MWD-E
>
> Hello Melissa,
>
> Wanted to follow up with the status of the attached 'Agreed Order' Docket No. 2011-2180-MWD-E.
>
>
>
> Thank You,
> Sharon Harper
> Deputy Secretary
> City of Hackberry
> deputysecretary@cityofhackberry.net<mailto:deputysecretary@cityofhackberry.net>
> (972) 292-3223 (Office)
> (972) 292-2790 (Fax)
>
>
>
> <Docket No. 2011-2180-MWD-E.pdf>

From:	Jennifer R Graves <jennifer.graves@tceq.texas.gov>
Sent:	Friday, July 31, 2015 11:25 AM
To:	cityadmin@cityofhackberry.net
Subject:	TCEQ Agreed Order Docket No. 2011-2180-MWD-E
Attachments:	Revised AO_Signature needed_City of Hackberry.pdf

Importance: High

COPY

Good morning Ms. Lewallen! I hope you have been well!

I have attached previous Agreed Order Docket No. 2011-2180-MWD-E from a very long time ago. This Agreed Order had an assessed penalty of $32,475; $6,495 deferred; and a payable $25,980. A payment plan was requested by the City with an initial payment of $780 and 35 monthly installments of $720 each. The initial payment was made ($1,500 in May of 2013). The attached revised Agreed Order was held back for further review by upper management, language was revised, and a new signature is needed on the Signature Page. Fortunately, the penalty amount did not change. Once we receive the Signature Page, the order will be posted on the Texas Register and then assigned for an Agenda. The Agreed Order will not be effective until after it is approved at Agenda. After it is approved, the Agreed Order will become effective and the penalty payments will begin and the Ordering Provision due dates will start (Page 5 of the attachment).

If you could please have the Mayor sign the Signature Page and scan it back to me that would be great! If you have any questions please don't hesitate to contact me.

Sincerely,

Jennifer Graves
Enforcement Coordinator
Texas Commission on Environmental Quality
Phone: (956) 430-6023
Fax: (956) 412-5059
E-mail: Jennifer.Graves@tceq.texas.gov

IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF HACKBERRY	§	
RN102077054	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2011-2180-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Hackberry ("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 together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located at the southern end of Maxwell Road in Hackberry, Denton County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.

4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 26, 2011 and January 11, 2012.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Thirty-Two Thousand Four Hundred Seventy-Five Dollars ($32,475) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Hundred Eighty Dollars ($780) of the administrative penalty and Six Thousand Four Hundred Ninety-Five Dollars ($6,495) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

    The remaining amount of Twenty-Five Thousand Two Hundred Dollars ($25,200) of the administrative penalty shall be payable in 35 monthly payments of Seven Hundred Twenty Dollars ($720) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).

9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013434001, Interim I Effluent Limitations and Monitoring Requirements Nos. 1 and 2 (permit effective March 28, 2006) and Interim II Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3 (permit effective January 26, 2011), as documented during record reviews conducted on October 17, 2011 and November 9, 2011, and shown in the table below:

EFFLUENT VIOLATION TABLE										
Months	**Daily Avg. Flow**	**CBOD₅ Daily Avg. Load.**	**TSS Daily Avg. Conc.**	**NH3-N Daily Avg. Conc.**	**NH3-N Single Grab Conc.**	**Total P. Daily Avg. Conc.**	**Total P. Single Grab Conc.**	**pH**	**Total Residual Cl₂ Min. Conc.**	**Total Residual Cl₂ Max. Conc.**
	Limit = 0.13 MGD	Limit = 11 lbs/day	Limit = 15 mg/L	Limit = 3 mg/L	Limit = 15 mg/L	Limit = 1 mg/L	Limit = 6 mg/L	Limit = 6.0 s.u.	Limit = 1.0 mg/L	Limit = 4.0 mg/L
October 2010	c	c	17	n/a	n/a	n/a	n/a	c	c	c
November 2010	c	c	c	n/a	n/a	n/a	n/a	4.8	0.75	c
December 2010	0.14	c	c	n/a	n/a	n/a	n/a	4.6	c	4.3
January 2011	0.16	12.5	c	n/a	n/a	n/a	n/a	c	c	4.3
February 2011	n/a	n/a	c	c	c	3.8	c	c	c	c
March 2011	n/a	n/a	c	11.2	37.7	4.1	c	c	c	c
April 2011	n/a	n/a	c	c	c	3.4	c	c	0.6	c
May 2011	n/a	n/a	18.2	c	c	3.8	c	c	c	c
June 2011	n/a	n/a	15.3	c	c	4.33	c	c	0.95	4.9
July 2011	n/a	n/a	c	c	c	4.6	6.8	c	c	c
August 2011	n/a	n/a	c	c	c	3.5	c	c	c	c
September 2011	n/a	n/a	c	c	c	1.6	c	c	c	c

s.u. = standard units   c = compliant

lbs/day = pounds per day   NH₃-N = ammonia-nitrogen

mg/L = milligrams per liter   Total P. = total phosphorous

Max. = maximum   Cl₂ = chlorine

Min. = minimum   TSS = total suspended solids

Load. = loading   CBOD₅ = five-day carbonaceous biochemical oxygen demand

Avg. = average   MGD = million gallons per day

Conc. = concentration

n/a = limit was not established/applicable for this parameter during the monitoring period

2. Failed to submit noncompliance notifications for any effluent violation which deviated from the permitted effluent limitations by more than 40% to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013434001, Monitoring and Reporting Requirements No. 7.c (permit effective January 26, 2011), as documented during a record review conducted from October 13, 2011 to October 17, 2011. Specifically, the total phosphorus daily average concentration exceeded the permitted effluent limit by more than 40% for the months of June, July, August, and September 2011 and the Respondent failed to submit the noncompliance notifications.

3. Failed to collect and analyze samples for required parameters at the minimum frequency specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b), and TPDES Permit No. WQ0013434001, Interim II Effluent Limitations and Monitoring Requirements and Monitoring and Reporting Requirements No. 1 (permit effective January 26, 2011), as documented during a record review conducted on November 9, 2011. Specifically, the Respondent did not collect and analyze samples for *Escherichia coli* for the monitoring periods ending February 28, 2011; March 31, 2011; and May 31, 2011.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Hackberry, Docket No. 2011-2180-MWD-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.   It is further ordered that the Respondent shall undertake the following technical requirements:

    a.   Within 30 days after the effective date of this Agreed Order, update operational guidance and conduct employee training to ensure that all reporting, sampling, and analysis requirements are met, in accordance with 30 TEX. ADMIN. CODE § 319.5(b) and TPDES Permit No. WQ0013434001, Effluent Limitations and Monitoring Requirements and Monitoring and Reporting Requirements Nos. 1 and 7.c.

    b.   Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.a, in accordance with Ordering Provision No. 2.d below.

    c.   Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limits of TPDES Permit No. WQ0013434001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limits. The written certification shall be written in accordance with Ordering Provision No. 2.d below.

    d.   The written certifications of compliance required by Ordering Provisions Nos. 2.b and 2.c shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public, and include the following certification language:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, 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 certifications 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 copies to:

Water Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

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

4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed 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 Agreed 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.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed 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.

6. This Agreed 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 Agreed 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.

7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed 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 Agreed 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.

8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____

For the Commission

_____   _____
For the Executive Director   Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:
- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
  Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
  Increased penalties in any future enforcement actions;
  Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

_____   _____
Signature   Date   9/6/2015

Ronald Austin   *Mayor*
_____   _____
Name (Printed or typed)   Title
Authorized Representative of
City of Hackberry

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

7014 1820 0002 1109 9928

TCEQ, Enf Div MC-149A, Attn: J Graves
P.O. Box 13087 (Order Agree)
Austin, Tx 78711-3087

PS Form 3800, July 2014   See Reverse for Instructions

Order Agree

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TCEQ
Enforcement Div, MC-149A
Attn: J. Graves
P.O. Box 13087
Austin, Tx 78711-3087

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☒ Certified Mail®
- ☐ Registered
- ☐ Insured Mail
- ☐ Priority Mail Express™
- ☒ Return Receipt for Merchandise
- ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)   ☐ Yes

2. Article Number
(Transfer from service label)

7014 1820 0002 1109 9928

PS Form 3811, July 2013   Domestic Return Receipt

ITY OF HACKBERRY • WATER/SEWER OPERATING FUND

EX   Texas Commission on Environmental Q   *CK DT:* 05/07/13   *CK #* 8234

v Date	*Invoice Number*	*Invoice Balance*	*Discount*	*Net Payment*
'7/2013	DOC. 2011-2180-MWD-E (1 & 2)	1,500.00	0.00	1,500.00
		1,500.00	0.00	1,500.00

COPY

8234

CITY OF HACKBERRY
WATER/SEWER OPERATING FUND
119 MAXWELL ROAD B-7
FRISCO, TX 75034
(972) 292-3223

AMERICAN BANK OF TEXAS
8100 PRESTON RD. • FRISCO, TEXAS 75034-8900
88-164-1119

8234

******ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS

DATE	AMOUNT
5/7/2013	$1,500.00

Security features. Details on back.

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) THE
3DER

Texas Commission on Environmental Quality
Financial Admin Div.,Rev. Opr.
P.O. Box 13088, MC 214
Austin, TX   78711-3088

TWO SIGNATURES REQUIRED
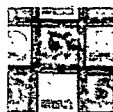
AUTHORIZED SIGNATURE

⑈008234⑈ ⑈111901645⑈ 6022823348⑈

:ITY OF HACKBERRY ∘ WATER/SEWER OPERATING FUND

8234

'EX   Texas Commission on Environmental Q   *CK DT:* 05/07/13   *CK #* 8234

nv Date	*Invoice Number*	*Invoice Balance*	*Discount*	*Net Payment*
'/7/2013	DOC. 2011-2180-MWD-E (1 & 2)	1,500.00	0.00	1,500.00
		1,500.00	0.00	1,500.00

City Admin

From:	Jennifer Graves <Jennifer.Graves@tceq.texas.gov>
Sent:	Monday, August 19, 2013 9:27 AM
To:	hackberry@prodigy.net
Subject:	revised Agreed Order - initials needed

Importance: High

Hello Ms. Lewallen! I have attached the pdf of the revised Agreed Order. I would greatly appreciate it if you could have the Mayor initial next to the Xs I provided and then scan it back to me. The following changes were made to the Agreed Order:

PAGE 1, I. JURISDICTION AND STIPULATIONS, 4., ADD "JANUARY 11, 2012"
PAGE 2, II. ALLEGATIONS, 1., DELETE "AS DOCUMENTED DURING A RECORD REVIEW CONDUCTED ON SEPTEMBER 27, 2011"
PAGE 2, II. ALLEGATIONS, 1., ADD "NOVEMBER 9, 2011" AFTER SEPTEMBER 27, 2011
PAGE 3, II. ALLEGATIONS, EFFLUENT VIOLATION TABLE, REMOVE ALL DATA FOR SEPTEMBER 2011
PAGE 3, II. ALLEGATIONS, 2., CHANGE JUNE, JULY, AND AUGUST TO "JUNE, JULY, AUGUST, AND SEPTEMBER"
PAGE 3, II. ALLEGATIONS, 3., CHANGE RECORD REVIEW CONDUCTED ON SEPTEMBER 27, 2011 TO "NOVEMBER 9, 2011"

Thanks for your help!

Sincerely,

Jennifer Graves
Enforcement Coordinator
Texas Commission on Environmental Quality
Phone: (956) 430-6023
Fax: (956) 412-5059
E-mail: Jennifer.Graves@tceq.texas.gov

emailed 8-21-13
3:31p.m

IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF HACKBERRY	§	
RN102077054	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2011-2180-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Hackberry ("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 together stipulate that:

1. The Respondent owns and operates a wastewater treatment plant located at the southern end of Maxwell Road in Hackberry, Denton County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.

4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 26, 2011 and January 11, 2012.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Thirty-Two Thousand Four Hundred Seventy-Five Dollars ($32,475) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Hundred Eighty Dollars ($780) of the administrative penalty and Six Thousand Four Hundred

Ninety-Five Dollars ($6,495) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Twenty-Five Thousand Two Hundred Dollars ($25,200) of the administrative penalty shall be payable in 35 monthly payments of Seven Hundred Twenty Dollars ($720) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.
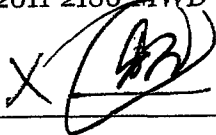
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).

9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to comply with the permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013434001 Interim I Effluent Limitations and Monitoring Requirements No. 1 (permit effective March 28, 2006) and Interim II Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 6 (permit effective January 26, 2011), as documented during record reviews conducted on September 27, 2011 and November 9, 2011, and shown in the table below:

Months	CBOD$_5$ Daily Avg. Loading	Chlorine Residual Monthly Min. Conc.	Chlorine Residual Monthly Max. Conc.	NH$_3$-N Daily Avg. Conc.	NH$_3$-N Single Grab	Total P Daily Avg. Conc.	Total P Single Grab	Flow Daily Avg.	pH Min.	TSS Daily Avg. Conc.
	Limit = 11 lbs/day	Limit = 1.0 mg/L	Limit = 4.0 mg/L	Limit = 3.0 mg/L	Limit = 15.0 mg/L	Limit = 1.0 mg/L	Limit = 6.0 mg/L	Limit = 0.13 MGD	Limit = 6.0 SU	Limit = 15 mg/L
October 2010	c	c	c	N/A	N/A	N/A	N/A	c	4.8	17
November 2010	c	0.75	c	N/A	N/A	N/A	N/A	c	4.6	c
December 2010	c	c	4.3	N/A	N/A	N/A	N/A	0.14	c	c
January 2011	12.5	c	4.3	N/A	N/A	N/A	N/A	0.16	c	c
February 2011	c	c	c	c	c	3.8	c	c	c	c
March 2011	c	c	c	11.2	37.7	4.1	c	c	c	c
April 2011	c	0.6	c	c	c	3.4	c	c	c	c
May 2011	c	c	c	c	c	3.8	c	c	c	18.2
June 2011	c	0.95	4.9	c	c	4.33	c	c	c	15.3
July 2011	c	c	c	c	c	4.6	6.8	c	c	c
August 2011	c	c	c	c	c	3.5	c	c	c	c

CBOD$_5$ = 5-day carbonaceous biochemical oxygen demand   Conc. = Concentration

NH$_3$-N = ammonia nitrogen   lbs/day = pounds per day

P = phosphorus   mg/L = milligrams per liter

TSS = total suspended solids   MGD = million gallons per day

Avg. = average   SU = standard units

Min. = Minimum   c = compliant

Max. = Maximum   N/A = Not Applicable

2.   Failed to submit noncompliance notifications for any effluent violation which deviated from the permitted effluent limitation by more than 40% to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division, in violation of 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0013434001 Monitoring and Reporting Requirements No. 7.c, as documented during a record review conducted on September 27, 2011. Specifically, the total phosphorus daily average concentration exceeded the permitted effluent limit by more than 40% for the months of June, July, August, and September 2011, and the Respondent failed to submit the noncompliance notifications.

3.   Failed to collect and analyze samples for required parameters at the minimum frequency specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b), and TPDES Permit No. WQ0013434001 Monitoring and Reporting Requirements No. 1, as documented during a record review conducted on November 9, 2011. Specifically, the Facility did not collect and analyze samples for *Escherichia coli* for the monitoring periods ending February 28, 2011; March 31, 2011; and May 31, 2011.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Hackberry, Docket No. 2011-2180-MWD-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. It is further ordered that the Respondent shall undertake the following technical requirements:

    a. Within 30 days after the effective date of this Agreed Order, update the Facility's operational guidance and conduct employee training to ensure that all reporting, sampling, and analysis requirements are met, in accordance with TPDES Permit No. WQ0013434001 Monitoring and Reporting Requirements Nos. 1 and 7.c;

    b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.a, in accordance with Ordering Provision No. 2.d;

    c. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0013434001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall be submitted in accordance with Ordering Provision No. 2.d; and

    d. The certification of compliance required by Ordering Provision Nos. 2.b and 2.c shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine 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
> Dallas/Fort Worth Regional Office
> Texas Commission on Environmental Quality
> 2309 Gravel Drive
> Fort Worth, Texas 76118-6951

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

4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed 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 Agreed 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.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed 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.

6. This Agreed 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 Agreed 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.

7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed 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 Agreed 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.

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____

For the Commission

_____   _____

For the Executive Director   Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:
* A negative impact on compliance history;
* Greater scrutiny of any permit applications submitted;
    Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
    Increased penalties in any future enforcement actions;
    Automatic referral to the Attorney General's Office of any future enforcement actions; and
* TCEQ seeking other relief as authorized by law.
In addition, any falsification of any compliance documents may result in criminal prosecution.

_____   _____
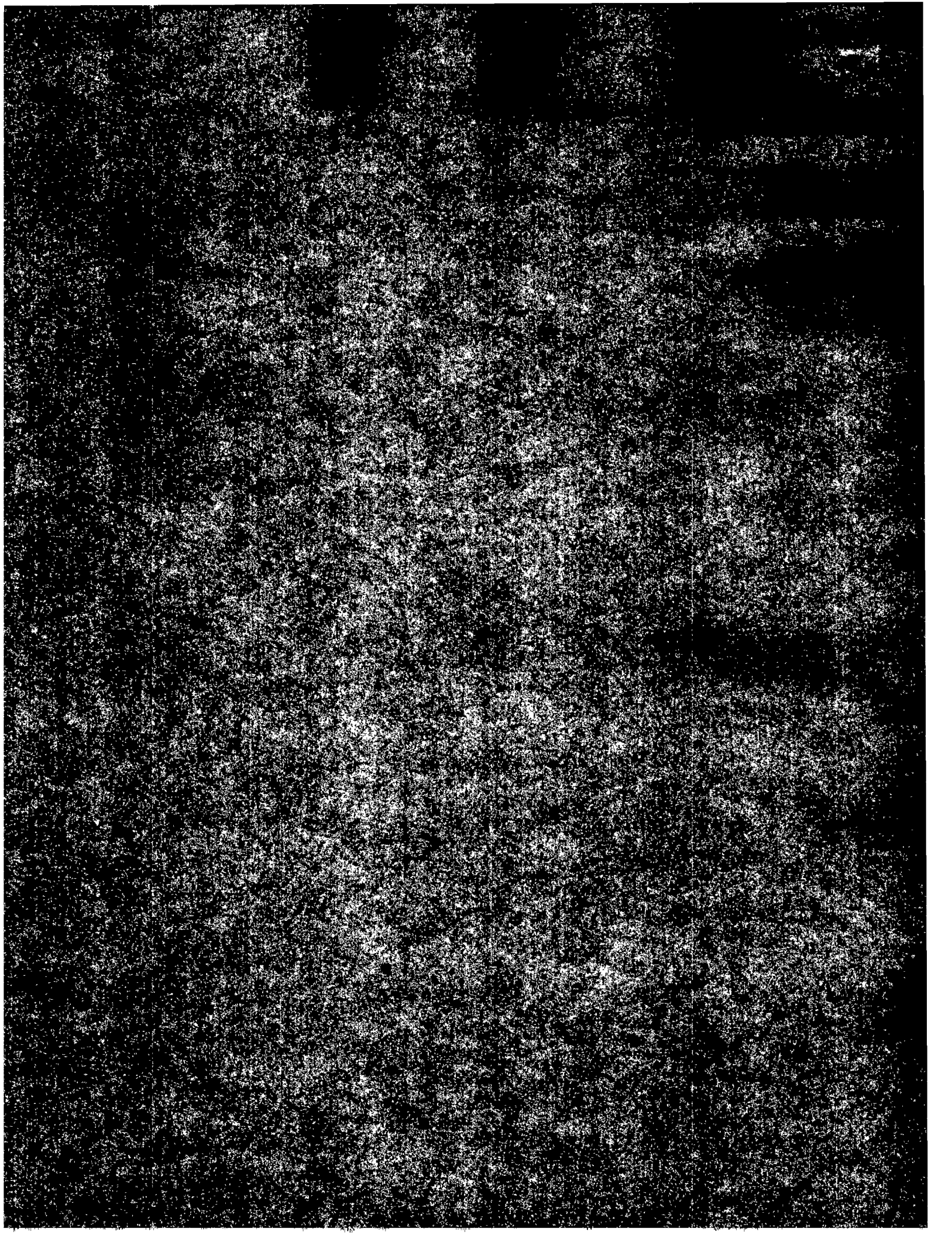Signature   Date   August 20, 2013

Ronald Austin   Mayor
_____   _____
Name (Printed or typed)   Title
Authorized Representative of
City of Hackberry

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Item (c)

From:	Christopher Moreno <Christopher.Moreno@tceq.texas.gov>
Sent:	Friday, August 19, 2016 10:49 AM
To:	Sharon Harper
Subject:	RE: City of Hackberry; Case No. 49944; Docket No. 2015-0099-MWD-E

Good Morning Ms. Harper,

Sorry for not getting back in contact with you sooner, I was out of the office taking care of my daughter she was sick. I wanted to let you know that I did close the case and it is under review by my management. Once they review it and it's approved to be closed then I will send out a Notice of Compliance letter. Sorry that it's taking so long, but once I get the approval to completely close the case I will send out the letter. If you have any questions feel free to contact me.

Thanks,

Christopher Moreno
Compliance Monitoring Section
Enforcement Division
Texas Commission on Environmental Quality
Christopher.Moreno@tceq.texas.gov
Phone: (512)239-2628
Fax: 512-239-0036

From: Sharon Harper [mailto:deputysecretary@cityofhackberry.net]
Sent: Thursday, August 18, 2016 8:52 AM
To: Christopher Moreno <Christopher.Moreno@tceq.texas.gov>
Subject: FW: City of Hackberry; Case No. 49944; Docket No. 2015-0099-MWD-E
Importance: High

Good Morning Mr. Moreno,

Has the case for Docket No. 2015-0099-MWD-E, Case No. 49944 been closed? If so, can you send me documentation confirming.

Thank You Very Much,
Sharon Harper
Deputy Secretary
City of Hackberry
deputysecretary@cityofhackberry.net
(972) 292-3323 (Office)
(972) 292-2790 (Fax)

From: Christopher Moreno [mailto:Christopher.moreno@tceq.texas.gov]
Sent: Monday, May 09, 2016 8:22 AM
To: Connie Fluharty
Subject: RE: City of Hackberry; Case No. 49944; Docket No. 2015-0099-MWD-E

1

Good Morning Connie,

Thank you for sending the documentation. It looks like the documents that you sent me should be all that documentation that I need to start the case closure process. Before the case is fully closed my management will review the documentation to make sure it is sufficient to close the case. If they have any questions or request more documentation I will contact you. If you have any questions feel free to contact me.

Thank you,

Christopher Moreno
Compliance Monitoring Section
Enforcement Division
Texas Commission on Environmental Quality
Christopher.Moreno@tceq.texas.gov
Phone: (512)239-2618
Fax: 512-239-0066

From: Connie Fluharty [mailto:cfluharty@uswatercorp.net]
Sent: Friday, May 06, 2016 2:14 PM
To: Christopher Moreno <Christopher.Moreno@tceq.texas.gov>
Cc: cfluharty@uswatercorp.net
Subject: FW: City of Hackberry; Case No. 49944; Docket No. 2015-0099-MWD-E

Christopher,
Please let me know if you need anything else and if this will work for you.

Thank you,
Connie Fluharty
DFW Regional Manager/ Texas Compliance Manager
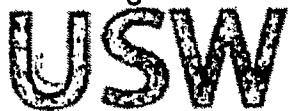
USW
UTILITY GROUP
Water and Wastewater Utility Operations
Maintenance Engineering, Construction

dba U S Water Services Corporation
P.O. Box 1216
Bridgeport, Tx 76426

Cell: 1-940-393-5590
E-mail cfluharty@uswatercorp.net

From: Christopher Moreno [mailto:Christopher.Moreno@tceq.texas.gov]
Sent: Friday, May 06, 2016 9:21 AM
To: cfluharty@uswatercorp.net
Subject: City of Hackberry; Case No. 49944; Docket No. 2015-0099-MWD-E

Hi Connie,

Per our conversation, I attached the Agreed Order. It looks like Jennifer Graves is in a different Division now. I found the previous emails and documentation in the case file. I got the documentation regarding the lift station, but it looks like I just need a few more documents then I believe I can start the case closure process. According to Ordering Provision 2.a., on page 4 of the Agreed Order, I would need an operational guidance document (SOP) for completing and submitting DMR's and annual sludge reports. The final Ordering Provision 2.b, is just a certification statement indicating that anything that is submitted is true and accurate to your knowledge. I attached the document to this email. It just needs a signature, date and to be notarized. If you have any questions feel free to contact me.

Thanks,

Christopher Moreno
Compliance Monitoring Section
Enforcement Division
Texas Commission on Environmental Quality
Christopher.Moreno@tceq.texas.gov
Phone: (512)239-2618
Fax: 512-239-0036

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 12, 2016

<u>FIRST CLASS MAIL</u>

The Honorable Ronald Austin, Mayor
City of Hackberry
119 Maxwell Road # B7
Frisco, Texas 75034-9112

RE: City of Hackberry
       TCEQ Docket No. 2015-0099-MWD-E; Permit No. WQ0013434001
       Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Leslie Gann of the Office of the Chief Clerk at (512) 239-3319.

Sincerely,

Bridget C. Bohac

Bridget C. Bohac
Chief Clerk

BCB/lg

Enclosure

cc: Christopher Bost, Enforcement Coordinator, TCEQ Enforcement Division

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY   APR 1 2 2016

IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF HACKBERRY	§	
RN102077054	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2015-0099-MWD-E

At its **APR 0 6 2016** agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Hackberry ("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 agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, 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 Agreed 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 settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed 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 owns and operates a wastewater treatment plant located at 119 Maxwell Road, at the southern end of Maxwell Road in Frisco, Denton County, Texas (the "Facility") with associated collection system manholes located in Hackberry, Denton County, Texas.

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

3. During a record review conducted on September 29, 2014, TCEQ staff documented that the Respondent did not prevent the unauthorized discharge of wastewater from the collection system into or adjacent to water in the state. Specifically, an unauthorized discharge of approximately 10,000 gallons from the collection system occurred on September 14, 2014. The unauthorized discharge flowed from the manhole located at 5104 Coney Island Drive and pooled in an area of the storm water collection system resulting in a fish kill of approximately 30 fish. Furthermore, six unauthorized discharges from the collection system occurred between September 18, 2014 and November 12, 2014, totaling approximately 11,500 gallons, as shown in the following table:

UNAUTHORIZED DISCHARGE TABLE			
Date	Location	Amount Discharged (gallons)	Description
September 18, 2014	plant lift station	2,000	Pump failure due to an electrical failure which caused the high level alarm to malfunction.
September 21, 2014	5104 Coney Island Drive (manhole)	500	Pump failure due to electrical problems.
September 29, 2014	12120 Sand Castle Drive and 5104 Coney Island Drive (two manholes)	4,000	Breaker failures at the Coney Island Drive lift station.
September 30, 2014	5104 Coney Island Drive (manhole)	2,000	Breaker failure at the Coney Island Drive lift station.
October 26, 2014	12120 Sand Castle Drive and 5104 Coney Island Drive (two manholes)	2,000	Pump failures due to electrical problems at the Coney Island Drive lift station.
November 12, 2014	5104 Coney Island Drive (manhole)	1,000	Pump failure due to electrical problems at the Coney Island Drive lift station.

4.   During a record review conducted on January 21, 2015, TCEQ staff documented that the Respondent did not timely submit a complete discharge monitoring report ("DMR") for the monitoring period ending December 31, 2013. Specifically, the DMR did not include total suspended solids daily average loading and concentration and maximum single grab results.

5.   During a record review conducted on January 21, 2015, TCEQ staff documented that the Respondent did not timely submit a complete sludge report for the monitoring period ending July 31, 2014 by September 30, 2014. Specifically, the sewage sludge for production and use ("SLDP") DMR for the 2014 sludge report was lacking polychlorinated biphenyls and toxic characteristic leaching procedure results.

6.   The Respondent received notice of the violations on December 2, 2014.

7.   The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:

   a.   By September 14, 2014, stopped the discharge, collected the debris, disinfected the affected area, and removed and properly disposed of the dead fish.

   b.   By February 3, 2015, submitted a revised DMR for the monitoring period ending December 31, 2013 and submitted a revised annual sludge report for the monitoring period ending July 31, 2014.

   c.   By March 11, 2015, performed corrective actions following additional discharges and upgraded the lift stations to prevent future electrical malfunctions.

II. CONCLUSIONS OF LAW

1.   The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.

2.   As evidenced by Findings of Fact No. 3, the Respondent failed to prevent the unauthorized discharge of wastewater from the collection system into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(4), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013434001, Permit Conditions No. 2.g.

3.   As evidenced by Findings of Fact No. 4, the Respondent failed to timely submit a complete DMR for the monitoring period ending December 31, 2013, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.1 and TPDES Permit No. WQ0013434001, Monitoring and Reporting Requirements No. 1 (permit effective January 26, 2011).

4. As evidenced by Findings of Fact No. 5, the Respondent failed to timely submit a complete sludge report for the monitoring period ending July 31, 2014 by September 30, 2014, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (17) and TPDES Permit No. WQ0013434001, Sludge Provisions (permit effective February 28, 2014).

5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

6. An administrative penalty in the amount of Nineteen Thousand Four Hundred Twenty-Five Dollars ($19,425) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Nineteen Thousand Four Hundred Twenty-Five Dollar ($19,425) administrative penalty.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Nineteen Thousand Four Hundred Twenty-Five Dollars ($19,425) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Hackberry, Docket No. 2015-0099-MWD-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 Agreed Order, update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the submittal of complete

DMRs and annual sludge reports, in accordance with TPDES Permit No. WQ0013434001.

b.   Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, 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
> Dallas/Fort Worth Regional Office
> Texas Commission on Environmental Quality
> 2309 Gravel Drive
> Fort Worth, Texas 76118-6951

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

4.   If the Respondent fails to comply with any of the Ordering Provisions in this Agreed 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 Agreed 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.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed 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.

6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

8. This Agreed 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 Agreed 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.

9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed 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 Agreed 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.

10. 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

_____   4-8-16
For the Commission   Date

_____   2/18/16
For the Executive Director   Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of the City of Hackberry. I am authorized to agree to the attached Agreed Order on behalf of the City of Hackberry, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, the City of Hackberry waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:
- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

_____   10-22-15
Signature   Date

Ronald Austin   Mayor
Name (Printed or typed)   Title
Authorized Representative of
City of Hackberry

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

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 fine and imprisonment for knowing violations.

Docket No. 2015-0099-MWD-E

DMR/PERMIT TRAINING SIGN-IN SHEET
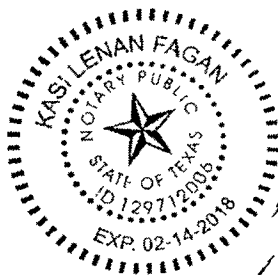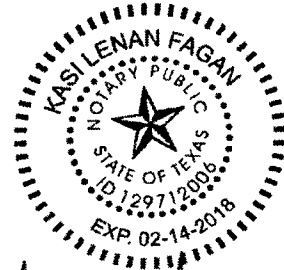
Date: 4-3-2015

Department: Wastewater

Location: Hackberry

Instructor: Connie F.

Topic/Procedure/Policy: DMR/Training

Training Media: Training Sheet

Print Name	Signature
Aaron McNeill	Aaron McNeill
Billie Fluharty	Billie Fluharty

Due Dates and Monitoring Tip Sheet for TPDES Domestic Wastewater Permittees

	Wastewater	Storm Water[b]	Equipment
January	- Complete sampling by Jan. 31 - Submit DMR for December by Jan. 20 - Submit Biomonitoring DMR by Jan. 20 if applicable	- Do quarterly visual monitoring[c] before March 31 - Check rain gauge weekly or daily during storm events[d] - File the appropriate DMR with your annual metal numeric effluent results for the previous year with your SWP3 by March 31	**CALIBRATE:** Flow measuring device annually, or more often as needed to keep it accurate.
February	- Complete sampling by Feb. 28 - Submit DMR for January by Feb 20	- Submit benchmark results for previous year by March 31	Dissolved oxygen (DO) meter, for each day that you analyze samples, conduct at least one blank and one standard test. Perform duplicate analyses on 10% of samples each day.
March	- Complete sampling by March 31 - Submit DMR for February by March 20	- Conduct periodic or annual inspection as required in your SWP3 by March 31	pH meters. Calibrate each day that you analyze samples using a minimum of two fresh buffer solutions (standards which bracket the pH value(s) of the samples).
April	- Complete sampling by April 30 - Submit DMR for March by April 20 - Submit Biomonitoring DMR by April 20 if applicable	- Do quarterly visual monitoring[c] before June 30 - Check rain gauge weekly or daily during storm events[d]	Colorimeter for chlorine tests. For analyses, analyze standard tests on a 10% basis daily. (10% basis means that for every 10 samples you would do one standard.) You may analyze duplicates in lieu of standards. (30 TAC § 319.11 Table 3)
May	- Complete sampling by May 31 - Submit DMR for April by May 20	- Conduct periodic or annual inspection as required in your SWP3 by June 30	**INSPECT AND TEST:**
June	- Complete sampling by June 30 - Submit DMR for May by June 20		The approved backflow prevention device on the potable water supply to the WWTP annually.
July	- Complete sampling by July 31 - Submit DMR for June by July 20 - Submit Biomonitoring DMR by July 20 if applicable	- Do quarterly visual monitoring[c] before Sept. 30 - Check rain gauge weekly or daily during storm events[d]	**FILE:** Laboratory analytical information to support reported quality and bacteriological results for 3 years.
August	- Complete sampling by Aug 31 - Submit DMR for July by Aug 20	- Conduct periodic or annual inspection as required in your SWP3 by Sept. 30	Laboratories shall maintain and document quality control analyses. (30 TAC §319.11(c))
September	- Complete sampling by Sept. 30 - Submit DMR for August by Sept 20 - Submit annual Sludge report by Sept. 1, including addendums		Sludge reports for disposal records for the previous 5 years.
October	- Complete sampling by Oct. 31 - Submit DMR for September by Oct. 20 - Submit Biomonitoring DMR by Oct. 20 if applicable	- Do quarterly visual monitoring[c] before Dec. 31 - Check rain gauge weekly or daily during storm events[d]	DMRs for at least 3 years.
November	- Complete sampling by Nov. 31 - Submit DMR for October by Nov. 20	- Collect annual metal numeric effluent limitation sample by Dec. 31 - Conduct periodic or annual inspection as required in your SWP3 by Dec. 31	**Mailing Addresses:** TCEQ Enforcement Division, MC 224 m, Water Quality Division MC 148| P.O. Box 13087 Austin, TX 78711-3087
December	- Complete sampling by Dec. 31 - Submit DMR for November by Dec. 20		

Collect benchmark monitoring sample for first half by June 30

Collect benchmark monitoring sample for second half by Dec. 31

When to notify TCEQ or take action:

- **If 75% of the permitted daily/annual average flow occurs for three consecutive months – initiate engineering and financial planning for expansion and/or upgrading or obtain a waiver** (30 TAC § 305.126(a)).

- **If 90% of the permitted daily/annual average flow occurs for three consecutive months – obtain authorization** from the TCEQ to commence construction of the necessary additions. You may also seek a variance at this time if necessary. (30 TAC § 305.126(a))

- **At least 180 days prior to your wastewater permit expiration date, you must submit a renewal application** to the TCEO for coverage to be administratively extended while the renewal is processed (30 TAC § 305.63)

- If you have any noncompliance which may be an endangerment, **NOTIFY** the TCEQ Regional Office **orally or by fax within 24 hours and send a written report within 5 working days** to both your TCEU Regional Office and the Enforcement Division (see mailing addresses below). Violations that must be reported under this requirement **include discharge from an unauthorized location, sanitary sewer overflows, an unanticipated bypass at your plant that exceeds any effluent limitation in the permit, and a violation of a daily maximum permit limit for a toxic or organic parameter.** TCEQ Form 0501 is available if you need a guide, but is not required (30 TAC 305.125(9)).

- If you deviate 40% or more from any permitted effluent limitation (see mailing addresses below) in writing to the TCEQ Regional Office and the Enforcement Division (see mailing addresses below) within 5 working days of becoming aware of the noncompliance.

- Report any corrections, missing data, or omissions promptly to the Enforcement Division, see mailing address below).

- If signatory authority for DMRs or other reports is delegated to someone other than the principal executive officer, notify TCEO in writing or through the e-DMR system.

- Pretreatment: If you find any **new industrial users** or a change in the quality or quantity of industrial pollutants, or if there is a new introduction of pollutants into the plant from an indirect discharger subject to pretreatment rules, notify the Water Quality Division (see mailing address below).

- Facilities with an approved pretreatment program should check their permit requirements.

- Make sure to check the Other Requirements Section of your TPDES wastewater permit and submit any required reports, notification, or other information as required.

- **Before any change to treatment, equipment, or disposal of effluent or sludge, contact with the Water Quality Division and/or the TCEQ Regional Office (see mailing addresses below) as it may require a permit amendment.**

Texas Commission on Environmental Quality

See list of TCEQ Regional Office mailing addresses at <www.tceq.state.tx.us/about/directory/region/reglist.html>.

Take Care of Texas
www.takecareoftexas.org

RG-481 (11/07)

[a] You must have storm water coverage if your design flow is greater than 1 million gallons per day (MGD) or have an approved pretreatment program.

[b] A representative storm event as defined in Part III, Section C 1 of TPDES General permit TXR050000.

[c] Rain gauge monitoring and record keeping may be suspended temporarily during the monitoring period if a representative storm event has occurred and the required sampling and analyses have been conducted.

City of Hackberry Waste Water Treatment Plant Operator's Duties

- Properly operate and maintain the facility and systems of the treatment and control (and related appurtenances) that are installed or used by the permittee to achieve and maintain compliance with the conditions of the permit.

- This includes the operation of backup or auxiliary facilities or similar systems to achieve compliance with conditions of the permit.

- If for any reason the operator cannot comply with, or will be unable to comply with any condition or limitation in the permit, he shall immediately notify the owner, in writing of the following:

    a) A description of and cause of the non-compliance.
    b) Period of non-compliance, including exact dates and times or if not corrected, the anticipated time of non-compliance is expected to continue, and steps being taken to eliminate.

- A certified operator is responsible for performing treatment plant operation and maintenance duties in a responsible and professional manner consistent with standard operating practices in order to meet state standards and rules, and to protect public health and the environment.

    The duties shall include, but not be limited to the following:
    1. Perform responsible, efficient and effective on-site management and supervision over plant personnel within the operator's responsibility.
    2. Submit complete, accurate and timely plant monthly operating reports to the permittee after each month of operation.
    3. Report to the permittee and the Texas Department of Environmental Quality or the local approved regulatory agency by wire or telephone any serious plant breakdown or condition causing or likely to cause serious, inefficient or unsafe treatment plant operation, or discharge of water or wastewater in a manner not authorized by the permit, as soon as possible, but no later than within 24 hours following this occurrence or condition.
    4. Submit accurate reports to permittees relative to treatment plant operation, sampling and laboratory analysis.
    5. Perform preventative maintenance and either repair or request that the responsible authority repair equipment as needed to keep the treatment plant operating as permitted.

- Maintain an operation and maintenance log for each plant, in a location accessible to 24 hour inspection and protected from weather and current to the last operation and maintenance performed. This log may be required to be submitted to TCEQ and the approved local program on a periodic basis. The log, at a minimum, shall include: identification of the plant; the signature and certification number of the operator; date and time in and out; specific operation and maintenance performed; tests performed and samples taken and major repairs made.

- The log book shall be maintained as a record of the operation and maintenance activities as well as attendance and shall be submitted to the TCEQ (Texas Commission of Environmental Quality) upon request.

- The operator shall retain the records at the plant of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by the permit, and records of all data used to complete the application for the permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by the rule.

- Records of monitoring information shall include:

a) The date, exact place, and time of sampling or measurement;
b) The person responsible for performing the sampling or measurements;
c) The date(s) analyses were performed;
d) The person responsible for performing the analyses;
e) The analytical techniques or methods used; and
f) The results of such analyses.

- The operator shall complete and submit on a monthly basis, the monthly operation report so as to be received by the Texas Commission of Environmental Quality (TCEQ) by the 20th day of the month following the month of operation. Reports shall be submitted on a monthly basis to the Texas Department of Environmental Protection.

- An Operation and Maintenance Manual for this facility should be available at the plant for use by the operation and maintenance personnel and for inspection by the (TCEQ).

- This plant is a Class C, extended aeration treatment plant that requires the services of a certified operator (Class C or higher) for five days/week and flow and chlorine readings on the weekend visits. Additionally, the owner or representative shall perform five (5) days per week maintenance and testing to ensure the proper operation of the facility and fulfill monitoring requirements. (Permit - Specific Conditions)

- A copy of the TCEQ Operating Permit shall be kept at the plant site at all times.

ANNUAL SLUDGE REPORT (ASR)

Standard Operating Procedure

1. The Hackberry (ASR) must be received by TCEQ no later than the Aug25[th] of each year. Here is a list of things for the Operator to due to get this accomplished.

   a) The RAB Wastewater Operator shall submit his/her Electronic ASR on or before the Aug 25th of each year. Then the person submitting the ASR shall make a copy of the ASR and take it up to the Hackberry City Hall on or before the Aug 25th of each year. That way they can acknowledge that it was submitted, and then file it.

   b) The Operator shall email or fax a copy of the ASR to US Water on or before the Aug25th of each year. Fax to Aaron Voss 1(712)224-2172.

   c) The Operator will then email the Hackberry City Manager that the ASR has been mailed off. This will alleviate any reports being late.

2. Address to TCEQ for mailing off ASR

   a) TCEQ (MC224)
   Enforcement Division
   P.O. Box 13087
   Austin TX, 78711-3087

Discharge Monthly Report (DMR)

Standard Operating Procedure

1. The City of Hackberry DMR must be received by TCEQ no later than the 20th of each month. Here is a list of things for the Operator to due to get this accomplished.

   a) The Hackberry Wastewater Operator shall submit his/her Electronic DMR on or before the 10th of each month. Then the person submitting the DMR shall make a copy of the DMR and take it up to the Hackberry City Hall on or before the 10th of each month. That way they can acknowledge that it was submitted, and then file it.

   b) The Operator shall email or fax a copy of the DMR to US Water on or before the 10th of each month. Fax to Aaron Voss 1(712)224-2172.

   c) The Operator will then email the Hackberry City Manager that the DMR has been mailed off. This will alleviate any reports being late.

2. Address to TCEQ for mailing off DMR

   a) TCEQ/WQCMT (MC224)
   Enforcement Division
   P.O. Box 13087
   Austin TX, 78711-3087

TCEQ NetDMR
Reporting Requirement
Guide

06/19/2009

Table of Contents

Introduction

Overview of NetDMR System

NetDMR is a Web-based tool that allows TPDES permittees to electronically sign and submit their discharge monitoring reports (DMRs) to EPA's Integrated Compliance Information System (ICIS-NPDES) via the Central Data Exchange (CDX) node on the Environmental Information Exchange Network. NetDMR is designed to reduce the burden on EPA, states, and the regulated community; improve data quality; provide a cost savings; and expand the ability of both states and EPA in targeting their limited resources to meet environmental goals. An essential component of NetDMR is the exchange of data with ICIS-NPDES allowing permittees to complete a DMR that is specific to their permit limits and outfalls.

Reasons and Benefits of Using the NetDMR System

- Saves facilities compliance costs with a streamlined reporting method and readily available computer tools

- Improves accuracy of compliance data by eliminating potential errors that might otherwise be introduced through manual data entry processes

- Places the facility in control of reporting on time

- Incorporates legal and security encryption measures to ensure the identity of the sender and the integrity of the information

- Allows facility personnel to easily obtain up-to-date reporting requirements

- Provides immediate feedback of compliance status for proper actions

- Serves as a secure electronic communication channel

Common NetDMR Terms

Acronym/Term	Definition
CDX	Central Data Exchange (epa.gov/cdx)
COR	Copy of Record, a legally enforceable copy of a DMR submission.
CROMERR	Cross-Media Electronic Reporting Regulation (epa.gov/cromerr)
DMR	Discharge Monitoring Report, generated by permittees regulated under the National Pollutant Discharge Elimination System and containing information pertaining to the self-monitoring of discharges into waters regulated under the Clean Water Act.

Acronym/Term	Definition
ECOS	Environmental Council of States (ecos.org)
eDMR	Electronic Discharge Monitoring Report
EPA	U.S. Environmental Protection Agency
ICIS-NPDES	Integrated Compliance Information System–National Pollutant Discharge Elimination System, a Web-based system that enables individuals from states and EPA to access integrated enforcement and compliance and NPDES data from any desktop connected to the Internet (epa.gov/compliance/data/systems/modernization).
IIS	Internet Information Server, a set of Internet-based services for servers created by Microsoft for use with Microsoft Windows.
Installation	The NetDMR application as deployed in a hosting environment. A NetDMR installation may be comprised of multiple instances. This guidance document pertains to the Texas NetDMR installation.
Instance	A customized version of NetDMR, specific to a Regulatory Authority, such as a state regulating agency or EPA Region. A NetDMR instance is contained within a NetDMR installation.
IPT	Integrated Project Team, a group of individuals comprised of state and EPA staff, support contractors, and technology vendors organized to design and implement a specific data exchange.
J2EE	Java 2 Platform, Enterprise Edition
NAAS	Network Authentication and Authorization Services
NEIEN	National Environmental Information Exchange Network, an Internet-based system used to securely exchange environmental and health data among EPA, states, tribes and territories, and other partners (www.exhangenetwork.net).
NPDES	National Pollutant Discharge Elimination System (epa.gov/npdes)
OECA	U.S. EPA's Office of Enforcement and Compliance Assurance
OEI	(epa.gov/compliance)
PCS	Permit Compliance System, has been undergoing a modernization effort to address outdated technology and new program requirements and is being replaced by ICIS-NPDES.
Regulatory Authority/ Regulating Agency	A governing body that issues NPDES permits such as States, EPA Regions, or tribes.
TRC	Technical Review Committee, established by EPA to review applications submitted under CROMERR.
URL	Uniform Resource Locator
XML	Extensible Markup Language

Who Can Participate

In order to participate in NetDMR the state in which your facility resides must either host its own version of NetDMR or participate within the national NetDMR installation. NPDES permittees required to submit Discharge Monitoring Reports (DMRs) may use NetDMR after requesting and receiving permission from their permitting authority. Additionally to participate in NetDMR your facility must be currently under the TCEQ compliance and enforcement authority.

For other sites that do not fall under this criteria, please refer to the following URL to see if other NetDMR states and federal program meet your need: http://epa.gov/netdmr/report/index.html.

Preparations for Electronic Reporting

Minimum System Requirements

NetDMR is a Web-based system and requires a Web browser for a facility to gain access. NetDMR requires the facility to have an internet connection and Microsoft Internet Explorer 6.0 or above with javascript, and session cookies enabled, and pop-up blockers disabled. The internet access speed should be T1 or DSL. NetDMR also requires a Pentium III/IV or an equivalent processor, 128 MB RAM (512 MB recommended), and a monitor with a resolution of at least 800 x 600. In addition, the NetDMR application sends the data to ICIS-NPDES via the Exchange Network so the regulatory authority must use ICIS-NPDES.

Types of User Accounts

The ability to view and modify data within the National Installation of NetDMR is controlled by the organization a user is affiliated with and the roles a user can be assigned to:

User Category	Role	Functions
Permittee or Facility	Signatory	- View and download CORs - Modify, sign and submit DMRs - Delete DMRs - Request a Permit Administrator role - Sign and submit subscriber agreements - Download blank DMRs - Import DMRs
Permittee or Facility	Permit Administrator	- Manage permit administrator, edit, read-only, and view partial DMRs requests to view or modify DMRs and CORs - Manage read only access to partially completed DMRs - Request access to view, modify, sign or submit DMRs for a permit - Download blank DMRs - Import DMRs
Permittee or Facility	Edit	- View CORs - Import and modify DMRs for a permit - Delete DMRs - Request Permit Administrator and Signatory roles - View users - Download blank DMRs - Download CORs

User Category	Role	Functions
Data Provider (Contractor or Lab)	Edit	- View CORs - Import and modify DMRs for a permit - View users - Download blank DMRs - Download CORs
Permittee or Facility	Read Only	- View a permit and its DMRs/CORs - View partially completed DMRs - Delete DMRs - Request Edit, Permit Administrator and Signatory roles - Download blank DMRs
Data Provider (Contractor or Lab)	Read Only	- View a permit and its DMRs/CORs - View partially completed DMRs - Request an Edit role - Download blank DMRs

Options for Preparing and Submitting Data

Option 1: Online Data Entry

A facility may submit data through direct online data entry by utilizing the DMR Data Entry web page.

Option 2: Importing Data

A facility may export DMRs from a spreadsheet or database system into a comma delimited format supported by NetDMR and upload them into NetDMR. Additional information on importing data into NetDMR can be found in Appendix 3.

Search, Edit, and Submit DMRs

As an external user with signatory or edit access to a permit, you can search for DMRs to edit by selecting to either search all DMRs and CORs or selecting DMRs that are ready to submit. You can then choose a DMR to edit. Search and edit functionality are described in the sections below.

Search for DMRs

As an external user with signatory or edit access to a permit, you can search for DMRs by selecting to either search all DMRs and CORs or searching DMRs that are ready to submit.

Search All DMRs & CORs

You can search for DMRs by selecting the *All DMRs & CORs* tab from your *NetDMR Home* page, or by clicking **All DMRs and CORs** under the **Search** menu. You can search using any combination of the criteria below. Leaving a field blank or selecting "All" from a pick list will instruct NetDMR not to search on that criterion. All search fields are optional. After entering your search criteria, click the *Search* button to display the search results.

1. Login to your Signatory or Edit Account

2. Specify Permit ID or Facility search criteria:

You can choose to search for DMRs and CORs for a specific permit ID or facility name, but not both. Click in the circle to the left of Permit ID or Facility to select either option. The option not selected will be disabled. You can change options at any time by clicking to reactivate the option.

- **Permit ID** - After clicking in the circle to the left of Permit ID, select the permit number of interest by clicking in the box the right of Permit ID. After selecting a permit, click the *Update* button next to your selection. NetDMR will retrieve the permitted feature, discharge, and Edited or Submitted by options for that permit. Note that the Permit ID list will only include those permits that you have requested and been granted access to.

  Facility – After clicking in the circle to the left of Facility, select the facility name of interest by clicking in the box to the right of Facility. After selecting a Facility, click the *Update* button next to your selection. NetDMR will retrieve the permitted feature, discharge, and Edited or Submitted by options for that Facility. Note that the Facility list will only include those facilities associated with the permits that you have requested and been granted access to.

3. Specify additional search criteria:

- **Permitted Feature** - Select the permitted feature of interest from the box next to Permitted Feature. After selecting a Permitted Feature, click the *Update* button next to your selection. NetDMR will retrieve the discharge and Edited or Submitted by options associated with that permitted feature. Note that the Permitted Feature list will only include those features associated with the permits that you have requested and been granted access to.

- **Discharge** – Select the discharge (name and numbers of available limit sets) of interest from the box next to Discharge. Note that the Discharge list will only include those features associated with the permits that you have requested and been granted access to.

  Monitoring Period End Date Range - Enter the start and end dates for the monitoring period end date range using the *mm/dd/yyyy* format or select the appropriate start and end dates from a calendar by clicking the calendar icon ▒ next to each text box.

  Edited or Submitted by – Click in the box next to Edited or Submitted by to view the names of users who have modified the DMRs for permits that you can access. Click to select a name from the box.

- **Status** – Select a DMR status. You can make multiple selections by holding down the control key on your keyboard while clicking more than one selection from the list. You can select all status options by clicking the *All* button next to the selection box. Available status options include:

  — Ready for Data Entry
  — NetDMR Validation Errors
  — NetDMR Validated
  — Imported
  — Signed & Submitted
  — Submission Errors/Warnings
  — Completed

  COR Confirmation # - Enter the submission confirmation number for the DMR/COR you wish to view.

4. Click *Search* to retrieve the DMRs and CORs that match the criteria you specified on the *DMR/COR Search Results* page.

Search DMRs Ready to Submit

External users with signatory access to a permit can quickly retrieve DMRs ready to be submitted by click the *DMRs Ready to Submit* tab from your *Home* page, or by clicking **DMRs Ready to Submit** from the **Search** menu. You can choose to search for DMRs ready to sign and submit (i.e., in "NetDMR Validated" status) using the search options described below.

- **All DMRs** – Search all DMRs ready to sign and submit by clicking the *Search* button next to *the All DMRs* label. Available DMRs are customized based on user roles and permissions.

- **DMRs for Permit ID** - Search for DMRs ready to sign and submit by permit number. Select the permit number for which you wish to view

validated DMRs from the drop-down list. Once you have selected a specific permit number, click the *Search* button next to the drop down box. Available permit numbers are customized based on user roles and permissions.

DMRs for Facility - Search for DMRs ready to sign and submit by facility name. Select the facility for which you wish to view validated DMRs from the drop-down list. Once you have selected a specific facility, click the *Search* button next to the drop down box. Available facilities are customized based on user roles and permissions.

Last 10 Logins

The dates and times for the last ten logins are displayed. If DMRs were submitted during the last ten sessions, a link to the resultant COR(s) is also provided. Clicking the hot link will allow you to view the COR(s) submitted during a particular session.

DMR/COR Search Results

After entering search criteria and clicking the *Search* button, the DMRs/CORs that match your criteria are displayed on the *DMR/COR Search Results* page. Up to ten DMRs/CORs are displayed by default. If more than 10 DMRs/CORs are returned, you can navigate through the list by:

Clicking a page number link to go to a specific page of results.
Clicking the green forward arrow ⬦ to display the next page of results.
Clicking the green back arrow ⬦ to view the previous page of results.
Clicking the double green forward arrow icon ⬦ to display the last 10 results.
Clicking the double green back arrow icon ⬦ to display the first 10 results.
Clicking the <u>View All</u> link to show all results in the table on the same page.
Clicking the <u>View Partial</u> link to return from the View All display back to viewing 10 results at a time.

You can click any underlined column title to sort the search results in ascending or descending order by the information in that column.

For each DMR or COR that is displayed in the Search Results table, the following options and information are provided:

- **Next Step(s)** – The list of actions that you can perform for a specific DMR or COR. Select the action of interest by clicking in the box on the column and clicking the *Go* button. The possible options are listed below. The options displayed for a specific DMR depend on the type of access you have been granted for that DMR.

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— **Edit DMR** – You can enter or edit DMR data if the status of the DMR is "Ready for Data Entry", "NetDMR Validated", or "NetDMR Validation Errors" and no COR has ever been submitted for this DMR. This option is available to external users with edit, signatory, or data provider access to this permit.

— **Correct DMR** – You can correct data for DMRs that you have successfully signed and submitted if the status is "Completed", "Submission Errors/Warnings", "NetDMR Validated", or "NetDMR Validation Errors". This option is available to external users with edit, signatory, or data provider access to this permit.

— **Sign & Submit DMR** – You can sign and submit DMRs with a status of "NetDMR Validated". When this option is available, a check box is displayed in the Include in Batch Submit column. Checking this box for more than one DMR and clicking *Sign & Submit Checked DMRs* gives you the option to sign multiple DMRs at the same time. This option is available to external users with signatory access to this permit.

— **View CORs** – CORs are available only for DMRs that have been signed and submitted. This option is available to external users that have approved access to the permit and all internal users. After clicking to view COR details, the COR will be displayed in a new window. When you close the COR, you will be returned to the DMR/COR Search Results table with any sorting or paging selections still applied.

— **Download CORs** – You can download the COR file for DMRs that have been signed and submitted. When this option is available, you can check the box displayed in the Include in Batch Download column to include this COR in the group to be downloaded. This option is available to external users that have approved access to the permit and all internal users.

— **Review Last Submissions Errors/Warnings** – The Review Last Submissions Errors/Warnings step is displayed only after the DMR has been submitted AND if errors or warnings were encountered. If the DMR was submitted and no errors or warnings were encountered, this next step will not be displayed. You can view data transfer errors, data validation errors, or warnings generated by ICIS-NPDES for a DMR submittal by selecting this option. This option is available to external users that have edit, signatory, or data provider access to the permit.

Permit ID – The permit number associated with this DMR/COR.

• **Facility** – The facility name associated with this DMR/COR.

• **Permitted Feature** – The permitted feature associated with this DMR/COR.

Discharge # – The limit set designator associated with this DMR/COR.

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• **Discharge Description** – The limit set name associated with this DMR/COR.

Monitoring Period End Date – The monitoring period end date associated with this DMR/COR.

DMR Due Date – The due date for this DMR/COR.

Status – If more than one COR was generated for this DMR (due to corrections), the Status shown is for the most recent DMR.

— **Ready for Data Entry** – No data have been entered for the DMR.
— **NetDMR Validated** – A DMR for which the entered data passes all NetDMR validation checks.
— **NetDMR Validation Errors** – A DMR for which the entered data fails certain NetDMR validation checks.
— **Signed & Submitted** – A DMR that has been signed and submitted and for which a COR has been generated.
— **Submission Errors/Warnings** – A DMR submission with data exchange or ICIS-NPDES validation errors. These errors are only applicable to DMRs that have been signed and submitted.
— **Imported** – Data for the DMR have been imported using NetDMR's import functionality but not yet reviewed.
— **Completed** – A DMR that has been signed, submitted, and accepted by ICIS-NPDES.

COR Received Date – The date the COR was generated by NetDMR. More than one COR date is displayed if the DMR was signed and submitted multiple times due to corrections. Click on the hyperlinked date to view the COR.

Include in Batch Submit – If the DMR is "NetDMR Validated", you can check the box in this column to include it in a batch submittal. You can check all available boxes or clear all available boxes for batch submittal by clicking *Check All* or *Clear All* in the column title.

Include in Batch COR Download – You can download the CORs available for this DMR by checking the box in this column. You can also check all available boxes or clear all available boxes for batch submittal by clicking the appropriate button, *Check All* or *Clear All*, in the column header. Batch COR downloads are limited to the ten (10) most recent CORs.

Edit a DMR

After an external user with Signatory or Edit access to a permit selects a DMR on the *DMR/COR Search Results* page and clicks Go, the *Edit DMR* page is displayed. This page includes the following sections:

- A header section with general information for the permit with which the DMR is associated and space to enter information for the principal executive officer;
- A parameter section that displays limit sets for the DMR and provides space for entering data to meet the reporting requirements;
- An edit check section that displays validation errors NetDMR identified for the DMR data you entered;
  An attachment section, where additional files relevant to the DMR can be added. Note that attached files are included in the COR when you submit your DMR but are not forwarded to ICIS-NPDES;
- A comment section to enter a notes relevant to the DMR submission; and
- A 'Last Saved By" section that displays the name of the user that last saved the DMR, as well as the date and time of the save.

Header Section

The header displays general information for a DMR. Signatory or Edit users can collapse or expand the header section by clicking the *Collapse/Expand Header* button. Expanding the header section will show all the details of the header. Five types of information are presented in the header:

- **Permit**

  — **Permit ID** - The permit number associated with this DMR; you can not edit this information.
  — **Major** – A check in the box next to Major indicates that the DMR is associated with a facility designated as 'major'; you can not edit this information.
  — **Permitted Feature** – The permitted feature number and description for this DMR; you can not edit this information.
  — **Permittee** – The name of the organization that holds the permit with which this DMR is associated; you can not edit this information.
  — **Permittee Address** – The address for the permittee; you can not edit this information.
  — **Discharge** – The DMR limit set designator and limit set description; you can not edit this information.
  — **Facility** – The name of the facility with which the DMR is associated; you can not edit this information.
  — **Facility Location** – The full address of the facility with which the DMR is associated; you can not edit this information.

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- **Report Dates & Status**

— **Monitoring Period** – The monitoring period start and end dates for this DMR; you can not edit this information.
— **DMR Due Date** – The date this DMR is required to be submitted; you can not edit this information.
— **Status** – The DMR's status (e.g. Ready for Data Entry, NetDMR validated, etc.); you can not edit this information.

- **Ready for Data Entry** – No data have been entered for the DMR.
  NetDMR Validated – A DMR for which the entered data passes all NetDMR validation checks.
  NetDMR Validation Errors – A DMR for which the entered data fails certain NetDMR validation checks.
  Signed & Submitted – A DMR that has been signed and submitted and for which a COR has been generated.
  Submission Errors/Warnings – A DMR submission with data exchange or ICIS-NPDES validation errors or warnings. These errors or warnings are only applicable to DMRs that have been signed and submitted.
  Imported – Data for the DMR have been imported using NetDMR's import functionality but not yet reviewed.
  Completed – A DMR that has been signed, submitted, and accepted by ICIS-NPDES.

  Considerations for Form Completion – This section displays the permit comments for this DMR from ICIS-NPDES. You can not edit this information.

- **Principal Executive Officer** .

— **First Name** – Enter the principal executive officer's first name. The only special characters allowed in this field are hyphens (-) and apostrophes (').
— **Last Name** – Enter the principal executive officer's last name. The only special characters allowed in this field are hyphens (-) and apostrophes (').
— **Title** – Enter the principal executive officer's title. The only special characters allowed in this field are hyphens (-) and apostrophes (').
— **Telephone** – Enter the principal executive officer's telephone number in the format XXX-XXX-XXXX.

  No Data Indicator (NODI) – This section displays the form-level no data indicator selection options that can be applied to all required report parameters. Selecting an option from the box in this section will apply the selected item in the list to all of the DMR's parameter NODI fields and all of the DMR's editable quantity NODI fields that correspond to a blank sample measurement. For DMRs with more than one page of parameters,

after selecting a Form NODI and clicking *Apply*, NetDMR will apply the NODI code to all parameters or all pages of the DMR. **Note that if you choose to apply a NODI code to the page, NetDMR will ignore any selections that you make for qualifiers, units, frequency of analysis, and sample type.** A list of possible NODI codes and their descriptions include the following:

Code	Description
1	Wrong Flow
2	Operation Shutdown
4	Discharge to Lagoon/Groundwater
5	Frozen Conditions
7	No Influent
8	Other (See Comments)
9	Conditional Monitoring - Not Required This Period
A	General Permit Exemption
B	Below Detection Limit/No Detection
C	No Discharge
D	Lost Sample/Data Not Available
E	Analysis Not Conducted/No Sample
F	Insufficient Flow for Sampling
G	Sampling Equipment Failure
H	Invalid Test
I	Land Applied
J	Recycled – Water-Closed System
K	Flood Disaster
L	DMR Received But Not Entered
Q	Not Quantifiable
R	Administratively Resolved
S	Fire Conditions
V	Weather Related
W	Dry Lysimeter/Well
X	Parameter/Value Not Reported

Parameter Section

The Parameter Section contains one row for each DMR parameter that external users with Signatory or Edit access to a permit can modify.

- **Parameter**

  - **Code** – Parameter code, you can not edit this information. You can sort the parameters in ascending or descending order by code by clicking on the hyperlinked column title.
  - **Name** – Parameter name, you can not edit this information. You can sort the parameters in ascending or descending order by name by clicking on the hyperlinked column title.

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— **Monitoring Location** – Monitoring location code and name for the parameter, you can not edit this information.

— **Season #** – The season for which the parameter limits are applicable, you can not edit this information.

— **Parameter NODI** – You can select a no data indicator to apply to all entries for the parameter by clicking in the box in the Parameter NODI column, displayed as 'Param. NODI'. Select the NODI code of interest by clicking in the box and clicking on the entry of interest. You can view the NODI codes and a description of each by clicking *List* in the Param. NODI column. **Note that if you choose to apply a NODI code to a parameter, NetDMR will ignore any qualifier, unit, frequency of analysis, and sample type selections that you make for that parameter.**

Quantity or Loading – Select a qualifier and enter the value you would like to report for the parameter. These numerical entries can contain comma separators and decimals. Value fields can contain only numbers.

— **Qualifier 1** – Qualifies the value entered for Value 1 (Sample) and Value 1 (Effluent Trading Sample), if present. The available qualifiers can include:
- Equals (=) (default)
- Less than (<)
  Greater than (>)
  Less than or equal to (<=)
  Greater than or equal to (>=)
  "T" (too numerous to count)
- "E" (estimate)
- Note that the '=' qualifier is the default if no qualifier is selected.

— **Value 1 (Sample)** – Enter the quantity or loading value for the measured sample for this parameter. You can edit this entry if the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:
- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 1 (Permit Requirement)** – Permit limit for the parameter for Quantity or Loading Value 1, including the limit value, qualifier, statistical base, and whether monitoring is optional. You can not edit this information.

— **Value 1 (Effluent Trading Sample)** – Enter the quantity or loading value for the effluent trading sample. You can edit this information only if effluent trading is in effect for this parameter and the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

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- No more than eight characters, including decimal point and +/-
  sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example .1234567

— **Value 1 (Value NODI)** – If applicable, select a NODI value from the drop-down list. You can view a list of NODI value descriptions by clicking the *List* button under the *Value NODI* label for this entry. You can edit this information only if the corresponding permit requirement value is populated.

— **Qualifier 2** – Qualifies the value entered for Value 2 (Sample) and Value 2 (Effluent Trading Sample), if present. The available qualifiers can include:
- Equals (=) (default)
- Less than (<)
  Greater than (>)
  Less than or equal to (<=)
  Greater than or equal to (>=)
  "T" (too numerous to count)
- "E" (estimate)
- Note that the '=' qualifier is the default if no qualifier is selected.

— **Value 2 (Sample)** – Enter the quantity or loading value for the measured sample for this parameter. You can edit this entry only if the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:
- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 2 (Effluent Trading Sample)** – Enter the quantity or loading value for the effluent trading sample. You can edit this information only if effluent trading is in effect for this parameter and the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:
- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 2 (Permit Requirement)** – Permit limit for the parameter for Quantity or Loading Value 2, including the limit value, qualifier,

statistical base, and whether monitoring is optional. You can not edit this information.

— **Value 2 (Value NODI)** – If applicable, select a NODI value from the drop-down list. You can view a list of NODI value descriptions by clicking the *List* button under the *Value NODI* label for this entry. You can edit this information only if the corresponding permit requirement value is populated.

— **Units (Sample)** – Select the appropriate unit of measure from the list for this quantity or loading value. This information is editable only if the corresponding permit requirement unit is populated. The units listed in the permit will be selected by default.

— **Units (Effluent Trading Sample)** - Select the appropriate unit of measure from the drop-down list for this quantity or loading value. This information is editable only if the corresponding permit requirement unit is populated. The units listed in the permit will be selected by default.

— **Units (Permit Requirement)** – Unit of measure code and description specified in the limit set for quantity or loading value. You can not edit this field.

Quality or Concentration – Select a qualifier and enter the value you would like to report for the parameter. These numerical entries can contain comma separators and decimals. Value fields can contain only numbers.

— **Qualifier 1** – Qualifies the value entered for Value 1 (Sample) and Value 1 (Effluent Trading Sample), if present. The available qualifiers can include:

- Equals (=) (default)
- Less than (<)
  Greater than (>)
  Less than or equal to (<=)
  Greater than or equal to (>=)
  "T" (too numerous to count)
- "E" (estimate)
- Note that the '=' qualifier is the default if no qualifier is selected.

— **Value 1 (Sample)** – Enter the quality or concentration value for the measured sample for this parameter. You can edit this entry if the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 1 (Permit Requirement)** – Permit limit for the parameter for Quality or Concentration Value 1, including the limit value, qualifier,

statistical base, and whether monitoring is optional. You can not edit this information.

— **Value 1 (Effluent Trading Sample)** – Enter the quality or concentration value for the effluent trading sample. You can edit this information only if effluent trading is in effect for this parameter and the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 1 (Value NODI)** – If applicable, select a NODI value from the drop-down list. You can view a list of NODI value descriptions by clicking the *List* button under the *Value NODI* label for this entry. You can edit this information only if the corresponding permit requirement value is populated.

— **Qualifier 2** – Qualifies the value entered for Value 2 (Sample) and Value 2 (Effluent Trading Sample), if present. The available qualifiers can include:

- Equals (=) (default)
- Less than (<)
  Greater than (>)
  Less than or equal to (<=)
  Greater than or equal to (>=)
  "T" (too numerous to count)
- "E" (estimate)
- Note that the '=' qualifier is the default if no qualifier is selected.

— **Value 2 (Sample)** – Enter the quality or concentration value for the measured sample for this parameter. You can edit this entry only if the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 2 (Effluent Trading Sample)** – Enter the quality or concentration value for the effluent trading sample. You can edit this information only if effluent trading is in effect for this parameter and the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators

- Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 2 (Permit Requirement)** – Permit limit for the parameter for Quality or Concentration Value 2, including the limit value, qualifier, statistical base, and whether monitoring is optional. You can not edit this information.

— **Value 2 (Value NODI)** – If applicable, select a NODI value from the drop-down list. You can view a list of NODI value descriptions by clicking the *List* button under the *Value NODI* label for this entry. You can edit this information only if the corresponding permit requirement value is populated.

— **Qualifier 3** – Qualifies the value entered for Value 3 (Sample) and Value 3 (Effluent Trading Sample), if present. The available qualifiers can include:

- Equals (=) (default)
- Less than (<)
  Greater than (>)
  Less than or equal to (<=)
  Greater than or equal to (>=)
  "T" (too numerous to count)
- "E" (estimate)
- Note that the '=' qualifier is the default if no qualifier is selected.

— **Value 3 (Sample)** – Enter the quality or concentration value for the measured sample for this parameter. You can edit this entry only if the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
- Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 3 (Effluent Trading Sample)** – Enter the quality or concentration value for the effluent trading sample. You can edit this information only if effluent trading is in effect for this parameter and the corresponding permit requirement value is populated. The format and range requirements for the value are as follows:

- No more than eight characters, including decimal point and +/- sign but excluding comma separators
  Minimum value: -9999999
  Maximum value: 99999999
  Maximum of 7 digits to the right of the decimal point, for example '.1234567'

— **Value 3 (Permit Requirement)** – Permit limit for the parameter for Quality or Concentration Value 3, including the limit value, qualifier, statistical base, and whether monitoring is optional. You can not edit this information.

— **Value 3 (Value NODI)** – If applicable, select a NODI value from the drop-down list. You can view a list of NODI value descriptions by clicking the *List* button under the *Value NODI* label for this entry. You can edit this information only if the corresponding permit requirement value is populated.

— **Units (Sample)** – Select the appropriate unit of measure from the list for this quality or concentration value. This information is editable only if the corresponding permit requirement unit is populated. The units listed in the permit will be selected by default.

— **Units (Effluent Trading Sample)** - Select the appropriate unit of measure from the drop-down list for this quantity or loading value. This information is editable only if the corresponding permit requirement unit is populated. The units listed in the permit will be selected by default.

— **Units (Permit Requirement)** – Unit of measure code and description specified in the limit set for quality or concentration value. You can not edit this field.

Number of Excursions – If appropriate, enter the number of excursions for this parameter. You can only enter whole numbers for this field.

• **Frequency of Analysis**

— **Sample** – Select the frequency of analysis for the sample from the drop-down list. The drop-down list contains all active ICIS-NPDES frequency of analysis codes and descriptions. You can view a list of acceptable ICIS-NPDES frequency of analysis codes and descriptions by clicking the *List* button under the selection box for this field. The frequency of analysis listed in the permit will be selected by default.

— **Permit Requirement** – Frequency of analysis for the permit requirement for this parameter. You can not edit this information.

• **Sample Type**

— **Sample** – Select the appropriate sample type for this parameter by clicking in the box next to sample type and clicking to select an option. The list contains all active ICIS-NPDES sample type codes and descriptions. The sample type listed in the permit will be selected by default.

— **Permit Requirement** – Sample type for the parameter specified in the limit set. It includes the sample type code and description. You can not edit this information.

Edit Check Error Table

The errors summary shows a listing of any hard or soft errors found in the DMR resulting from the entries that you made as an external user with Signatory or Edit access. Both Soft and Hard errors will, when they occur, cause the DMR's status to change to "NetDMR Validation Errors". A DMR with a status of NetDMR Validation Errors can not be signed and submitted. Only DMRs with a status of "NetDMR Validated" can be signed and submitted. To prepare the DMR for signature and submission, you must resolve all hard errors and acknowledge all soft errors. The Edit Check Errors table includes the following:

- **Parameter**
- **Code** – The parameter code associated with the submission errors.
- **Name** – The parameter name associated with the submission errors.
- **Monitoring Location** – The monitoring location code.
- **Field** – The field in the DMR associated with the submission errors.
- **Type** – The type of error, Hard or Soft, that was encountered.
- **Hard Errors** – Hard errors must be resolved by editing the DMR. Possible hard error messages are:
  - A quantity or quality value can not be entered when the Too -Numerous to Count (T) qualifier is selected.
  - A quantity or quality value NODI code can not be entered when the T qualifier is selected.
    If a quantity or quality value is negative, the less than (<) qualifier can not be selected.
    You can not select both a quantity or quality value and a value NODI code.
    Value fields may contain numbers and the special characters "." , "-" and "," only.
    If an effluent trading sample value is entered, a sample value must be entered

- **Soft Errors** – Soft errors can be resolved by editing the DMR or by acknowledging the errors in the errors summary. Possible soft error messages are:
  The selected units do not match the permit requirement units for this parameter. The provided quality or quantity value(s) may be outside the permit limit.
  The provided quantity or quality value is outside the permit limit. This soft error is displayed if any of the following apply:
  - The value entered is outside the permit limit and the units of measure are the same as those listed in the permit. For example, the permit requirement is 2 mg/L and the entered value is 3 mg/L. Note: NetDMR does not perform unit conversions and will not display this soft error if it can only be determined after a conversion is completed.
    The user selects a qualifier opposite of the qualifier specified in the permit. A few examples include:

- The permit requirement is >= 20% and the user enters < 20%.
- The permit requirement is >= 20% and the user enters 19%.
- The permit requirement is < 10 mg/L and the user enters 10 mg/L.
- The permit requirement is < 10 mg/L and the user enters 11 mg/L.

The number of excursions should be greater than zero. This soft error is displayed if all of the following apply: (1) the selected units match the permit units, AND (2) one or more of the entered values are outside the permit limit AND (3) excursions are null or zero. Note: NetDMR does not perform unit conversions and will not display this error if it can only be determined after a conversion is completed.

- **Description** – A short description of the error that was encountered.

- **Acknowledge** – A box that you can check to acknowledge soft errors.

Note that NetDMR does not generate hard or soft errors for the following:

- **If a Form-level NODI is applied, NetDMR ignores any selections that you make for qualifiers, units, frequency of analysis, and sample type If a parameter NODI is applied, NetDMR ignores any selections that you make for qualifiers, units, frequency of analysis, and sample type If you select qualifiers, units, frequency of analysis, or sample type for a parameter but do not provide a value, NetDMR ignores your selections.**

Comments

The comments section provides space for external users with signatory or edit access to a permit to enter additional comments related to your DMR submission. A maximum of 4,000 characters can be entered as a comment.

Attachments

The attachment section lists the following information for all attachments associated with the DMR:

- **File Name** – The name of the attached file, presented as a hyperlink. You can download the file by clicking the file name hyperlink.
- **Type** – The MIME content type of the attached file.
- **Size** – The size of the attached file in megabytes.
- **Remove** – Click the ✖ in this column to delete an attachment from a DMR submission.

Report Last Saved By

The Report Last Saved by section lists the following for the user that last saved DMR edits:

- **User** – The name of the user who last saved the DMR.
- **Name** – The full name of the user who last saved the DMR.
- **E-mail** – The email of the user who last saved the DMR.
- **Date/Time** – The date and time the DMR was last saved.

Page-level Edit Options

Page-level edit options available to you as an external user with Signatory or Edit access include the following:

- **Clear Parameter Fields** – Click **Clear Parameter Fields** to blank out or erase all editable fields in the Parameter Section and restores the defaults listed in the permit for qualifier, frequency of analysis, and sample type.

  Save & Continue – Click **Save & Continue** to save your edits on this page and remain on this page for further edits. Clicking this link also causes NetDMR to recheck the data for hard and soft errors, update the DMR's status, and reload this page for this DMR.

  Save & Exit – Click Save & Exit to save your edits on this page. Clicking this link also causes NetDMR to perform On Save edit checks, update the DMR's status, and returns you to the *DMR/COR Search Results* page. If the DMR has any outstanding "Soft" or "Hard" errors, NetDMR will set the status to "NetDMR Validation Errors". If the DMR does not contain any outstanding "Soft" or "Hard" errors, NetDMR will set the status to "NetDMR Validated".

- **Sign & Submit** – If the DMR's status is "NetDMR Validated," click **Sign & Submit** to sign and submit this DMR.

  Print Friendly View – Click **Print Friendly View** to view the DMR in a print friendly format.

  DMR/COR Search Results – Click **DMR/COR Search Results** to return to the *DMR/COR Search Results* page. You will be returned to the results with any sorting or paging selections still applied. Note that if the DMR you were working on is no longer part of the search results, you will be returned to the previous or next page of results.

Add Attachment

As an external user with signatory or edit access, you can also attach one or more files to a DMR from the Attachments section of the *Edit DMR* page by following these steps:

1. Click *Add Attachment* and the *Add Attachment* page is displayed.
2. Click *Browse* and navigate to the file you would like to attach.
3. Click to highlight the file and click Open. The file size cannot exceed 20 megabytes (MB).
   — NetDMR will not allow upload of the following file types: com, dll, exe, and vbs. If you attempt to upload a file on one of these types, NetDMR will display an error message indicating that the file type is not allowed.
4. Click *Attach File* to attach the file or click *Cancel* to return to the *Edit DMR* page without attaching a file.

Delete a DMR

As an external user with signatory or edit access, you can delete a previously submitted DMR by following these steps:

1. Log into NetDMR with an Edit, Data Provider, or Signatory account.
2. Search for the DMR you would like to delete. You can search for the DMR by accessing the All DMRs & CORs tab (see Page 8), selecting the Permit ID, permitted feature, and discharge for the DMR, and clicking *Search.*
3. On the *DMR/COR Search Results* page, locate the row for the DMR that you would like to delete, select Correct DMR in the Next Step(s) column, and click *Go.*
4. On the *Edit DMR* page, click Clear Parameter Fields. All entered sample values and NODI codes will be deleted and the qualifier, units, sample type, and frequency of analysis fields will be set to the defaults listed in your permit. Alternatively, you can delete each value entry manually and resave to clear reported values.
5. Manually update the Principal Executive Officer information, attachments, and comments if changes are needed.
6. Click *Save & Continue.*
7. If you are a signatory, you can sign the submission to delete the DMR entry as follows:
   — Click Sign & Submit.
   — Review the information on the *Sign and Submit* page to verify that you are signing the DMR you intend to submit.
   — Provide a response to the Security Question.
   — Enter your Password in the text box.
   — Click *Submit* to submit the DMR(s)
   — The *Submission Confirmation* page will indicate whether the DMR has been forwarded for submission.
8. If you do not have signatory access to the DMR, inform the signatory that the DMR is ready for signature and submission.

Import DMRs

As an external user with signatory or edit access, you can enter data for one or more DMRs using the import functionality by uploading a file that conforms to the Import DMR file specifications. The import file can contain data to start data entry of a DMR that you have not yet edited, alter in-process DMRs, and/or correct previously submitted DMRs. NetDMR will populate the DMR using the data contained in the file. NetDMR will validate the import file and flag any errors. You must still use the NetDMR interface to acknowledge soft errors, provide information such as the Principal Executive Officer, and sign a completed DMR.

Import DMR Format

The DMR import file must be in comma separated value format (csv) and be saved with an extension of '.txt', or a '.txt' file that is zipped according the PKWare zip format and saved with an extension of. '.zip' CSV files can be readily created using a program such as Microsoft Excel. The import format will allow you to specify all of the parameter data that you would otherwise enter using the NetDMR Edit DMR functionality. You will still need to use the NetDMR Edit DMR functionality to acknowledge soft errors and enter DMR level information such as the Principal Executive Officer. The following fields are listed in the order in which they must appear for each row in the import file.

Import DMR File Specifications

#	Grouping	Header	Short Description	Full Description	Example	Type	Required
1		permitted_feature_id	Permitted Feature ID	The alphanumeric identifier or name assigned by a permit issuing organization to identify a permitted unit, feature, or process	LVW	alphanumeric string 100 characters or less	y
2	DMR	limit_set_txt	Limit Set Designator	The unique identifier for a particular grouping of limits for a given outfall or discharge point for reporting purposes	A	alphanumeric string 50 characters or less	y
3		mped_txt	Monitoring Period End Date (yyyy-mm-dd)	The Monitoring Period End Date (MPED) for a given DMR.	2008-03-31	Date in YYYY-MM-DD Format	y
4		parameter_cd	Parameter Code	The unique code identifying the parameter within the pollutant	TRB6J	string 5 characters or less	y
5	Parameter	monitor_location_cd	Monitoring Location Code	The code that the monitoring location at which the monitoring requirement (and effluent limit if limited) applies.	RW	string 3 characters or less	y
6		season_num	Season Number	Unique number between 0 and 12 inclusive that identifies a particular seasonal limit for the same parameter within a single limit start and end date.	1	Integer between 1 and 12 inclusive	y
7		quant_1_nodi_cd	Quantity 1 Nodi Code	The unique code for no discharge indicator values of DMR	W	string 3 characters or less	
8		quant_1_qualifier_txt	Quantity 1 Qualifier Text	The qualifier of the numeric condition. It specifies whether the condition is greater than, less than, and/or equal to the NumericConditionValue. This field may also indicate if the value is estimated (E) or too numerous to count (T) when applicable.	=	one of: =,<=,=>,<,>,T,E	
9	Quant 1	quant_1_sample_num	Quantity 1 Sample Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
10		quant_1_effluent_num	Quantity 1 Effluent Value	Value	3.75	Number, , not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	

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#	Grouping	Header	Short Description	Import DMR File Specifications — Full Description	Example	Type	Required
11		quant_2_nodi_cd	Quantity 2 Nodi Code	The unique code for no discharge indicator values of DMR.	W	String 3 characters or less	
12		quant_2_qualifier_txt	Quantity 2 Qualifier Text	The qualifier of the numeric condition. It specifies whether the condition is greater than, less than, and/or equal to the NumericConditionValue. This field may also indicate if the value is estimated (E) or too numerous to count (T) when applicable.	=	One of: =, <=, =>, <, >, T, E	
13	Quant 2	quant_2_sample_num	Quantity 2 Sample Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
14		quant_2_effluent_num	Quantity 2 Effluent Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
15	Quant UOM	quant_uom_cd	Quantity Unit Of Measure Code	Unit of measure abbreviation	MBTU/hr	String 15 characters or less	
16	Conc 1	conc_1_nodi_cd	Concentration 1 Nodi Code	The unique code for no discharge indicator values of DMR	W	String 3 characters or less	
17		conc_1_qualifier_txt	Concentration 1 Qualifier Text	The qualifier of the numeric condition. It specifies whether the condition is greater than, less than, and/or equal to the NumericConditionValue. This field may also indicate if the value is estimated (E) or too numerous to count (T) when applicable.	=	One of: =, <=, =>, <, >, T, E	
18		conc_1_sample_num	Concentration 1 Sample Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	

#	Grouping	Header	Short Description	Import DMR File Specifications Full Description	Example	Type	Required
19		conc_1_effluent_num	Concentration 1 Effluent Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
20		conc_2_nodi_cd	Concentration 2 Nodi Code	The unique code for no discharge indicator values of DMR	W	String 3 characters or less	
21		conc_2_qualifier_txt	Concentration 2 Qualifier Text	The qualifier of the numeric condition. It specifies whether the condition is greater than, less than, and/or equal to the NumericConditionValue. This field may also indicate if the value is estimated (E) or too numerous to count (T) when applicable.	=	One of: =, <=, =>, <, >, T, E	
22	Conc 2	conc_2_sample_num	Concentration 2 Sample Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
23		conc_2_effluent_num	Concentration 2 Effluent Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
24	Conc 3	conc_3_nodi_cd	Concentration 3 Nodi Code	The unique code for no discharge indicator values of DMR	W	String 3 characters or less	
25		conc_3_qualifier_txt	Concentration 3 Qualifier Text	The qualifier of the numeric condition. It specifies whether the condition is greater than, less than, and/or equal to the NumericConditionValue. This field may also indicate if the value is estimated (E) or too numerous to count (T) when applicable.	=	One of: =, <=, =>, <, >, T, E	

#	Grouping	Header	Short Description	Import DMR File Specifications Full Description	Example	Type	Required
26		conc_3_sample_num	Concentration 3 Sample Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
27		conc_3_effluent_num	Concentration 3 Effluent Value	Value	3.75	Number, not more than 8 characters including decimal point and +/- sign but excluding comma separators. Maximum of 7 digits to the right of the decimal point.	
28	Conc UOM	conc_uom_cd	Concentration Unit Of Measure Code	Unit of measure abbreviation	MBTU/hr	String 15 characters or less	
29		excursions_num	Number of reported excursions	Number of reported excursions	2	Integer 0 or above	
30	Additional	freq_analysis_cd	Frequency of Analysis Code	The code that indicates the frequency with which the permittee must analyze the sampled data. The general format is XX/YY where XX= number of times sampled and YY = period of time sampled	01/8H	String 15 characters or less	y
31		sample_type_cd	Sample Type Code	The code that is the sampling method required by the permit to be used to provide measurement values on the DMR	CT	String 3 characters or less	y

CSV Format Specifications

The comma separated value (CSV) format recognized by NetDMR is based on the CSV specification outlined by the Internet Engineering Task Force (IETF) at http://tools.ietf.org/html/rfc4180.

9.   Any line in the file beginning with the pound sign (#) is treated as a comment and will be ignored by the import.

10.   The data for each parameter is located on a separate line, delimited by a line break (CRLF). For example:

      aaa,bbb,ccc CRLF
      zzz,yyy,xxx CRLF

11.   The last record in the file may or may not have an ending line break. For example:

      aaa,bbb,ccc CRLF
      zzz,yyy,xxx

12.   A header line must appear as the first line of the file with the same format as normal record lines. This header contains names corresponding to the fields in the file and contains the same number of fields as the records in the rest of the file. For example:

      field_name,field_name,field_name CRLF
      aaa,bbb,ccc CRLF
      zzz,yyy,xxx CRLF

13.   Within the header and each record, there can be one or more fields, separated by commas. Each line should contain the same number of fields throughout the file. Spaces are considered part of a field and should not be ignored. The last field in the record must not be followed by a comma. For example:

      aaa,bbb,ccc

14.   Each field may or may not be enclosed in double quotes. If fields are not enclosed with double quotes, then double quotes can not appear inside the fields. If surrounding double quotes are used, the initial double quote must immediately follow the comma delimiter separating the field from the previous field and the final double quote must immediately precede the comma separating the field from the next field. For example:

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"aaa","bbb","ccc" CRLF
zzz,yyy,xxx

"aaa","b,bb","ccc" CRLF
zzz,yyy,xxx

15. If double-quotes are used to enclose fields, then a double-quote appearing inside a field must be escaped by preceding it with another double quote. For example:

"aaa","b""quoted""b","ccc"

16. Fields that do not contain any data can either be surrounded in double quotes or be empty. For example,
"a","b","c" CRLF
a,,c CRLF
a,"",c

Import DMRs

As an external user with signatory or edit access to a permit, you can use the *Import DMRs* page to import a properly formatted DMR data file. The file can contain data for only one permit (although it may cover multiple permitted features, limit sets, and monitoring periods for that permit). You can include in the file both new DMR data and corrections to in-process or previously submitted DMRs. The file can not be larger than twenty (20) megabytes (MB). To import a DMR file, follow these steps:

1. Prepare a properly formatted import file. The file must only contain data for one permit ID as NetDMR can only process DMRs for one permit in each import file.
2. Login to NetDMR with a Signatory or Edit User account.
3. Click **Perform Import** under the **Import DMRs** menu.
4. Click in the box next to Permit ID to select the permit with which the DMR is associated. This box is pre-populated with the list of permits to which you have access. This field is mandatory.
5. Click *Browse* and navigate to folder on your desktop, network, or other location that contains the import file. Click the file name and click Open to select the file to be imported. This field is mandatory.
6. Click in the box next to File Type to select the type of file being imported. Valid file types are "Text" and "Zip" files. This field is mandatory.
7. Click to select a Data Replacement Strategy. The strategy tells NetDMR how to handle the data in the import file. This field is mandatory
   1. **Append Only** – The import can add data to an in-process DMR but can not overwrite the DMR's existing data.

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2. **Append and Overwrite** – The import can both add data to and overwrite existing data in an in-process DMR.

8. Enter a description of the import file. This field is mandatory.

9. Click *Submit Import File* to initiate the import process. After you submit a file, NetDMR adds it to the import queue. You can monitor the status of the import request on the Check *DMR Import Results* page. After the DMR has been processed, NetDMR will notify you by email and make any errors available via the *Check DMR Import Results* page.

You can stop the import process by clicking *Cancel*. NetDMR will return you to the previous page without submitting a DMR file to import.

Import Validation

NetDMR automatically processes and validates each row in the import file. If an error is encountered in a row, no data from the row will be processed. Errors in one row do not affect the processing of previous or subsequent rows. NetDMR performs the following validations:

1. Each import file must contain data for only one permit number. You specify the permit number on the *Import DMRs* page.

2. Each row must be of the exact format specified in Import DMR Format (Section 6.5.1) and DMR Import File Contents (Section 6.5.2).

3. Each row must contain data for the following fields to uniquely identify a parameter row in a DMR:
   a. Permitted Feature ID
   b. Limit Set Designator
   c. Monitoring Period End Date (yyyy-mm-dd)
   d. Parameter Code
   e. Monitoring Location Code

4. Each row must relate to a parameter row of a DMR that exists in NetDMR

5. If you provide a NODI code for a row, the associated sample value and effluent values must be blank. For example, if a Concentration 1 NODI Code is provided in a row, data cannot be provided for the Concentration 1 Sample Value or the Concentration 1 Effluent Value for that same record.

6. All included codes for fields such as Parameter Code, Monitoring Location Code. NODI codes (Appendix A), Unit of Measure Codes (Appendix B), Frequency of Analysis Codes (Appendix C), and Sample Type Codes (Appendix D) must match the codes in an applicable reference table in the NetDMR database. NetDMR uses the same codes as ICIS-NPDES.

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7. The Monitoring Period End Date must be specified in the format YYYY-MM-DD.

8. If provided, the Number of Excursions must be an integer >= 0.

9. If provided, the Unit of Measure Code (Appendix B) must be appropriate for the specified parameter. The reference tables retrieved from ICIS-NPDES specify which unit codes are appropriate for each parameter code.

DMR Import Results

The **DMR Import Results** page summarizes the status of your DMR import requests. . As an external user with signatory or edit access to a permit, you can view these results by clicking **Check Results** under the **Import DMRs** menu. The following information is provided:

- **Transaction ID** – A NetDMR-generated identifier for the request.
  Submission Date/Time – The date/time you made the request to import the DMR on the *Import DMRs* page.
  Permit ID – The permit number to which the DMR data are being added.
  Facility– The name of the facility associated with the permit.
  Import File – The name of the import file.
  Data Replacement Strategy – Indicates if the data replacement strategy is "Append Only" or "Append and Overwrite".
  Description – The description you provided for this import on the *Import DMRs* page.
  Status – The status of the DMR Import
  Pending – The import request is waiting in NetDMR's import queue.
  In Process – NetDMR is processing the import request.
  Failed – NetDMR attempted to process the request but encountered fatal errors. No data were imported. Failed import requests are removed from the table after three months.
  Completed With Errors – NetDMR processed the request and encountered non-fatal errors; some data were imported. Completed with errors import requests are removed after all of the DMRs created by this request are signed and submitted or deleted.
  Completed – NetDMR processed the request without errors; all data were imported. Completed import requests are removed from the table after all of the DMRs created by this request are signed and submitted or deleted.
  Log – You can view the import log for each request by clicking the ⊰ icon. The import log contains detailed status and error messages generated during import processing.
  Back – Click the *Back* button to return to the previous page.

Up to ten import requests will be displayed in the table by default. If more than 10 import requests are available, you can navigate through the list by:

- Clicking a page number link to go to a specific page of import requests.
  Clicking the green forward arrow ▷ to display the next page of import requests.
  Clicking the green back arrow ◁ to view the previous page of import requests.
  Clicking the double green forward arrow icon ⊲⊳ to display the last 10 import requests.
  Clicking the double green back arrow icon ⊲⊳ to display the first 10 import requests.
  Clicking the <u>View All</u> link to show all import requests in the table on the same page with the default sort order applied
  Clicking the <u>View Partial</u> link to return from the View All display back to viewing 10 import requests at a time with the default sort order applied.

Click any underlined column title to sort the table rows in ascending or descending order by the information in that column.

DMR Import Log

The *DMR Import Log* page displays status and error messages generated during the processing of a DMR import request. As an external user with signatory or edit access to a permit, you can view the DMR Import Log by clicking the ⸙ log icon in the Log column on the *DMR Import Results* page. The DMR import request information is summarized in the table at the top of the page and the log entries are presented in the table at the bottom of the page.

<u>DMR Import Request Information</u>
- **Transaction ID** – A NetDMR-generated identifier for the request.
- **Submission Date/Time** – The date/time you made the request to import the DMR on the *Import DMRs* page.
  Permit ID – Permit number to which the DMR is being added.
  Facility – Name of the facility associated with the permit.
  Import File – The name of the import file.
  Data Replacement Strategy – Indicates if the data replacement strategy is "Append Only" or "Append and Overwrite".
  Description –The description you provided for this import on the *Import DMRs* page.
  Status – The status of the DMR Import.
  Pending – The import request is waiting in NetDMR's import queue.
  In Process – NetDMR is processing the import request.

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- **Failed** – NetDMR attempted to process the request but encountered fatal errors; no data were imported. Failed import requests are removed after three months.
  Completed With Errors – NetDMR processed the request and encountered non-fatal errors; some data were imported. Completed with errors import requests are removed after all of the DMRs created by this request are signed and submitted or deleted.
  Completed – NetDMR processed the request without errors; all data were successfully imported. Completed import requests are removed after all of the DMRs created by this request are signed and submitted or deleted.

<u>DMR Import Log Entries</u>
- **Date/Time** – The date and time the message was logged.
- **Error Type Code** – A category for each log message, Information or Error

  Error Code – A NetDMR code useful for troubleshooting and technical support; this code is displayed for error messages only. See Appendix E for a complete listing of error codes.
  Description – A plain English description of the status event or error.
- **Back** – Click the *Back* button to return to the previous page.

Up to ten log messages will be displayed by default. If the import generated more than ten log messages, you can navigate through the log messages by:

- Clicking a page number link to go to a specific page of log messages.
  Clicking the green forward arrow ⊳ to display the next page of log messages.
  Clicking the green back arrow ⊲ to view the previous page of log messages.
  Clicking the double green forward arrow icon ⊳⊳ to display the last 10 log messages.
  Clicking the double green back arrow icon ⊲⊲ to display the first 10 log messages.
  Clicking the <u>View All</u> link to show all log messages in the table on the same page with the default sort order applied.
  Clicking the <u>View Partial</u> link to return from the View All display back to viewing 10 log messages at a time with the default sort order applied.

Click any underlined column title to sort the table rows in ascending or descending order by the information in that column.

Sign & Submit DMRs

As an external user with signatory access to a permit, you can use NetDMR to securely sign and submit DMRs. You can only sign and submit DMRs that have a status of 'NetDMR validated' and for which you have acknowledged all soft errors. You must have approved signatory access to a permit to sign and submit associated DMRs. NetDMR provides several options to search for and retrieve DMRs ready to sign and submit, including from your *Home* page, from the *DMR/COR Search Results* page, or from the *Edit DMR* page:

Search for DMRs Ready to Sign & Submit from your Home Page

As a Signatory user, you can search for DMRs Ready to sign and submit from your *Home* page by following these steps:

1. Login to your NetDMR Signatory account.
2. On your *Home* page:
    Click to select 'NetDMR Validated' in the box next to Status on the DMR/COR Search tab

    OR

    Click on the DMRs Ready to Submit Tab

    OR

    Click on the DMRs Ready to Submit under the Search Menu

3. Enter search criteria:
    -   **All DMRs** – Search all DMRs ready to sign and submit by clicking the *Search* button next to the *All DMRs* label. Available DMRs are customized based on user roles and permissions.

        DMRs for Permit ID - Search for DMRs ready to sign and submit by permit number. Select the permit number for which you wish to view validated DMRs from the drop-down list. Once you have selected a specific permit number, click the *Search* button next to the drop down box. Available permit numbers are customized based on user roles and permissions.

        DMRs for Facility- Search for DMRs ready to sign and submit by facility name. Select the facility for which you wish to view validated DMRs from the drop-down list. Once you have selected a specific facility, click the *Search* button next to the drop down box. Available facilities are customized based on user roles and permissions.

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