

NOTICE OF REGULAR CITY COUNCIL MEETING

**CITY OF YANTIS, TEXAS
6:00 P.M., TUESDAY, MAY 27, 2025
YANTIS CITY HALL
103 CITY CIRCLE
YANTIS, TEXAS**

Notice is hereby given that the City Council of the City of Yantis, Texas will hold a REGULAR MEETING at the above-named date, time, and location for the purpose of discussion, consideration, and action on all items listed below.

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. DISCUSS/CONSIDER ACTION:** YVFD Report (Wesley Crist)
- 5. DISCUSS/CONSIDER ACTION:** Water/Sewer/Maintenance Report (David Freeman)
- 6. DISCUSS/CONSIDER ACTION:** Vendor Permit Enforcement
- 7. DISCUSS/CONSIDER ACTION:** Update from Attorney
 - Sub-Division Ordinance
 - Permit Application
- 8. DISCUSS/CONSIDER ACTION:** Consent Items
 - Minutes from Previous Meetings: April 22, 2025
 - Review & Submit for April 2025 Financial Reports
 - Approval of May 2025 Paid & Due Bills

ADJOURN



MAYOR

NOTES TO THE AGENDA:

The Council may vote and/or act upon each of the items listed in this Agenda.

The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.

Persons with disabilities who plan to attend this meeting and who need assistance should contact Tonya Norris at (903) 383-2610 two working days prior to the meeting so that appropriate arrangements can be made.

If during the course of the meeting covered by this notice, the Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by Section 551.071 through 551.076 Texas Government Code will be held by the Council at the date, hour, and place given in this notice or as soon after the commencement of the meeting covered by this notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071 through 551.076 Texas Government Code. Should any final decision, or final vote be required in the opinion of the Council with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

The open meeting covered by this notice upon the reconvening of this public meeting, or

At a subsequent public meeting of the Council upon notice therefore; as the Council shall determine.

*This is to certify that I, **TONYA NORRIS**, posted this Agenda on the glass front door of the Yantis City Hall, 103 City Circle, Yantis, Texas, on the 22nd day of May, 2025, at 9:00 AM.*


City Secretary

**REGULAR CITY COUNCIL MEETING
CITY OF YANTIS, TEXAS
MAY 27, 2025**

MINUTES

On the above date the City Council met in Regular Session with the following members Mayor John D. Norris, III, Mayor Pro-Tem Julie Mattox, Councilman Reed Gammill, Councilman Ken Sharp, and Councilman Gerald Schmidt. Councilman Stephen Judkins was absent. A list of guests is attached to these minutes.

Mayor Trey Norris called the meeting to order at 6:01 p.m.

David Freeman led the City Council and guests in a word of prayer.

Mayor Norris led the Pledge of Allegiance.

TREASURY REPORT:

As of May 1, 2025, the following checkbooks had a balance of:

CITY OF YANTIS	\$ 64,272.26
YANTIS WATER DEPARTMENT	\$ 62,079.31
C.D. BALANCE (CNB)	\$ 228,133.10
SCARBOROUGH PARK	\$ 1,292.72
YANTIS EDC	\$ 20,893.24
LOAN BALANCE	\$(163,982.23)

YANTIS VOLUNTEER FIRE DEPARTMENT REPORT-WESLEY CRIST

Fire Chief Wesley Crist gave verbal comments from his written report. The report is attached to the minutes.

Mayor Pro Tem Julie Mattox left the meeting for a prior engagement and returned to the meeting at 6:21p.m.

WATER & SEWER REPORT

- 2 million gallons pumped.
- 1.8 million gallons sold.
- Water tower sensor was struck by lightning. The issue has been repaired. The chlorine was a little high for a few days after for precaution. Everything is running smoothly now.
- Few repairs on the tractor and excavator this month.
- We have been issued a non-compliance fine from TCEQ as a result of a data review. Non-compliance was due to high sewer discharge numbers.

We have little to no control over these issues during certain seasons. Too much rain, not enough rain, hot, dry, etc.

- Church Street has some major damage around the dumpster area. Repairs will be made when the area dries from the rain.

VENDOR PERMIT ENFORCEMENT

Brief discussion on how to handle getting the word out about the vendor permit requirements and the enforcement of the permit. Mayor Pro-Tem Mattox said she is happy to talk with people and pass out the permits when we see them in town. If someone repeatedly sets up to sell and does not file the permit and pays the fee, we will report to Wood County Sheriff's Office and ask them to make contact with the offending person. No action was taken.

UPDATE FROM ATTORNEY

Attorney Sarah Ross discussed the Sub-Division Ordinance draft. The main area still up for discussion is the Wood County Sub-Division Regulations. Sarah suggested that we review these further because this will affect how we handle the ETJ. We also discussed that we would need a flow charge for the whole permit application process when we finalize this ordinance. No action taken.

CONSENT ITEMS:

- ***Minutes from April 22, 2025, regular meeting***
Councilman Gammill moved to approve the minutes and Councilman Sharp seconded the motion. Motion carried. (4-0)
- ***Review & Submit for Audit April 2025 Financial Reports***
Councilman Sharp moved to approve the financial reports as presented and Councilman Gammill seconded the motion. Motion carried. (4-0)
- ***Approval of May Paid & Due Bills***
Mayor Pro Tem Mattox moved to pay the bills and Councilman Schmidt seconded the motion. Motion carried. (4-0)

ADJOURN

Mayor Pro Tem Mattox moved to adjourn the meeting and Councilman Schmidt seconded the motion. Motion carried. (4-0). Mayor Norris thanked everyone for coming and adjourned the meeting at 6:50 p.m.



MAYOR



CITY SECRETARY

Items for next agenda:

CITY COUNCIL REPORT

May 27, 2025

I. REPORT OF CALLS FOR THE MONTH:

- A. Calls for the month of April 2025 were Medicals-3, Meeting-1, Pub Ed.-1, MVC-3, Easter Egg Hunt-1, Event Standbys-2, School-1, Training-3, Public Relations-1, Funeral Escort -1, Medical w/L. Z-1, MVC w/L.Z.-1, Storm Spotter-1. Total calls 20, total man hours were 222.75.
- B. Used 0 gallons of water for the month of April

II. Training:

- A. We hosted a training this past weekend

III. Vet Clinic:

- A. The Vet Clinic will be this coming Saturday from 14:00 till 17:00.

Submitted by: _____

Nesha L. Chel #1601

Date: _____

May 27, 2025

YANTIS FIRE DEPARTMENT ACTIVITY REPORT

DATE:	INCIDENT:	MEMBERS RESPONDING:	TIME ON CALL:	TOTAL MAN HOURS:
4/1/2025	MEETING	11	2.00	22.00
4/7/2025	MVC	4	1.25	5.00
4/7/2025	PUB ED.	3	1.75	5.25
4/7/2025	MEDICAL	3	1.00	3.00
4/8/2025	TRAINING	9	2.00	18.00
4/12/2025	EASTER EGG HUNT	17	2.25	38.25
4/13/2025	MVC	9	0.50	4.50
4/14/2025	MEDICAL	6	1.00	6.00
4/15/2025	TRAINING	15	2.00	30.00
4/16/2025	FUNERAL ESCORT	1	7.25	7.25
4/16/2025	MEDICAL	2	0.75	1.50
4/18/2025	MEDICAL / L.Z.	8	1.50	12.00
4/18/2025	PUBLIC RELATIONS	11	1.00	11.00
4/19/2025	STORM SPOTTER	6	1.00	6.00
4/19/2025	MVC	12	1.00	12.00
4/20/2025	MVC / L.Z.	11	1.00	11.00
4/26/2025	EVENT STANDBY	1	6.50	6.50
4/26/2025	SCHOOL	1	8.00	8.00
4/27/2025	EVENT STANDBY	1	3.50	3.50
4/30/2025	TRAINING	4	3.00	12.00
TOTAL CALLS:				20
TOTAL MAN HOURS:				222.75
OFFICER'S SIGNATURE: <u>Anthony L. Chiril #1601</u>				

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
FAX 512-463-5569
Filing Fee: None

**OATH OF OFFICE**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, JOHN D. NORRIS, III, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of MAYOR of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

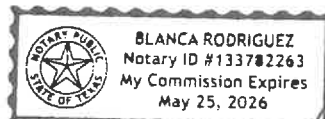
A handwritten signature in black ink, appearing to read "John D. Norris, III".

Signature of Officer

Certification of Person Authorized to Administer Oath

State of TexasCounty of WDDASworn to and subscribed before me on this 22 day of May, 2025.

(Affix Notary Seal,
only if oath
administered by a
notary.)



A handwritten signature in black ink, appearing to read "Blanca Rodriguez".

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

BLANCA REYNA

Printed or Typed Name

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
FAX 512-463-5569
Filing Fee: None

**OATH OF OFFICE**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, REED GAMMILL, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of CITY COUNCIL PERSON of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

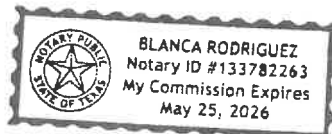
Handwritten signature of Reed Gammill in black ink.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of TexasCounty of WOODSworn to and subscribed before me on this 22 day of May, 20 25

(Affix Notary Seal,
only if oath
administered by a
notary.)

Handwritten signature of Blanca Rodriguez in black ink.

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

BLANCA REYNA

Printed or Typed Name

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, JULIE MATTOX, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of CITY COUNCIL PERSON of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

Julie Mattox
Signature of Officer

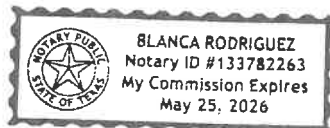
Certification of Person Authorized to Administer Oath

State of Texas

County of Ward

Sworn to and subscribed before me on this 22 day of May, 2025.

(Affix Notary Seal,
only if oath
administered by a
notary.)



Blanca Reyna
Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

BLANCA REYNA

Printed or Typed Name

Form #2201 Rev. 05/2020

Submit to:

SECRETARY OF STATE

Government Filings

Section P O Box 12887

Austin, TX 78711-2887

512-463-6334

512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

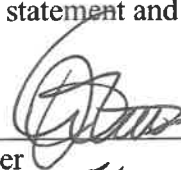
I, JOHN D. NORRIS. III, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: MAYOR

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 5/22/25

Signature of Officer 

Form #2201 Rev. 05/2020

Submit to:

SECRETARY OF STATE

Government Filings

Section P O Box 12887

Austin, TX 78711-2887

512-463-6334

512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

I, REED GAMMILL, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: CITY COUNCIL PERSON

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 5/22/25

Reed Gammill
Signature of Officer

Form #2201 Rev. 05/2020

Submit to:

SECRETARY OF STATE

Government Filings

Section P O Box 12887

Austin, TX 78711-2887

512-463-6334

512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

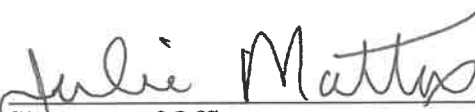
I, JULIE MATTOX, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: CITY COUNCIL PERSON

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 5/22/25


Signature of Officer

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 19, 2025

The Honorable John Dee Norris, III
Mayor of Yantis
P.O. Box 245
Yantis, Texas 75497

Re: Proposed Agreed Order
City of Yantis; RN101918589; TPDES Permit No. WQ0012187001
Docket No. 2024-1860-MWD-E; Enforcement Case No. 67039
FOR SETTLEMENT PURPOSES ONLY

Dear Mayor Norris:

The Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ") is pursuing an enforcement action against City of Yantis for violations of the Texas Water Code and Commission Rules. These violations were discovered during a record review conducted on August 30, 2024, and documented in a letter dated November 8, 2024, from the TCEQ Compliance Monitoring Team.

Please find enclosed a proposed agreed order which we have prepared in an attempt to expedite this enforcement action. The order assesses an administrative penalty of \$16,500. We are proposing a one-time offer to defer \$3,300 of the administrative penalty if you satisfactorily comply with all the ordering provisions within the time frames listed. Therefore, the administrative penalty to be paid is \$13,200. The order also identifies the violations that we are addressing and identifies specific technical requirements necessary to resolve them.

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

If you agree with the order as proposed, please have an authorized representative sign and return the original order **and** the penalty payment (check payable to "TCEQ" and referencing City of Yantis, Docket No. 2024-1860-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

Should you elect to pay the payable penalty electronically, TCEQ invites you to use ePay, the TCEQ's secure online payment system at: <https://www3.tceq.texas.gov/epay/index.cfm>. Please ensure that you have the following details ready when making your payment using ePay:

- **Payable Penalty/Fee Amount:** \$13,200
- **Penalty Type/Fee Category:** WATER QUALITY ACT VIOLATIONS (ADMIN PENALTIES)
 - This information will be needed on the "Select Fee" page on ePay.
- **Program Area ID:** ENF
- **Project Number/Case No.:** 67039
- **Email Us Your Receipt:** To ensure prompt recognition of your payment, please forward your email receipt from ePay to Madison Stringer at madison.stringer@tceq.texas.gov.

For detailed instructions on how to complete your payment using ePay, please use the Enforcement Division ePay Guide for Orders at:
<https://www.tceq.texas.gov/compliance/enforcement/penalty-payment>.

Should you believe you are unable to pay the proposed administrative penalty, you may claim financial inability to pay part or all of the penalty amount. Please contact us immediately to obtain a list of financial disclosure documents that must be submitted within 15 days of the receipt of this letter. These documents, once properly completed and submitted, will be thoroughly reviewed to determine if we agree with the claim of financial inability. Please be aware that if financial inability is proven to the satisfaction of staff, discussions pertaining to the penalty amount adjustment will focus only on deferral and not on waiver of the penalty amount.

You may be able to perform or contribute to a Supplemental Environmental Project ("SEP"), which is a project that benefits the environment, to offset a portion of your penalty. **If you are interested in performing an SEP, you must agree to the penalty amount and submit an SEP proposal within 15 days of receipt of this proposed order.** If you are a local government you may have additional SEP options available to assist you with coming into compliance or remediating the harm caused by the violations. A local government is defined as a school district, county, municipality, junior college district, river authority, water district or other special district or other political subdivision created under the constitution or a statute of this state.

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

Please note that any agreements we reach are subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).

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

For any questions or comments about this matter or to arrange a meeting, please contact Madison Stringer of my staff at (512) 239-1126 or at madison.stringer@tceq.texas.gov.

Sincerely,



Amy Settemeyer, Acting Manager
Enforcement Division
Texas Commission on Environmental Quality

AS/ms

Enclosures: Proposed Agreed Order, Penalty Calculation Worksheet, Site Compliance History,
Return Envelope

cc: Via Email, Tonia Norris, Secretary, City of Yantis

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF YANTIS
RN101918589

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2024-1860-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 Yantis (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately one mile south of the intersection of Farm-to-Market Road 17 and State Highway 154 in Yantis, Wood County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$16,500 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$13,200 of the penalty and \$3,300 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. 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). 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.

6. 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 Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During a record review for the Facility conducted on August 30, 2024, an investigator documented that the Respondent 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. WQ0012187001, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table			
	Biochemical Oxygen Demand (5-day)	Dissolved Oxygen	Total Suspended Solids
Monitoring Period	Daily Avg. Conc. Limit = 30 mg/L	Monthly Min. Conc. Limit = 4.0 mg/L	Daily Avg. Conc. Limit = 90 mg/L
July 2023	c	2.7	c
August 2023	c	3.1	c
December 2023	31.1	c	c
February 2024	39	c	c
March 2024	51.6	c	104
April 2024	38.675	c	c

Avg. = average Min. = minimum Conc. = concentration
c = compliant mg/L = milligrams per liter

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements

set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Yantis, Docket No. 2024-1860-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, within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0012187001, 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 include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Tyler Regional Office
Texas Commission on Environmental Quality
2916 Teague Drive
Tyler, Texas 75701-3734

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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 OAG 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 OAG 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

Name (Printed or typed)
Authorized Representative of
City of Yantis

Title

☐ *If mailing address has changed, please check this box and provide the new address below:*

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



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES Assigned **18-Nov-2024**
PCW **15-May-2025** Screening **19-Nov-2024** EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent **City of Yantis**
Reg. Ent. Ref. No. **RN101918589**
Facility/Site Region **5-Tyler** Major/Minor Source **Minor**

CASE INFORMATION

Enf./Case ID No. **67039** No. of Violations **1**
Docket No. **2024-1860-MWD-E** Order Type **1660**
Media Program(s) **Water Quality** Government/Non-Profit **Yes**
Multi-Media Enf. Coordinator **Madison Stringer**
EC's Team **Enforcement Team 7**
Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$15,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **10.0%** Adjustment Subtotals 2, 3, & 7 **\$1,500**

Notes **Enhancement for two months of self-reported effluent violations.**

Culpability **No** **0.0%** Enhancement Subtotal 4 **\$0**

Notes **The Respondent does not meet the culpability criteria.**

Good Faith Effort to Comply Total Adjustments Subtotal 5 **\$0**

Economic Benefit **0.0%** Enhancement* Subtotal 6 **\$0**

Total EB Amounts **\$2,485**
Estimated Cost of Compliance **\$20,000**
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$16,500**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$16,500**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$16,500**

DEFERRAL **20.0%** Reduction Adjustment **-\$3,300**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY **\$13,200**

Screening Date 19-Nov-2024

Docket No. 2024-1860-MWD-E

PCW

Respondent City of Yantis

Policy Revision 5 (January 28, 2021)

Case ID No. 67039

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101918589

Media Water Quality

Enf. Coordinator Madison Stringer

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 10%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for two months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 10%

Screening Date 19-Nov-2024

Respondent City of Yantis

Case ID No. 67039

Reg. Ent. Reference No. RN101918589

Media Water Quality

Enf. Coordinator Madison Stringer

Violation Number 1

Docket No. 2024-1860-MWD-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0012187001, Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to comply with permitted effluent limitations, as shown in the effluent violation table below.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix
Notes

A simplified model was used to evaluate biochemical oxygen demand to determine whether the discharged amounts of pollutants exceed protective levels. Dissolved oxygen and total suspended solids were also considered. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 4

183 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$15,000

Four quarterly events are recommended for the quarters containing the months of July, August and December 2023, and February, March, April 2024.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$15,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,485

Violation Final Penalty Total \$16,500

This violation Final Assessed Penalty (adjusted for limits) \$16,500

Economic Benefit Worksheet

Respondent City of Yantis
Case ID No. 67039
Reg. Ent. Reference No. RN101918589
Media Water Quality
Violation No. 1

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Costs Saved** **EB Amount**

Item Description

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/Construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	31-Jul-2023	23-Jan-2026	2.48	\$2,485	\$2,485

Notes for DELAYED costs

Estimated cost to determine the cause of noncompliance and to make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, and the Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/Equipment			0.00	\$0	\$0	\$0
Financial Assurance			0.00	\$0	\$0	\$0
ONE-TIME avoided costs			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20,000

TOTAL

\$2,485



Compliance History Report

Compliance History Report for CN600629299, RN101918589, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600629299, City of Yantis **Classification:** SATISFACTORY **Rating:** 1.78

Regulated Entity: RN101918589, CITY OF YANTIS WWTP **Classification:** SATISFACTORY **Rating:** 1.78

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 08 - Sewage Treatment Facilities

Location: approximately one mile south of the intersection of Farm-to-Market Road 17 and State Highway 154, Yantis, Wood County, Texas

TCEQ Region: REGION 05 - TYLER

ID Number(s):
WASTEWATER PERMIT WQ0012187001 **WASTEWATER EPA ID** TX0083003

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: May 15, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 15, 2020 to May 15, 2025

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Madison Stringer **Phone:** (512) 239-1126

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

A. Final Orders, court judgments, and consent decrees: N/A

B. Criminal convictions: N/A

C. Chronic excessive emissions events: N/A

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

Item 1	May 20, 2020	(1661163)	Item 15	August 20, 2021	(1758174)
Item 2	June 17, 2020	(1667692)	Item 16	September 20, 2021	(1767440)
Item 3	June 18, 2020	(1656967)	Item 17	October 13, 2021	(1777891)
Item 4	July 15, 2020	(1674640)	Item 18	November 18, 2021	(1784690)
Item 5	September 17, 2020	(1687989)	Item 19	December 15, 2021	(1791720)
Item 6	October 15, 2020	(1694341)	Item 20	January 19, 2022	(1799559)
Item 7	November 18, 2020	(1715639)	Item 21	February 16, 2022	(1807394)
Item 8	December 22, 2020	(1715640)	Item 22	March 16, 2022	(1814445)
Item 9	January 20, 2021	(1715641)	Item 23	April 19, 2022	(1821014)
Item 10	March 17, 2021	(1728718)	Item 24	June 22, 2022	(1836147)
Item 11	April 20, 2021	(1728719)	Item 25	July 20, 2022	(1843347)
Item 12	May 18, 2021	(1741653)	Item 26	September 21, 2022	(1857280)
Item 13	June 16, 2021	(1741654)	Item 27	October 18, 2022	(1863634)
Item 14	July 19, 2021	(1752761)			

Item 28	November 17, 2022	(1870544)	Item 38	February 20, 2024	(1978185)
Item 29	December 28, 2022	(1876398)	Item 39	June 13, 2024	(2004699)
Item 30	January 12, 2023	(1883212)	Item 40	July 10, 2024	(2012269)
Item 31	February 08, 2023	(1891029)	Item 41	October 21, 2024	(2030986)
Item 32	March 15, 2023	(1899596)	Item 42	November 25, 2024	(2037306)
Item 33	April 12, 2023	(1906399)	Item 43	December 16, 2024	(2043692)
Item 34	June 14, 2023	(1920162)	Item 44	January 21, 2025	(2050256)
Item 35	October 24, 2023	(1947070)	Item 45	February 04, 2025	(2040984)
Item 36	November 16, 2023	(1952758)	Item 46	February 13, 2025	(2057808)
Item 37	December 20, 2023	(1962532)	Item 47	March 18, 2025	(2066374)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- | | | | |
|---|--|-----------------|----------|
| 1 | Date: 07/31/2024 (2017837) | | |
| | Self Report? YES | Classification: | Moderate |
| | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1) | | |
| | Description: Failure to meet the limit for one or more permit parameter | | |
| 2 | Date: 08/31/2024 (2024874) | | |
| | Self Report? YES | Classification: | Moderate |
| | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1) | | |
| | Description: Failure to meet the limit for one or more permit parameter | | |

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

City of Yantis TPDES Permit No. WQ0012187001 Docket No. 2024-1860-MWD-E Case No. 67039			
Effluent Violation Table			
	Biochemical Oxygen Demand (5-day)	Dissolved Oxygen	Total Suspended Solids
Monitoring Period	Daily Avg. Conc. Limit = 30 mg/L	Monthly Min. Conc. Limit = 4.0 mg/L	Daily Avg. Conc. Limit = 90 mg/L
July 2023	c	2.7	c
August 2023	c	3.1	c
December 2023	31.1	c	c
February 2024	39	c	c
March 2024	51.6	c	104
April 2024	38.675	c	c

Avg. = average Min. = minimum Conc. = concentration
c = compliant mg/L = milligrams per liter

