



COLLIN COUNTY

Public Works Department
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Date: July 1, 2017
To: Commissioners Court
From: Jon Kleinheksel, Director of Public Works
Re: TCEQ Inspection Notice of Administrative Penalty

In January 2017, TCEQ inspected the Justice Center fuel tank and found violations of the Texas Water Code and/or Commission Rules. Their staff allege that the County "failed to provide release detection for the pressurized piping associated with the UST system".

Prior to this event, Public Works had contracted environmental consultant, W. Two Plus, in 2004 to inspect the Justice Center fuel system. At that time, the consultant certified our site as a suction system that did not require tri-annual testing (see attached). By virtue of this letter, Public Works believed the system was exempt from line leak detector testing.

After receiving notification of a violation from TCEQ in March of this year, Public Works again hired W. Two Plus to analyze the facility. The results were summarized in a letter from Tim Herdman (see attached) in which the system in question is described as a hybrid or non-standard arrangement that possesses properties of both suction and pressurized fuel systems.

The violation order requires Collin County to pay \$3,000.00 as an administrative penalty. County staff is preparing an application for a variance/waiver from leak detection based on the results of the recent inspection conducted by W. Two Plus. They examined the system and consider it safe and reliable without the Line Leak Detector due to the presence of electronic gate valves and the persistent monitoring by our Veeder Root system. In addition, Tim Herdman explained that the installation of a Line Leak Detector would fail the system in the event of power outage because the main fuel line is not always pressurized.

County staff is coordinating with TCEQ officials for assistance with compiling the information necessary for the application. County staff will also submit current interstitial monitoring reports to confirm the integrity of the fuel line and documents demonstrating the County's compliance with state rules and regulations.

TCEQ extended the deadline to comply with this order until July 7, 2017. At that time, an additional \$750.00 will be assessed and the matter will be referred for litigation. Public Works requests Commissioners Court's consideration and approval to pay the \$3,000.00 administrative penalty. Funding is available to address the penalty utilizing the Fuel Account# 001-4409-600-8704. Should you require additional information, please contact me and I will respond accordingly.