



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

October 13, 2022

TRANSMITTAL VIA EMAIL:

Tomas Sanchez
Utility Director
Rio Bravo Drinking Water Plant
Webb County Utilities
515 Martha Drive
Rio Bravo, Texas 78046

tomsanchez@webbcountytx.gov

Re: Expedited Settlement Agreement (ESA) for Risk Management Program
Findings and Proposed Penalty
In the Matter of Rio Bravo Drinking Water Plant
Docket No. **CAA 06-2023-3305**

Dear Mr. Sanchez:

The United States Environmental Protection Agency (EPA) has authority under Section 113 of the Clean Air Act (CAA) to pursue civil penalties for violations of the Section 112(r) Risk Management Program (RMP) regulations found at 40 C.F.R. Part 68. Enclosed is an ESA that addresses the Rio Bravo Drinking Water Plant's failure to submit an updated RMP Plan for the facility located at 515 Martha Drive, Rio Bravo, Texas, in accordance with requirements described in 40 C.F.R. § 68.190 of the enclosed RMP Findings.

The ESA complies with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits 40 C.F.R. Part 22 (2002).

The ESA contains a discounted, non-negotiable penalty amount of **\$400.00**, which is lower than the amount that would be derived from EPA's Combined Enforcement Policy for Section 112(r) of the CAA. You may resolve the cited violation by submitting payment as directed below, certifying the violation has been corrected, and by signing and returning the ESA within 30 days of your receipt of this letter.

EPA, at its discretion, may grant one 30-day extension for cause upon request. If you do not pay the penalty and return the ESA within 30 days of receipt, the ESA will be automatically withdrawn, without prejudice to EPA's ability to file an enforcement action for the cited violation which can result in penalties up to \$51,796 per day per violation.

Upon execution of the document, EPA will take no further civil penalty action against you for the violation cited in the ESA.

You are required in the ESA to certify that you have corrected the violation(s), provided a brief description of complying action(s), and paid the penalty. The payment for the penalty amount must be in the form of a certified check payable to the "Treasurer, United States of America", with the Docket Number of the ESA on the check. The Docket Number is located at the top of the ESA.

Payment of the penalty amount shall be sent via certified mail to:

U. S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P. O. Box 979077
St. Louis, MO 63197-9000

Or by alternate payment method described at <http://www.epa.gov/financial/makepayment>.

Please return the signed ESA with a copy of the payment via electronic mail to: rogers.elizabeth@epa.gov.

When signing the ESA, please indicate, in the appropriate space, the cost of all actions taken to correct the alleged violation.

By terms of the ESA, and upon EPA's receipt of the signed ESA, you waive your opportunity for a hearing pursuant to Section 113 of the CAA.

If you have any questions relating to this ESA, please contact Elizabeth Rogers at (214) 665-6708 or by e-mail at rogers.elizabeth@epa.gov.

Sincerely,

Steve Thompson
Chief
Air Enforcement Branch

Enclosure