



Expedited Compliance Order (ECO)

Informational Meeting
Office of Compliance and Enforcement

December 2025

Expedited Compliance Order

Objective

- To achieve compliance faster and to improve agency efficiency by reducing the time and staff resources necessary to process these enforcement actions

Method

- New process will set reduced penalties in recognition of entities returning to compliance more quickly than typical orders.
- Since compliance will have already been achieved, tracking of orders for compliance after Agenda will no longer be necessary.
- New process includes generating orders in significantly less time than typical orders.

Legal Authority

- TWC § 7.002 (Enforcement Authority) allows for the issuance of an administrative order.
- Administrative orders include agreed orders and default orders and may include penalties and corrective measures.
- The Commission may delegate to the Executive Director the authority to issue administrative orders.
- The statutory requirements as to what must be in an administrative order are limited (*e.g.*, findings of fact are not required, but an uncontested finding that the Commission has jurisdiction in TWC § 7.070).
- TWC § 7.053 requires the consideration of specific statutory factors in determining a penalty amount; however, a penalty calculation worksheet (PCW) is not statutorily required. Penalties must be within the statutory range.

Eligible Programs and # of Violations

Drinking Water: 102

Waste: 76

Municipal solid waste: 1
Petroleum storage tanks: 75

Water: 11

Wastewater: 3
Edwards Aquifer: 3
License Irrigator: 2
Onsite Sewage Facility: 1
Water Rights: 2

Air: 4



Eligible Programs/Violations

- 1.All violations in NOE must be one of the identified violations.
- 2.All violations must be able to be corrected within 60 days from the date of the settlement offer.
- 3.Violations typically cannot include a suspected or confirmed release or spill or require remediation.
- 4.Enforcement case does not meet Findings Agreed Order criteria

Respondent Considerations

No active/pending matters at the Office of the Attorney General (OAG)

No pending or active default or shutdown order; no revocation pending at any facility.

No outstanding delinquent fees or penalties.

Same respondent and same facility have not been offered an ECO for the same violation.

Not a Repeat Violator or Unsatisfactory Performer

Other Considerations

All ECOs will still be published in the Texas Register for 30-day comment period.

Respondents will still be able to participate in the Supplemental Environmental Project (SEP) program.

Penalty Considerations



Example: PWS (minor facility)

	Traditional Order	Expedited Compliance Order
Total Payable Penalty	\$1,140	\$570
Enforcement Coordinator Assigned	7/15/2024	7/15/2024
Initial Proposed Order Mailed	1/17/2025	8/15/2024
Settlement Achieved?	No	Yes
Outcome	Referred to Litigation Division 4/15/2025	Achieved compliance 10/16/2024

Example: PWS (minor facility)

Citation: 30 TAC 290.43(c)(4)

Allegation: Failed to provide all ground storage tanks (“GST”) with a liquid level indicator

Penalty – Major Facility: \$175

Penalty – Minor Facility: \$75

Example: PST (minor facility)

	Traditional Order	Expedited Compliance Order
Total Payable Penalty	\$3,375	\$1,875
Enforcement Coordinator Assigned	5/11/2021	5/11/2021
Initial Proposed Order Mailed	8/27/2021	6/11/2021
Settlement Achieved?	No	Yes
Outcome	Referred to Litigation Division 11/09/2021	Achieved compliance 8/11/2021

Example: PST (minor facility)

Citation: 30 TAC 334.50(b)(1)(A)

Allegation: Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days...

Penalty – Major Facility: \$3,750

Penalty – Minor Facility: \$1,875

Questions?

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