

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



**RECEIVED**

**OCT 17 2006**

**PUBLIC WORKS**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

*Protecting Texas by Reducing and Preventing Pollution*

October 12, 2006

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**7004 2510 0003 9114 6852**

The Honorable Charles V. England  
Mayor of Grand Prairie  
P.O. Box 534045  
Grand Prairie, Texas 75053-4045

Re: Sanitary Sewer Overflow (SSO) Initiative  
City of Grand Prairie, Dallas County  
Utilities Registration No. 20019; RN103098554  
Enforcement Case No. 28947

Dear Mayor England:

For your records, enclosed is a final copy of the SSO Agreement. Two revisions have been made to the Agreement since it was signed by Ms. Anna Doll, Deputy City Manager of Grand Prairie on October 3, 2006. Specifically, the Agreement did not contain my signature. We apologize for this oversight. In addition, Tarrant and Ellis Counties were added to the location description in the second paragraph, as indicated by Mr. Ron McCuller, Public Works/Utility Director of Grand Prairie, on October 4, 2006.

If you have any questions, please contact Ms. Lynley Doyen of my staff at (512) 239-1364.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Sinclair".

Bryan Sinclair, Manager  
Enforcement Division

BS/ld

Enclosures: File Copy of Agreement

cc: Manager, Water Section, Dallas/Ft. Worth Regional Office  
Mr. Ron McCuller, Public Works/Utility Director, P.O. Box 534045, Grand Prairie, Texas 75053-4045

# **Texas Commission on Environmental Quality**

## **AGREEMENT**

CITY OF GRAND PRAIRIE  
Enforcement Case No. 28947  
Utilities Registration No. 20019; RN103098554  
Dallas County, Texas

The Texas Commission on Environmental Quality ("Commission" or "TCEQ") is the state agency charged with enforcing TEX. WATER CODE ch. 26 (the "Code") and the regulations promulgated pursuant to the Code.

The City of Grand Prairie (the "City") owns and operates a wastewater collection system located in Dallas, Tarrant, and Ellis Counties, Texas (the "System").

The City has reported 138 unauthorized discharges during the period of November 10, 2003 through April 17, 2005. The majority of these discharges were due to grease blockages. The City will be required to rehabilitate the System to insure a reduction of risk to the public health and the environment, and to comply with Commission requirements.

## **PROVISIONS**

In response to these deficiencies and in an effort to eliminate the potential threat to public health, the City and the Commission have entered into an Agreement. This Agreement formalizes the commitments made by the City in its letter to the TCEQ dated August 7, 2006 (see Attachment "A"). The provisions of this Agreement are as follows:

1. The Executive Director recognizes that in 2001, the City conducted a comprehensive evaluation of the System. The wastewater hydraulic model was updated in 2005 to specifically prioritize locations with system capacity issues.
2. The City shall complete the improvement projects identified during the 2005 wastewater hydraulic model update (see Project Summary in Attachment "A").
3. The City shall continue the public education program for grease control by implementing the following measures:
  - a. At least 6 times per year, issue a combination of movie theater ads, water bill inserts, and City newsletter articles; and
  - b. At least twice per year, set up informational booths at City events where information and "give-away" items that promote grease control will be distributed.
4. On an annual basis, the City shall conduct preventive maintenance (cleaning and degreasing) on at least 1,000,000 linear feet of the System. Specific problem areas have been previously identified and have been placed on a routine cleaning schedule. The schedule varies among 30-day, 60-day, and 90-day cycles, depending upon the past frequencies of blockages.

5. In Fiscal Year 2007, the City shall add a preventive maintenance crew and equipment.
6. In Fiscal Year 2007, the City shall revise the Food Establishment Ordinance to specify frequency of pumping grease traps. The City shall also increase window fines in the municipal court for grease violations.
7. In Fiscal Year 2008, the City shall purchase software to update and monitor the System hydraulics.
8. In Fiscal Year 2010, the City shall reevaluate the effectiveness of the preventive maintenance program and if needed, add an additional preventive maintenance crew and equipment.
9. The City shall evaluate effectiveness of its improvements by comparing the number of grease-related blockages from the work order system on an annual basis to track any changes in the amount of blockages that occur within the System.
10. Within 90 days of the effective date of this Agreement, and on an annual basis thereafter, the City shall submit a progress report to the Commission. These reports shall include information regarding actions taken by the City towards completion of the Provisions in this Agreement.
11. By December 31, 2016, the City shall submit in writing certification of compliance with Provision Nos. 2 through 10.
12. The Executive Director may grant an extension to any provisions of this Agreement upon a written and substantiated showing of good cause. All requests for extensions by the City shall be made in writing to the TCEQ. Extensions are not effective until the City receives written approval from the TCEQ. The determination of what constitutes good cause rests solely with the TCEQ.
13. The City shall submit copies of all correspondence, reports, and documentation required by Provision Nos. 2 through 12 to:

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

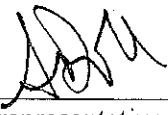
with a copy to:

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

City of Grand Prairie  
Agreement  
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In return for the City's agreement and adherence to these terms, the Commission will withhold further enforcement actions related to the noted deficiencies. Should unforeseen circumstances indicate a need to alter the above mentioned schedule, the City must immediately notify the Commission so that an amendment can be discussed.

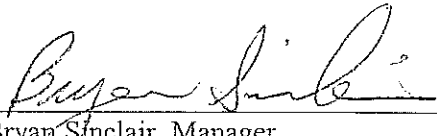
The effective date of this Agreement is the signature date of the City's authorized representative. Acceptance of the terms of this Agreement is indicated by the signature below.

  
\_\_\_\_\_  
Authorized representative of  
City of Grand Prairie

10-3-06  
\_\_\_\_\_  
Date

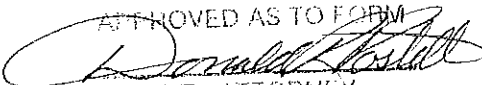
Anna Doll, Deputy City Mgr  
\_\_\_\_\_  
Printed name of authorized representative  
for City of Grand Prairie

\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Bryan Sinclair, Manager  
Enforcement Section I, Enforcement Division

10/11/06  
\_\_\_\_\_  
Date

**Instructions:** Send this signed, original Agreement to Lynley Doyen, Enforcement Team I, Enforcement Section I, Enforcement Division, MC 169, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

APPROVED AS TO FORM  
  
\_\_\_\_\_  
CITY ATTORNEY