



# TCEQ Enforcement Division

## Trade Fair – June 2025

# OCE Mission

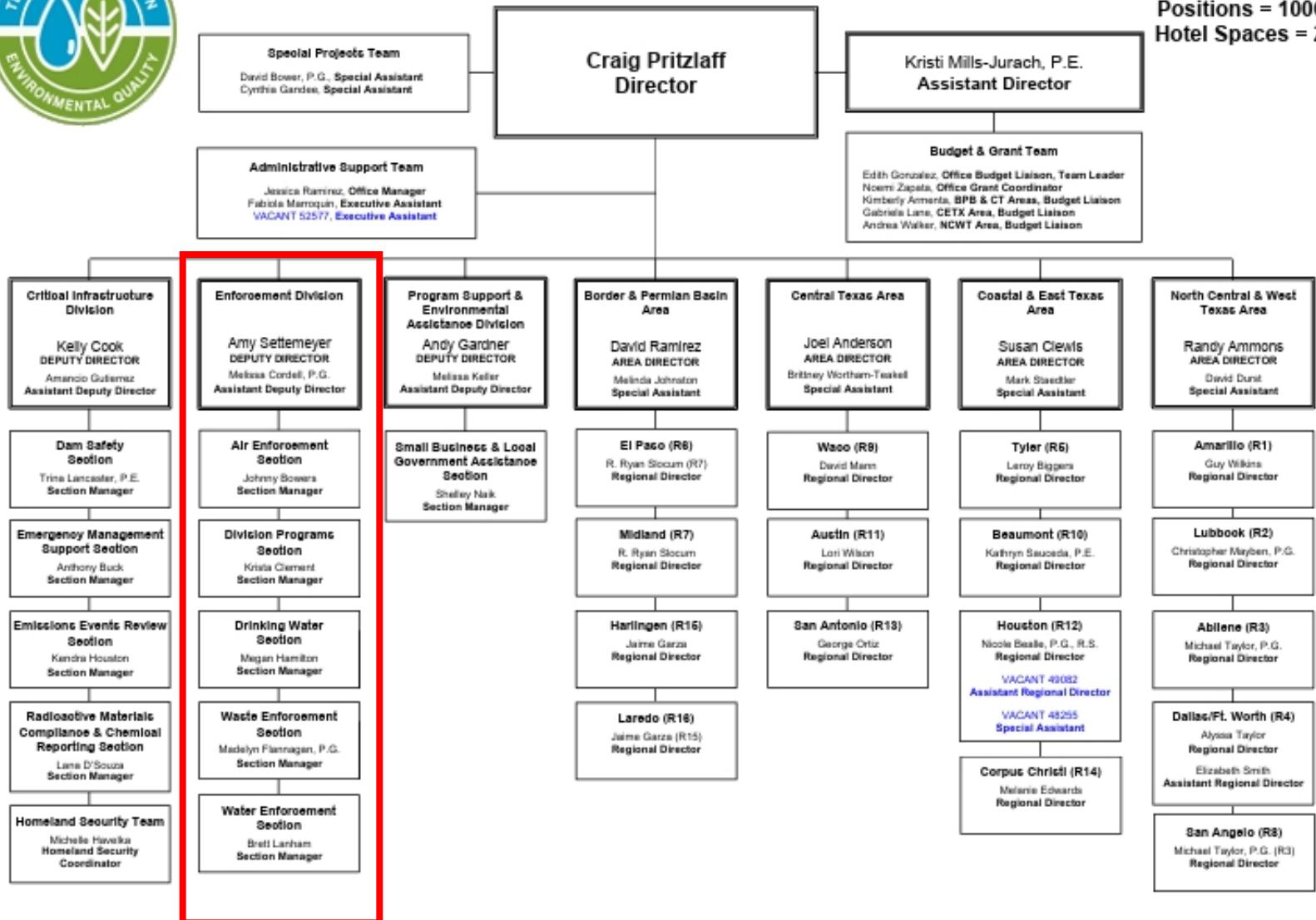
OCE protects human health and the environment by ensuring compliance through purposeful investigations, meaningful outreach, effective enforcement, and immediate response to natural and industrial disasters. We utilize technological advancements to improve compliance monitoring, provide transparent information to the public, and effectively employ agency resources.





## OFFICE OF COMPLIANCE AND ENFORCEMENT

Fiscal Year 2025  
March 1, 2025  
Positions = 1006  
Hotel Spaces = 2



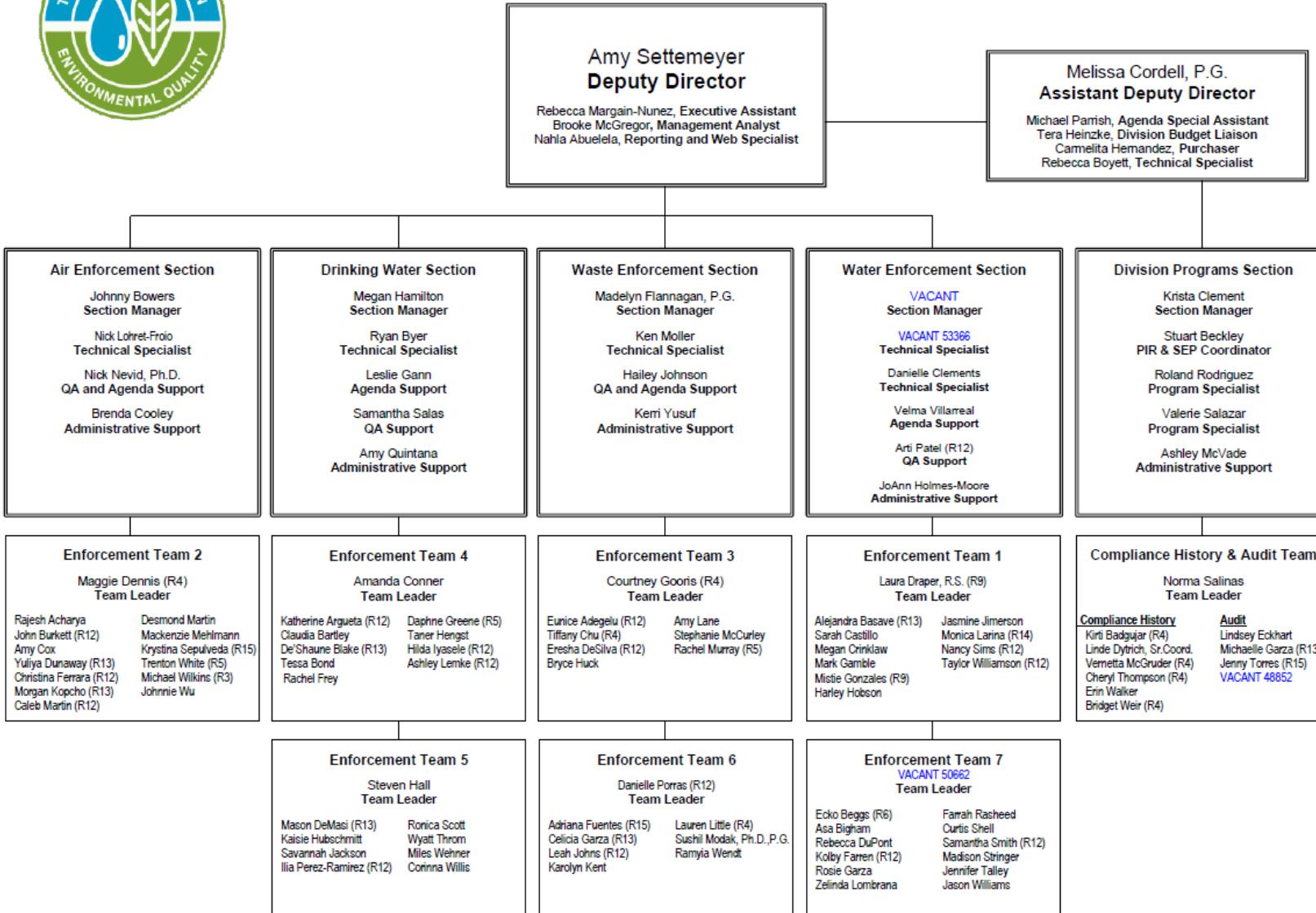
# Enforcement Division – What do we do?

- Develops formal enforcement cases in accordance with state statutes and agency rules.
- Track compliance with effective orders
- Administer the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES)
- Administer third-party Supplemental Projects
- Administer the Compliance History Program
- Prepare and Publish Monthly and Annual Enforcement Reports
- Implement the Texas Environmental, Health, and Safety Audit Privilege Act

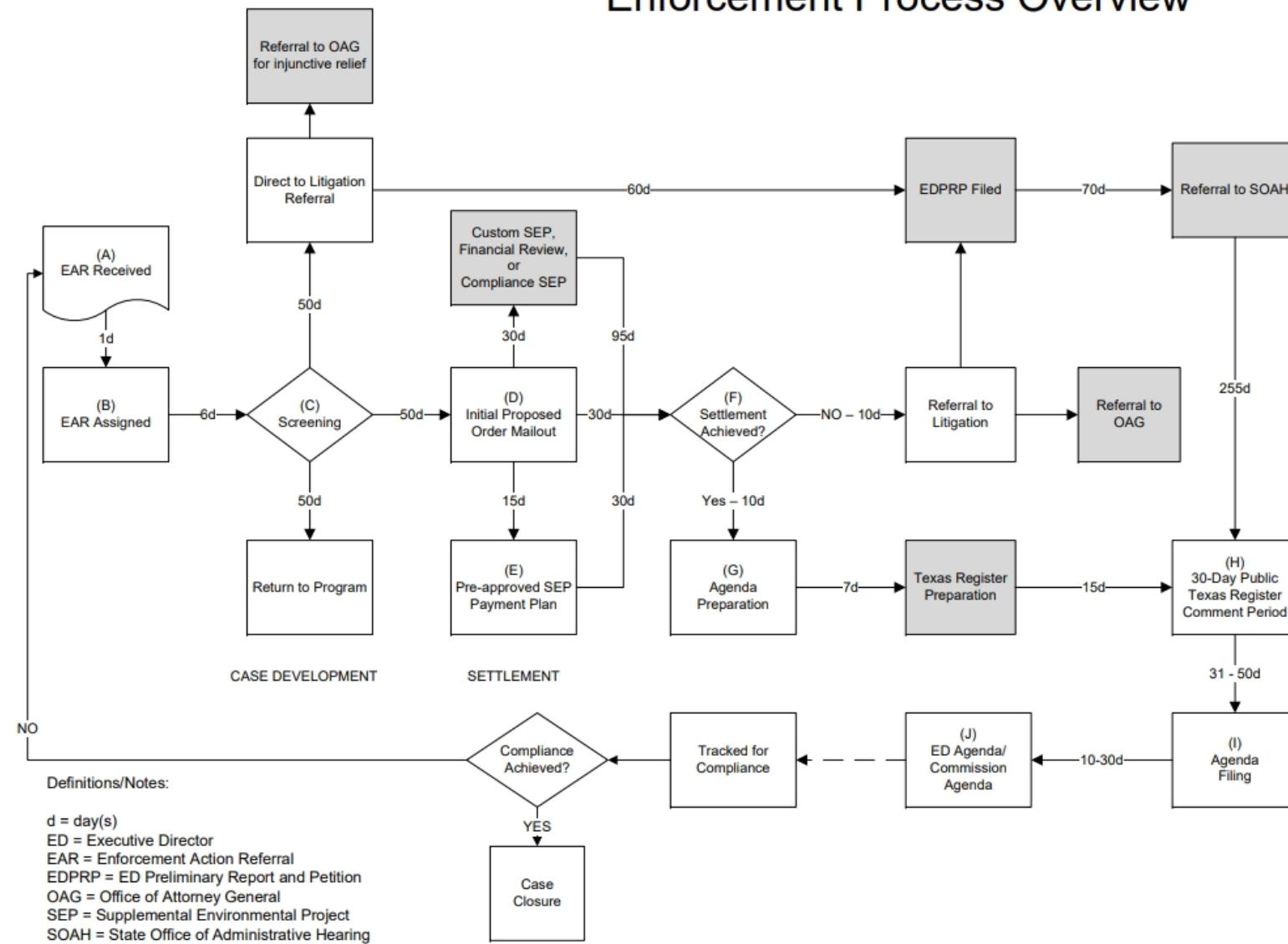


**OFFICE OF COMPLIANCE AND ENFORCEMENT**  
Enforcement Division

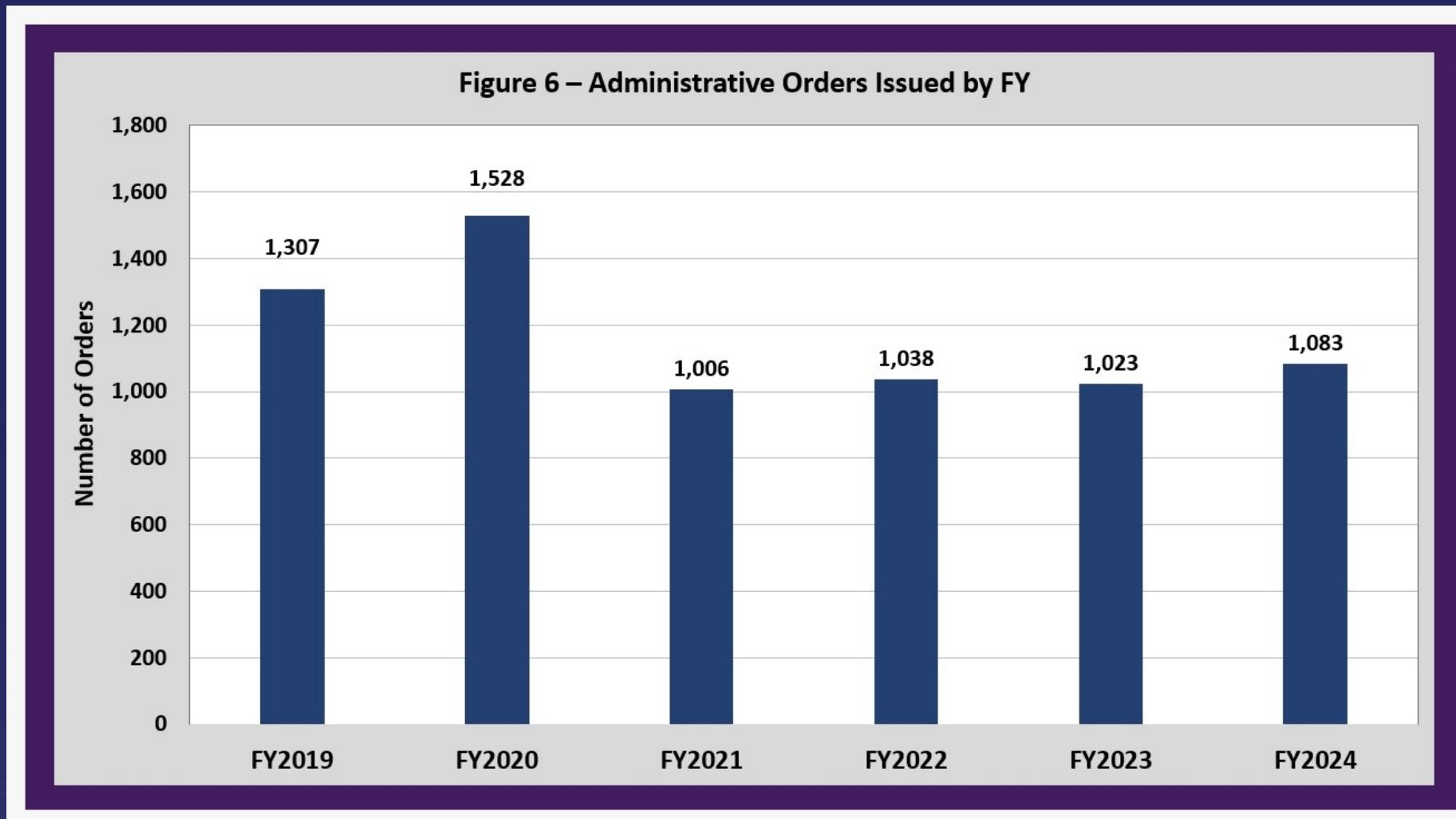
**Fiscal Year 2025  
April 1, 2025  
Positions = 117**



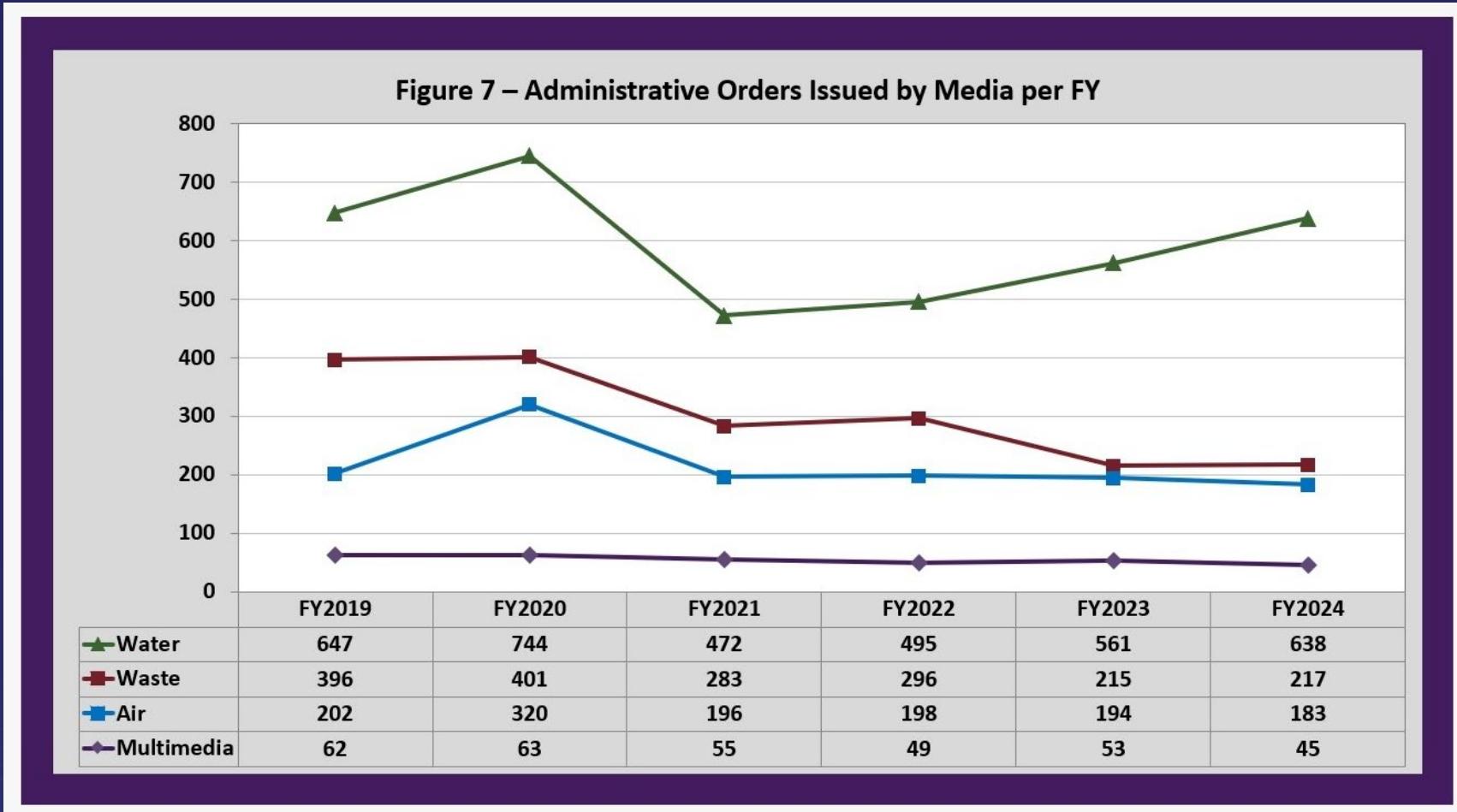
# Enforcement Process Overview



# Administrative Orders Issued by Fiscal Year



# Administrative Orders Issued by Media per Fiscal Year



# Track Compliance with Effective Orders

- Monitors compliance with Commission-issued orders, court orders, and compliance agreements until compliance is achieved or the case is referred for further enforcement action.
- Currently tracking 1,459 cases

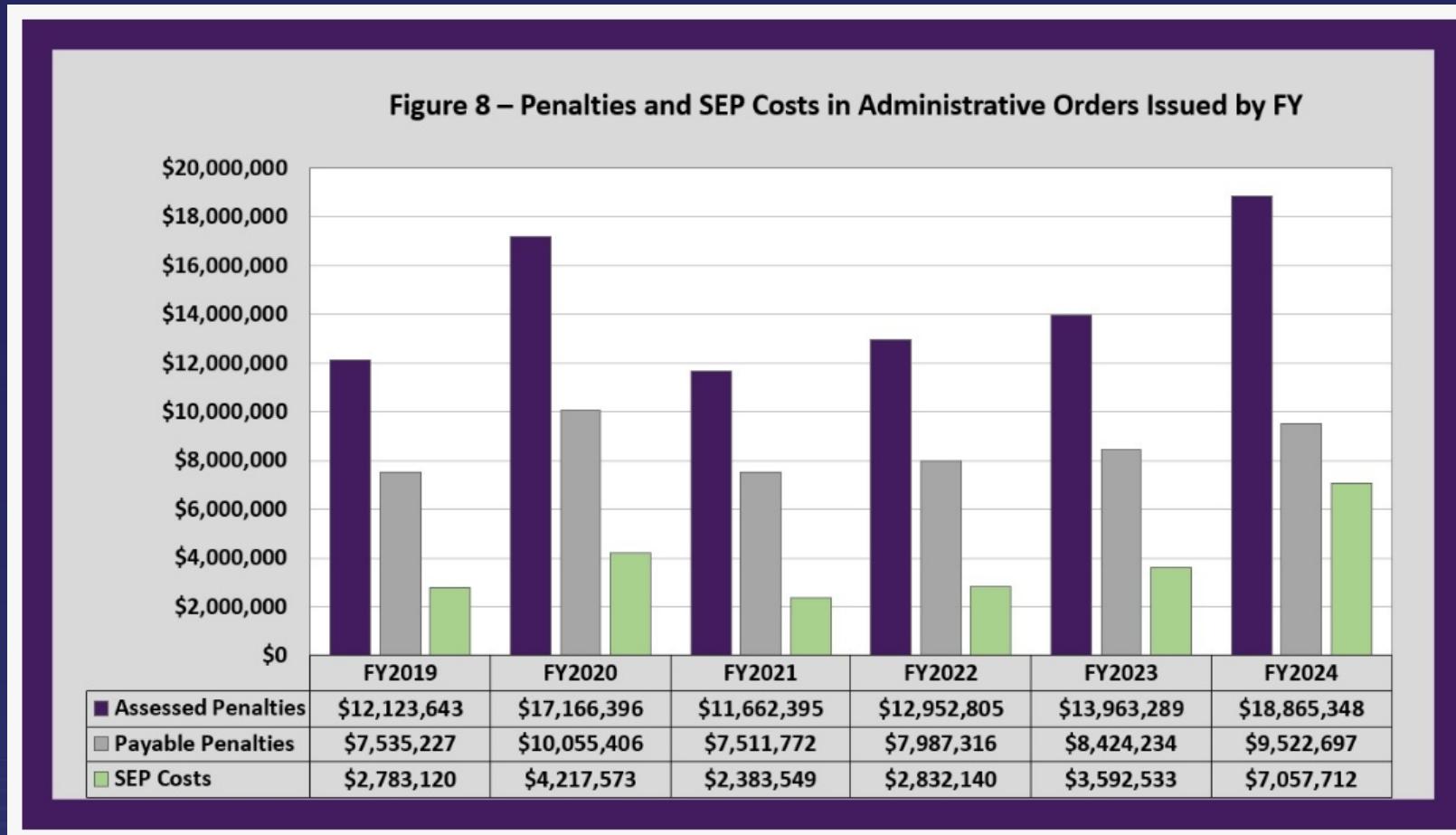
# Administer Compliance Monitoring Program under TPDES

- 708 Major Facilities/ 2,450 Minor Facilities / 9,977 General Permits
- Mails Notices of Violation and Notices of Enforcement for permit violations
- Supports NetDMR Reporting system

# Administer Third-Party Supplemental Environmental Projects

- Projects approved by the commission to benefit local Texas communities.
- Portion of penalty dollars are put to work to benefit the environment in the community affected by violations addressed in a commission order.
- Examples include:
  - Repair on structures or equipment that may be the cause of the violation
  - Erosion control
  - Wetlands and habitat restoration
  - Community household hazardous waste and tire collections
  - And more!

# Penalties and SEP Costs in Administrative Orders Issued by Fiscal Year



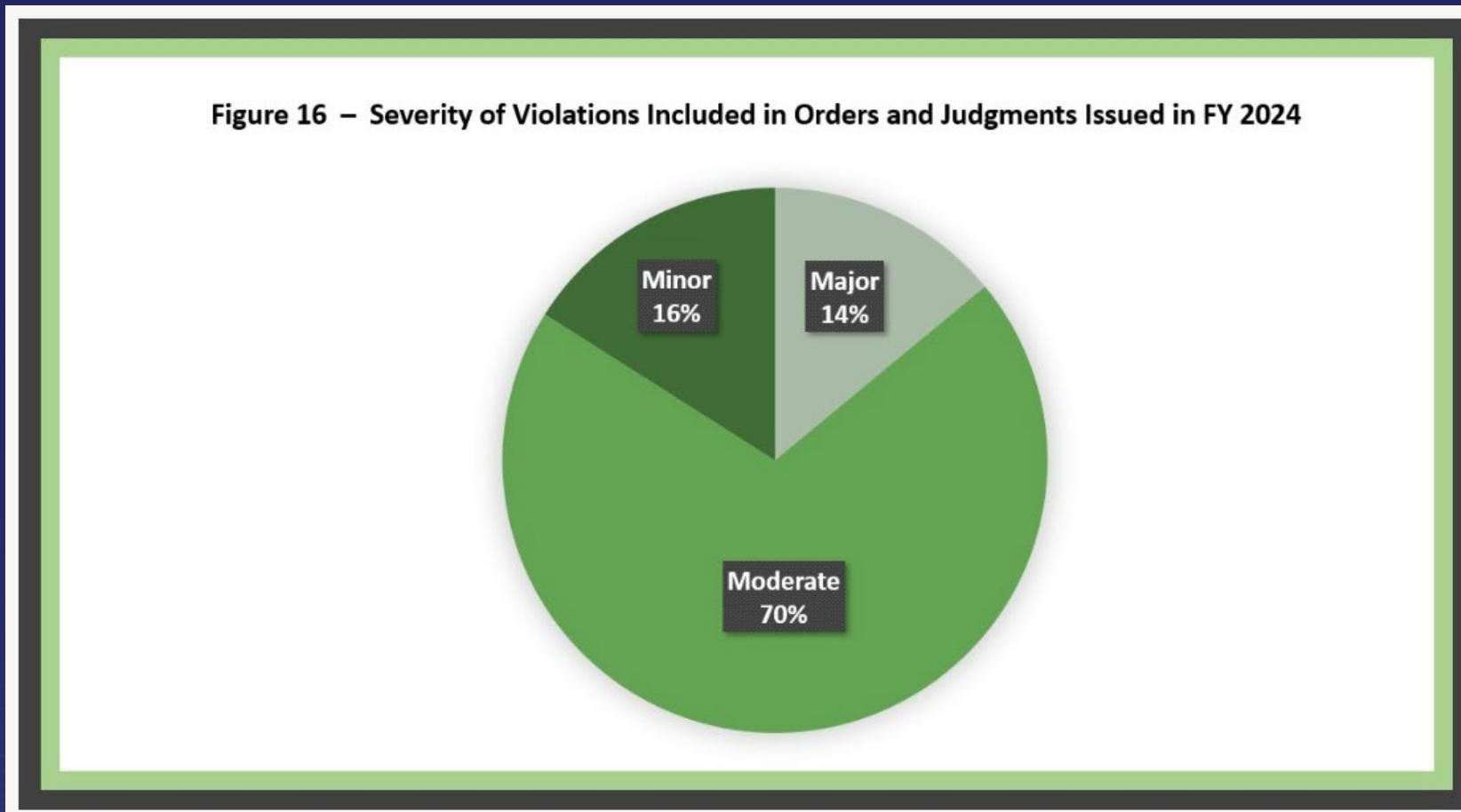
# Administer the Compliance History Program

- Texas Water Code Chapter 5, Subchapter Q
  - Requires the agency to “develop standard for evaluating and using compliance history.”
  - TCEQ tracks and considers the compliance history of businesses and industries.
- 30 Texas Administrative Code Chapter 60
  - Each regulated entity along with owner or operator are classified using a three-tiered rating system.
    - “High” performers – above-average compliance record
    - “Satisfactory” performers – generally complied with environmental regulations
    - “Unsatisfactory” performers – below-average record

# Administer the Compliance History Program Continued

- In 2022, Chapter 60 was amended to include §60.4
  - TCEQ may initially designate a site's compliance history as "under review" and then later reclassify it to "suspended" if exigent circumstances exist due to a significant emergency at the site.
  - Exigent circumstances could include:
    - Major explosions or fires that cause significant community disruption or commitment of emergency response resources by federal or state governmental authorities.
    - Notice will be issued to the site's owner and operator, as readily identifiable through agency records.
    - Designation will expire 90 days after the date of written notice unless a Notice of Decision to Reclassify is issued.

# Severity of Violations Included in Orders Issued in Fiscal Year 2024



# Prepare and Publish Monthly and Annual Reports

- Monthly Enforcement Report
  - Texas Water Code §7.003
  - Includes enforcement actions taken by the Commission or others and the resolution of those actions.
  - An item for Commission discussion at meeting of the Commission for which public notice is given.
  - Includes enforcement actions involving a suit filed for injunctive relief or civil penalties, or both.

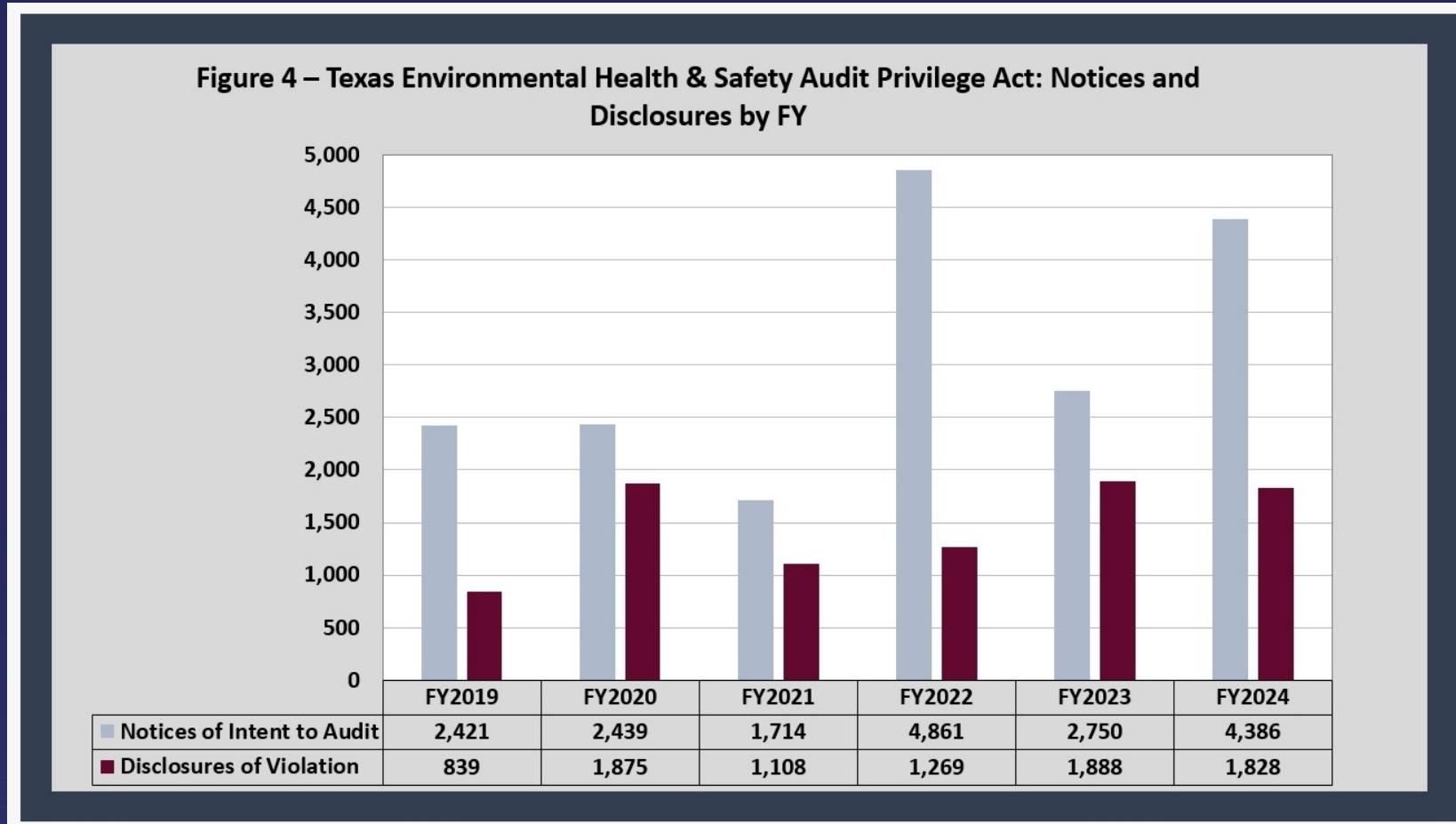
# Prepare and Publish Monthly and Annual Reports Continued

- Annual Enforcement Report
  - Texas Water Code §5.126
  - Prepare an electronic report on its enforcement actions for the preceding fiscal year;
  - Include a comparison with its enforcement actions for each of the preceding five fiscal years; and
  - Provide the report to the Governor, Lieutenant Governor, and Speaker of the House of Representatives.

# Implement the Texas Environmental Health and Safety Audit Privilege Act

- TCEQ's enforcement efforts enhanced by voluntary environmental self-audits conducted
- Organizations who participate in the Audit Act are required to:
  - Notify TCEQ of their intent to self-audit
  - Fully disclose and resolve violations resulting from the audit.
- TCEQ ensures that all violations disclosed under this program are corrected.
- Participants in this program may not be subject to civil and administrative penalties (as long as certain conditions of the Audit Act are complied with).

# Audit Act Notices and Disclosures by Fiscal Year



# Upcoming Items of Interest

- Compliance History Changes as a result of TCEQ's Sunset Review
- Any necessary Legislative implementation

# Questions?

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