

**RAILROAD COMMISSION OF TEXAS
DAMAGE PREVENTION DOCKET NO. 078501: ENFORCEMENT ACTION
AGAINST TARRANT COUNTY PCT 4 FOR VIOLATION OF UNDERGROUND
PIPELINE DAMAGE PREVENTION COMMISSION RULE 16 TEXAS
ADMINISTRATIVE CODE §18.10(b) AT 8133 DOWNE DR (MEADOW PARK DR),
WHITE SETTLEMENT, TARRANT COUNTY, TEXAS**

STIPULATION, AGREED SETTLEMENT, AND CONSENT ORDER

On this day, the Railroad Commission of Texas ("Commission") considered the above-referenced docket. The Oversight and Safety Division of the Commission, and TARRANT COUNTY PCT 4, through their representatives, have agreed to an informal disposition of the matters under this docket through this Consent Order ("Order"), subject to the approval of the Commission. The Commission has authority to informally dispose of this case through a consent order. Tex. Gov't Code § 2001.056 (1-3).

IN SETTLEMENT OF THIS DOCKET, the Commission and TARRANT COUNTY PCT 4 do hereby agree and stipulate as follows:

1. TARRANT COUNTY PCT 4 is a person engaged in or preparing to engage in the movement of earth in the vicinity of an underground pipeline containing flammable, toxic, or corrosive gas, a hazardous liquid, or carbon dioxide. 16 Tex. Admin. Code §18.1(a).
2. TARRANT COUNTY PCT 4 is a "person" as that term is defined by Title 16 Texas Administrative Code §18.2(16).
3. The Commission and TARRANT COUNTY PCT 4 agree that the alleged violation, as set forth in Damage Prevention Docket No. 078501, regarding Title 16 Texas Administrative Code §18.10(b), on April 20, 2022, at 8133 Downe Dr (Meadow Park Dr), White Settlement, TARRANT County, Texas, is hereby settled and compromised under the terms of this Order.
4. The alleged violation(s) by TARRANT COUNTY PCT 4 involve(s) a safety standard or rule relating to the prevention of damage to facilities containing flammable, toxic, or corrosive gas, a hazardous liquid, or carbon dioxide.
5. Neither this Order, or any written or oral offer of settlement related thereto, or any statement contained therein, shall constitute evidence or an admission or adjudication of:
(A) any fact or conclusion of law alleged in or relating to Damage Prevention Docket No. 078501;
(B) any violation of any statute, rule or regulation, or other wrongdoing or misconduct on the part of TARRANT COUNTY PCT 4 or any director, officer, agent, employee, contractor or affiliate thereof.
6. The Commission and TARRANT COUNTY PCT 4 wish to further the goal of safe operations of earth movement activities near pipelines containing flammable, toxic, or corrosive gas, a hazardous liquid, or carbon dioxide, within the State of Texas.
7. The Commission has considered any history of previous violations by TARRANT COUNTY PCT 4, the seriousness of any alleged violation, and any hazard to the health or safety of the public, and has determined that the facts of this case warrant an informal disposition of the Commission's concerns under the terms of this Order.

8. TARRANT COUNTY PCT 4 has elected not to avail itself of the opportunity for public hearing.
9. The Commission has jurisdiction to assess an administrative penalty against TARRANT COUNTY PCT 4. Tex. Util. Code §§ 121.206 and 121.207.
10. An administrative penalty in the amount of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00) shall be paid to the Commission for the alleged violation(s) asserted against TARRANT COUNTY PCT 4.
11. Respondent has paid the Commission funds in the amount of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00) as payment of administrative penalties assessed in Damage Prevention Docket No. 078501.
12. The person signing hereunder for TARRANT COUNTY PCT 4 has authority to represent TARRANT COUNTY PCT 4 in this matter.

Jurisdiction of this docket having been established and an agreement of the parties having been reached, it is, therefore, ORDERED by the Commission that TARRANT COUNTY PCT 4 be assessed an administrative penalty in the amount of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00), and that Damage Prevention Docket No. 078501 be informally disposed of by the Consent Order and closed. All relief not granted in this Order is DENIED.

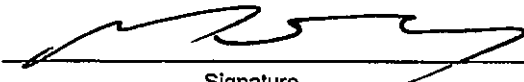
RAILROAD COMMISSION OF TEXAS

(Order approved and signature affixed by Master

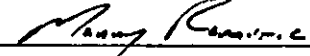
Agreed Order dated _____)

APPROVED AS TO FORM AND SUBSTANCE:

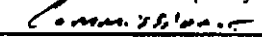
TARRANT COUNTY PCT 4



Signature

By: 

Please print your name

Title: 

Please print your title