EXECUTIVE SUMMARY - ENFORCEMENT MATTER DOCKET NO.: 2005-1775-AIR-E **TCEQ ID:** RN100895648 **CASE NO.:** 26385

Page 1 of 2

RESPONDENT NAME: Angleton Danbury Hospital District dba Angleton Danbury Medical Center

ORDER TYPE:

| X 1660 AGREED ORDER SHUTDOWN ORDER | FINDINGS AGREED ORDER FINDINGS DEFAULT ORDER | AMENDED ORDER EMERGENCY ORDER | IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
|---------------------------------------|---|----------------------------------|--|
| CASE TYPE: | | | |
| AGRICULTURE | XAIR | INDUSTRIAL AND HAZARDOUS WASTE | MUNICIPAL SOLID WASTE |
| OCCUPATIONAL CERTIFICATION | PETROLEUM STORAGE TANKS | PUBLIC WATER SUPPLY | RADIOACTIVE WASTE |
| MULTI-MEDIA (check all that apply) | SEWAGE SLUDGE | UNDERGROUND INJECTION CONTROL | USED OIL |
| USED OIL FILTER | WATER QUALITY | | |

SITE WHERE VIOLATION(S) OCCURRED: Angleton Danbury General Hospital, 132 Hospital Drive, Angleton, Brazoria County

TYPE OF OPERATION: Hospital

SMALL BUSINESS: ____ Yes ____ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The Texas Register comment period expired on April 3, 2006. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Suzanne Walrath, Enforcement Division, Enforcement Section II, MC 219, (512) 239-2134; Mr. Steven Lopez, Enforcement Division, Enforcement Section I, MC 219, (512) 239-1896

Respondent: Mr. Joe White, Maintenance Director, Angleton Danbury Hospital District dba Angleton Danbury Medical Center, 132 Hospital Drive, Angleton, Texas 77515 Mr. William P. Garwood, III, Chief financial Officer, Angleton Danbury Hospital District dba Angleton Danbury Medical Center, 132 Hospital Drive, Angleton, Texas 77515 Respondent's Attorney: Not represented by counsel on this enforcement matter

RESPONDENT'S NAME: Angleton Danbury Hospital District dba Angleton Danbury Medical Center DOCKET NO.: 2005-1775-AIR-E

VIOLATION SUMMARY CHART:

| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
|--|---|---|
| Type of Investigation:Complaint <u>X</u> Routine | Total Assessed: \$10,400 | Corrective Actions Taken |
| Enforcement Follow-up Records Review Date of Complaint Relating to this Case: None | Total Deferred: \$2,080 X Expedited Settlement | The Executive Director recognizes that Angleton Danbury has implemented the following corrective measures at the Hospital: |
| Date of Investigation Relating to this Case: May 3, 2005 | Financial Inability to Pay | a. On September 5, 2005, Angleton Danbury contracted with |
| Date of NOE Relating to this Case: July 22, 2005 (NOE) | SEP Conditional Offset: \$0 | a licensed waste management service to transport all medical waste to a licensed disposal facility in Galveston where it is incinerated, steam sterilized, or shredded, and |
| Background Facts: This was a routine investigation. Five violations were documented. | Total Paid to General Revenue: \$8,320 | taken to a landfill; and |
| | Site Compliance History Classification: <u>X</u> HighAvgPoor | b. On September 16, 2005, Angleton Danbury's medical waste incinerator ceased operations. Additionally, the |
| 1) Failed to submit a Federal Operating Permit Application on or before September 15, 2000 [30 TEX. ADMIN. CODE §§ 113.2072(b)(3), 113.2079(c), and 122.130(b)(2), and TEX. HEALTH AND SAFETY CODE § 382.085(b)]. | Person Compliance History Classification: <u>X</u> High <u>Avg.</u> Poor Major Source: <u>Yes X</u> No Applicable Penalty Policy: September 2002 | incinerator has been removed from the premises. |
| 2) Failed to install monitoring equipment, failed to conduct initial performance testing, and failed to maintain adequate records for the hospital/medical/infectious waste incinerator unit | na sanata n | |
| [30 TEX. ADMIN. CODE § 113.2075(a)(1), 113.2076(a)(1), and 113.2076(c), and TEX. HEALTH AND SAFETY CODE § 382.085(b)]. | in and a second s | |
| 3) Failed to prepare a Waste Management Plan [30 TEX. ADMIN. CODE § 113.2077, and TEX. HEALTH AND SAFETY CODE | $= \left\{ f(x, \hat{x}) \mid \hat{y} \in \mathcal{F}_{1} : x \in \mathcal{F}_{2} \right\}$ | d ^{ar} la, Noberson (|
| § 382.085(b)]. | 1. 人名法法法 化乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰乙酰 | $\mathcal{D}_{i} \in \{1, \dots, n^{n-1}, \dots, n^{n-1}\}$ |
| 4) Failed to provide detailed operating procedures, and failed to verify training of operators [30 TEX. ADMIN. CODE | | ang na kana ang kana ang kana ang kana kana |
| § 113.2078(a), and (b) and TEX. HEALTH AND SAFETY CODE § 382.085(b)]. | | |
| 5) Failed to submit a notice of intention to comply, petition for | "我们不能的这个人的。""这个人,我们们就能是了。" | |
| extension, or a notice of intent to shut down the incinerator as required [30 Tex. ADMIN. CODE § 113.2079(a), and Tex. HEALTH AND SAFETY CODE § 382.085(b)]. | a maar oo waxaa ahaa ku oo ahaa ahaa ahaa ahaa ahaa ahaa ahaa | |

EXECUTE ZADELI AL COMORCENT X CANTER

Page 2 of 2

| Policy Revision 2 (S | Penalty Calculation | Worksheet (PCW) | PCW Revision May 19 | 9 2005 |
|-------------------------------------|--|--|---------------------------------------|----------|
| CEQ | | | 1 OW Revision way re | 5, 2000 |
| | 25-Jul-2005 | | | |
| PCW | 05-Jan-2005 Screening 01-Aug-2005 | EPA Due 28-Jan-2006 | and the second second second second | |
| ESPONDENT/FACILI | | | | - 14 HI |
| | Angleton Danbury Hospital District dba Angl | eton Danbury Medical Center | | |
| Reg. Ent. Ref. No. | | ····· | | |
| acility/Site Region | 12-Houston | < Major/Minor Source | Minor Source | < |
| ANT NEODWATION | | | | |
| ASE INFORMATION Enf./Case ID No. | 26385 | No. of Violations | 5 | |
| | 2005-1775-AIR-E | Order Type | | |
| Media Program(s) | | | Suzanne Walrath | |
| Multi-Media | | | Enforcement Team 4 | |
| Admin. Penalty \$ Li | nit Minimum \$0 Maximum | \$10,000 | No | |
| | Penalty Calcul | ation Section | | |
| | · · · · · · · · · · · · · · · · · · · | | · · · · • | |
| OTAL BASE PEN | ALTY (Sum of violation base pena | alties) | Subtotal 1 | \$8,0 |
| | | a a second a second a | | |
| | /-) TO SUBTOTAL 1 | THE REPORT OF A DECISION OF A | | |
| | btained by multiplying the Total Base Penalty (Subtota | | totals 2, 3, & 7 | -\$8 |
| Compliance H | | | | |
| Notes | Reduction due to high perform | er classification. | | |
| L | | | - | |
| Culpability | No < | Enhancement | Subtotal 4 | |
| | | o culpability critoria | ······ | |
| Notes | The Respondent does not meet the | e cuipability criteria. | | |
| L | | | - | ····· |
| Good Faith Ef | | Reduction | Subtotal 5 | -\$1 |
| Extra antica | Before NOV NOV to EDPRP/Settlement Offer | | | |
| Extraordinary Ordinary | × | | | |
| N/A | (mark with a small x) | | | |
| | The respondent achieved compliance | e on 10/26/05. A waste |] | |
| Nister | management company was contracted to | transport medical waste to a | | |
| Notes | licensed facility(9/5/05), and the incinerator | ceased operations (9/16/05). | | |
| | Additionally, the incinerator has been re | moved from the premises. | | |
| | | | Durban to L | 64 |
| Economic Bei | | Enhancement* *Capped at the Total EB \$ Amoun | subtotal 6 | \$4, |
| | otal EB Amounts \$58,258 est of Compliance \$20,750 | | | |
| Applox. oc | | | | |
| SUM OF SUBTOT | ALS 1-7 | | Final Subtotal | \$10, |
| | | · · · · · · · · · · · · · · · · · · · | | |
| | S AS JUSTICE MAY REQUIRE | | Adjustment | |
| educes or enhances the Fi | nal Subtotal by the indicated percentage. (Enter num | ber only; e.g30 for -30%.) | Г | |
| Notes | | | | |
| | | Final P | _ enalty Amount | \$10, |
| | | | | <u> </u> |
| STATUTORY LIM | TADJUSTMENT | Final Ass | essed Penalty | \$10, |
| | | ····· | · · · · · · · · · · · · · · · · · · · | |
| DEFERRAL | | 20% Reduction | Adjustment | -\$2, |
| Reduces the Final Assesse | d Penalty by the indicted percentage. (Enter number of | only; e.g. 20 for 20% reduction.) | 7 | |
| Notes | Deferral offered for expedit | ted settlement. | | |
| Notes | | | | |
| | TV | | | ¢o |
| | | | i i | \$8, |
| PAYABLE PENAL | - I Y | | | |
| PAYABLE PENAL | . Y | | | |

| a. I | Cas | pondent Angleton Danbury Hospital District dba Angleton Danbury Medica e ID No. 26385 Ince No. RN100895648 | PC | ision 2 (Septe W Revision M | 1ay 19, 21 |
|------|---------------|--|--|--|--|
| יינ | | Statute] Air Quality | | | |
| | | rdinator Suzanne Walrath | | . | a à |
| | | | | 19-11 - 5-0-1 19-11 - 5-0-1 | |
| | | | | en tar a | in part |
| | | Compliance History Worksheet | San ti di | $(1,q)\in \mathbb{R}^{2}(\mathbb{R})$ | 1.111 |
| Co | mpliance His | tory Site Enhancement (Subtotal 2) | yara any ary | Alexandro de estas | ng ng kin |
| , | Component | Number of Enter I | lumbor Horo | Adjust | |
| 1 | Component | Written NOVs with same or similar violations as those in the current | | T) | |
| | NOVs | enforcement action (number of NOVs meeting criteria) | 0 | 0% | е По 1915 (1916) |
| | + 6.43 - 5. | Other written NOVs | 0 | | |
| | | Any agreed final enforcement orders containing a denial of liability | 2 . 0 | 8.0% | |
| | | (number of orders meeting criteria) | · | | |
| | Orders | Any adjudicated final enforcement orders, agreed final enforcement orders | | | |
| | | without a denial of Ilability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the | 0. | 0% | |
| | | commission (any line) prohibitory entergency orders issued by the | WY BU . | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | J |
| | | Any non-adjudicated final court judgments or consent decrees containing a | r a haidh Marainn | 1 | |
| | Judgments | denial of liability of this state or the federal government (number of the set | : 13 10 .5 : | 0% | ≤ ent. |
| | and | judgements or consent decrees meeting criteria) | . | 1 | 25.27 |
| | Consent | Any adjudicated final court judgments and default judgments, or | n ga the state | ananna mar sindaanada Rooma yoo oo ay k | |
| | Decrees | non-adjudicated final court judgments or consent decrees without a denial | 0 | 0% | |
| ĺ | • | of liability, of this state or the federal government and a second trace of | | 5 - Q120 | |
| | Convictions | Any criminal convictions of this state or the federal government (number | 0 | 0% | |
| | | of counts) | | | |
| | Emissions | Chronic excessive emissions events (number of events) | 0 | · 0% | |
| | - | Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, | _ | 0% | |
| | | 74th Legislature, 1995 (number of audits for which notices were | . 0 . | 0% | |
| | Audits | Disclosures of violations under the Texas Environmental, Health, and | | | - |
| | ¹⁴ | Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for | 0 | 0% | - i |
| | | which violations were disclosed) | | 1 110 - 11 - 1 | |
| | | | er Yes or No | | |
| | | Environmental management systems in place for one year or more | No | 0% | |
| | | Voluntary on-site compliance assessments conducted by the executive | No | 0% | |
| | Other | director under a special assistance program de la stratage disso | <u> </u> | | |
| | | Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or | Nö | 0¦% | |
| | | federal government environmental requirements | No | 0% | 5 |
| 1 | | | L | 1 | , |
| | | Adjustment Percen | tage (Su | btotal 2) | 0 |
| Re | | (Subtotal 3) Contraction of the later of the | na Parela de La | n in the second | En la compañía de la |
| | | | 1.11 A.1.1 | | |
| Į | No | Adjustment Percen | tage (Su | btotal 3) | 0 |
| Co | mpliance His | tory Person Classification (Subtotal 7) | na search an a Na Straight an Anna Straight | | Bernada |
| | | | | | |
| | High Perform | er 🔄 Adjustment Percen | tage (Su | Dtotal 7) | -10 |
| Ço | mpliance His | story Summary | | n na aisteachar Al sao aisteachar | i tan Maratak |
| | | | · | | |
| | Compliance | Reduction due to high performer classification. | | 214 M | |
| H | istory Notes | Line with the state of the stat | | | |
| | | | | · · · - · ! | |
| | | <u> extra season as Total Adjustment Percentage (Subt</u> | otals 2, | 3, & 7) | -10 |
| | | | | and a second | |
| | 1.5 | ····································· | | - 14 ⁻ | |
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| | Page 3 of 12 02/27/0 | 3 H:\Agreed Orders\Ang | gletonDanburyHos | pitalDistrict-MedicalCenter\ar | ngletonREV.qpw |
|--|--------------------------------|--|--------------------------------|--------------------------------|---|
| | Screening Date | 01-Aug-2005 | Docket No. | 2005-1775-AIR-E | PCW |
| | Respondent | Angleton Danbury Hospita | al District dba Ang | leton Danbury Medical Cente | er ision 2 (September 2002) |
| | Case ID No. | | | | PCW Revision May 19, 2005 |
| Reg | . Ent. Reference No. | | | | |
| | Media [Statute] | | | | |
| | Enf. Coordinator | | | | |
| - Young the second | Primary Rule Cite(s) | | 113.2072(b)(3), a | nd 113.2079(c), 122.130(b)(2 | 2) |
| | Secondary Rule Cite(s) | Tex. Hea | Ith and Safety Coo | ie § 382.085(b) | |
| | Violation Description | Failed to submit a Fed | leral Operating Pe 9/15/00. | rmit Application on or before | |
| | | | | Base Pena | alty\$10,000 |
| >> | Environmental, Pro | operty and Human Ho Harm | ealth Matrix | | |
| | Release | | Minor | | |
| OR | Actual | | | Percent | 1 |
| | Potential | L | | | |
| >> | Programmatic Mat | rix | | | |
| | Falsification | Major Moderate N | Minor | B | |
| | | X | | Percent 25% | |
| | 100% of t | he rule requirement was n a Federal Operating Perm | ot met. Per agenc | cy policy all operating | 19 and |
| | Matrix Notes without | | 2,500. | | Marriera e Andréa |
| | | | | φ | 500] |
| | | | | Adjustment -\$7, | 500 |
| Concernant and concernent | | | | Base Penalty Subto | otal \$2,500 |
| | Violation Events | | | | |
| | Number of Viola | tion Events 1 | | | |
| | | daily | , | | |
| | | monthly | | Violation Base Pen | alty \$2,500 |
| | mark only one use a small > | Concernation of the second sec | | VIOlation Dase I en | uity |
| - | | annual | | | |
| - Andrew Street | | single event X | | | |
| - | One sing | le event is recommended | based upon an inv 5/3/05. | vestigation conducted | |
| An or second sec | · | | | | · · · · · · · · · · · · · · · · · · · |
| · · · · · · · · · · · · · · · · · · · | Economic Benefit | (EB) for this violatio | n e | Statutory Limit Test | |
| and the second | Estimated I | B Amount \$3,250 | | Violation Final Penalty T | otal \$3,250 |
| | | This violat | tion Final Assess | ed Penalty (adjusted for lin | nits) \$3,250 |
| | | | | | |

| | EC | conomic B | enefit Wor | kshe | et | | $\sqrt{-\frac{1}{2}} \frac{1}{2} $ |
|---|---------------------|---|--|---|--|---|--|
| Respondent | Angleton Dank | oury Hospital D | strict dba Angle | ton Dar | bury Medica | l Center | |
| Case ID No. | | | | | | S. S. C. C. | |
| Reg. Ent. Reference No. | RN100895648 | | | | | | |
| Media [Statute] | Air Quality | | | | and the second second | Percent | Years of |
| Violation No. | . 1 | | | | | Interest | Depreciatio |
| · 동안 제품 이 가 영화하는 것 | | | algudan (1881) oʻla | FILT | AN AN STREET | 5.0 | 1 |
| international and the second | ltem | Date | Fiñal | Yrs | Interest | Onetime | ;ceV, EB. |
| ltem | Cost | Required | Date | लके त्यम | Saved | Costs | Amount |
| Description | No commas or \$ | | | | nasionas Reisentes a servicio de la | io) and one of the loss | 100221074 |
| | | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | THE REPORT OF A DESCRIPTION OF A DESCRIP | rockwar of the tr | | fenderires, misson u | สาราชสมสมสัตว์ 1. 19 พ.ศ. 10 |
| Delayed Costs | | an the state | an a | وردام فلتوجيقه فشم | | and states and second | - Marian - E |
| Equipment | t | L | | 0.0 | \$0 | \$0 | - <u></u> |
| Buildings | ; [| | | 0.0 | \$0 | \$0 | |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | |
| Land | | 1 | | 0.0 | \$0 | n/a | |
| Record Keeping System | 1 | | an chiadh ag | 0.0 | \$0 | WEED NAME (C.) | |
| Training/Sampling | 1 | | | 0.0 | \$0 | n/a , | (|
| Remediation/Disposal | | | | 0.0 | \$0 | ,⊚, s.on/a | (|
| Permit Costs | 5 | | | 0.0 | \$0 | n/a | |
| Other (as needed) |) | | | 0.0 | \$0 | n/a | 9 |
| | | | | | | | |
| Notes for DELAYED costs | | | | | | i text seed of | |
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| Notes for DELATED Costs | 5 | | • | * + ₁ | | | |
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| Avoided Costs | | | d costs before en | | | ne-time avoided c | ošts) Itivi |
| | s, ANNI | | d costs before en | | | ne-time avoided c \$0 | |
| Avoided Costs | ANNI | | d costs before en | ering iter | n (except for o | and the second se | Ś |
| Avoided Costs Disposal Personnel | ANNI | | d costs before en | ering iter 0.0 | n (except for o \$0 | \$0 | |
| Avoided Costs Disposal Personnel | ANNI | | d costs before en | ering iter 0.0 0.0 | n (except for o \$0 \$0 | \$0 \$0 | |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | ANNI | | d costs before en | tering iter 0.0 0.0 0.0 | n (except for o \$0 \$0 \$0 | \$0 \$0 \$0 | <u> </u> |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | | d costs before en | tering iter 0.0 0.0 0.0 0.0 | n (except for o \$0 \$0 \$0 \$0 | \$0 \$0 \$0 \$0 \$0 | |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | | | | ering iter 0.0 0.0 0.0 0.0 0.0 | n (except for o \$0 \$0 \$0 \$0 \$0 \$0 | \$0 \$0 \$0 \$0 \$0 \$0 | |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | ANNI 4 52,500 | JALIZE [1] avoide | 26-Oct-2005 | ering iter 0.0 0.0 0.0 0.0 0.0 0.0 6.0 | n (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$750 | \$0 \$0 \$0 \$0 \$0 \$0 \$2,500 | \$ 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | \$2,500 These co | JALIZE [1] avoide | 26-Oct-2005 e amount to pr | ering iter 0.0 0.0 0.0 0.0 0.0 0.0 6.0 epare ar | n (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$750 nd submit a F | \$0 \$0 \$0 \$0 \$0 \$0 \$2,500 Federal Operatin | 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | \$2,500 These co | JALIZE [1] avoide | 26-Oct-2005 e amount to pr date that the a | ering iter 0.0 0.0 0.0 0.0 0.0 0.0 0.0 6.0 epare ar oplicatio | n (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$750 nd submit a F n was due fo | \$0 \$0 \$0 \$0 \$0 \$0 \$2,500 Federal Operatin be submitted, a | <u>بالمحمد معامد م</u> |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | \$2,500 These co | JALIZE [1] avoide | 26-Oct-2005 e amount to pr | ering iter 0.0 0.0 0.0 0.0 0.0 0.0 0.0 6.0 epare ar oplicatio | n (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$750 nd submit a F n was due fo | \$0 \$0 \$0 \$0 \$0 \$0 \$2,500 Federal Operatin be submitted, a | s s s s s s s s s s s s s s s s s s s |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | \$2,500 These co | JALIZE [1] avoide | 26-Oct-2005 e amount to pr date that the a | ering iter 0.0 0.0 0.0 0.0 0.0 0.0 0.0 6.0 epare ar oplicatio | n (except for or \$0 \$0 \$0 \$0 \$0 \$0 \$750 nd submit a F n was due fo | \$0 \$0 \$0 \$0 \$0 \$0 \$2,500 Federal Operatin be submitted, a | s s s s s s s s s s s s s s s s s s s |

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| | Page 5 of 12 02/2 | 7/06 H:\Agreed Orders\AngletonDanburyHospitalDistrict-MedicalCenter\angleton | REV.qpw |
|--|---------------------|--|---|
| | Screening Da | te 01-Aug-2005 Docket No. 2005-1775-AIR-E | PCW |
| | - | 5 , 1 5 , | 1 2 (September 2002) |
| _ | Case ID N | | evision May 19, 2005 |
| Reg | Ent. Reference N | | |
| | Media [Statut | | 20111111111111111111111111111111111111 |
| | Violation Numb | Or Suzanne Walrath | , 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 - 1917 |
| | | 30 Tox, Admin, Code & 113 2076(a)(1) | |
| | Primary Rule Cite | 30 Tex. Admin. Code §§ 113.2075(a)(1), 113.2076(c), and Tex. Health | |
| | Secondary Pule Cite | and Safety Code & 382 (185/h) | |
| | Secondary Rule Cite | Failed to install monitoring equipment, failed to conduct initial performance | |
| | Violation Descripti | on testing, and failed to maintain adequate records for the | |
| | | hospital/medical/infectious waste incinerator unit. | |
| | | Base Penalty | \$10,000 |
| | | | <u> </u> |
| >> | Environmental, | Property and Human Health Matrix | |
| | | Harm | |
| OR | Relea | Se Major Moderate Minor ual | |
| | Poter | | |
| | | | |
| >> | Programmatic M | | |
| | Falsifica | ion Major Moderate Minor Percent | |
| | | | |
| | Huma | health or the environment will or could be exposed to a significant | |
| | | t of pollutants which may exceed levels that are protective of human health or environmental receptors as a result of the violation. | |
| • • | | | |
| | | Adjustment -\$7,500 | |
| | | | |
| | | Base Penalty Subtotal | \$2,500 |
| | Violation Events | | |
| | violation Events | | |
| | Number of Vi | olation Events 1 | |
| | | | |
| | | daily | |
| a manuar de | mark only | | \$2,500 |
| 1100 MILLION (1100 MILLION (11 | use a sm | all x semiannual | |
| | | annual | |
| Santa Of The | , | single event X | |
| | One s | ngle event is recommended based upon an investigation conducted | |
| 1. LTT 1000 | | on 5/3/05. | |
| | Economic Bene | fit (EB) for this violation Statutory Limit Test | · · · · · · · · · · · · · · · · · · · |
| - Min - Min | Estimate | d EB Amount \$52,333 Violation Final Penalty Total | \$3,250 |
| | | This violation Final Assessed Penalty (adjusted for limits) | \$3,250 |
| 1 | | This violation Final Assessed Fenalty (aujusted for finites) | ψ0,200 |

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|---|--|---|--|---|---|--|---|
| | Ec | onomic B | enefit Wor | kshe | etomato | onder en | 1.54 |
| Respondent | | and the bearing of the state of a state of the | strict dba Angle | with the second second | and the state of the | and a first a state of the stat | |
| Case ID No. | | and the state of the | | ייגיד יידרי | | | |
| Reg. Ent. Reference No. | | | | | | a di secondari | |
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| V.qpw | 02/27/06 H:\Agreed Orders\AngletonDanburyHospitalDistrict-MedicalCenter\angletonRE | Page |
|---------------------------------------|--|---------|
| PCW | ng Date 01-Aug-2005 Docket No. 2005-1775-AIR-E | Sc |
| (September 2002) sion May 19, 2005 | Dondent Angleton Danbury Hospital District dba Angleton Danbury Medical Center ision 2 (e ID No. 26385 PCW Revis Ince No. RN100895648 | |
| | Statute] Air Quality rdinator Suzanne Walrath | М |
| | n Number 3 | |
| | Ile Cite(s) 30 Tex. Admin. Code § 113.2077 | |
| | Ile Cite(s) Tex. Health and Safety Code § 382.085(b) | Second |
| | Failed to prepare a Waste Management Plan. | Viola |
| \$10,000 | Base Penalty | |
| | ental, Property and Human Health Matrix _{Harm} | > Enviı |
| | Release Major Moderate Minor | |
| | Actual Potential Percent |)R |
| | atic Matrix | > Proq |
| | Falsification Major Moderate Minor | |
| | x Percent 10% | |
| | 100% of the rule requirement was not met. | Matrix |
| | Adjustment -\$9,000 | |
| \$1,000 | Base Penalty Subtotal | |
| | Events | Viola |
| | er of Violation Events | |
| \$1,000 | anrk only one daily | |
| | One single event is recommended based upon an investigation conducted on 5/3/05. | |
| | Benefit (EB) for this violation Statutory Limit Test | Eco |
| \$1,300 | stimated EB Amount \$1,800 Violation Final Penalty Total | |
| \$1,300 | This violation Final Assessed Penalty (adjusted for limits) | |

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| Violation No. 3 Interest Depression Item Date Final Yrs Interest Onetime E Item Cost Required Date Saved Costs Amo Description No commos or 8 Delayed Costs Item 0.0 \$0 \$0 Equipment 0.0 \$0 \$0 \$0 \$0 \$0 Buildings 0.0 \$0 \$0 \$0 \$0 \$0 Other (as needed) 0.0 \$0 \$0 \$0 \$0 \$0 Land 0.0 \$0 \$0 \$0 \$0 \$0 \$0 Record Keeping System 0.0 \$0 \$0 \$0 \$0 \$0 Training/Sampling 0.0 \$0 \$0 \$0 \$0 \$0 Remediation/Disposal 110 0.0 \$0 \$0 \$0 \$0 Notes for DELAYED costs Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 | •y •••••••• |
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| Media [Statute] Air Quality Percent Year Violation No. 3 Item Date Final Yrs Interest Delive 5.0 Item Cost Required Date Final Yrs Interest Oneltine E Delayed Costs Equipment 0.0 \$0 < | |
| Violation No. 3 Interest Depression Item Date Final Yrs Interest Depression Item Cost Required Date Saved Costs Amountain and the second | |
| Item Date Final Yrs Interest Onetime E Description No commas or \$ Delayed Costs Cost Anno Equipment 0.0 \$0 \$0 \$0 Buildings 0.0 \$0 \$0 \$0 Other (as needed) 0.0 \$0 \$0 \$0 Land 0.0 \$0 \$0 \$0 Record Keeping System 0.0 \$0 \$0 \$0 Permit Costs 0.0 \$0 \$0 \$0 Permit Costs 0.0 \$0 \$0 \$0 Notes for DELAYED costs 11/2*1 0.0 \$0 \$0 Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Notes for DELAYED costs 4NNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) \$0 Disposal 0.0 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Supplies/equipment 0.0 \$0 \$0 \$0 \$0 \$0 Disp | s of 🔛 |
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| Item Cost Required Date Saved Costs Among Description No commas or \$ No commas or \$ | 15 |
| Description No compaser \$ Delayed Costs 1000000000000000000000000000000000000 | |
| Delayed Costs Image: Cost of the state of t | unt |
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| Financial Assurance [2] 0.0 \$0 \$0 | \$0 |
| | \$0 |
| ONE-TIME avoided costs [3] 0.0 \$0 \$0 | \$0 |
| | \$1,800 |
| Costs are associated with developing a waste management plan, starting with the date | |
| Notes for AVOIDED costs are plan was required to be in effect, and ending on the date that the certification of | f |
| compliance was received. | |
| | |
| Approx. Cost of Compliance \$1,500 | \$1,800 |

Page 9 of 12 ... 02/27/06: ... H\\Aarood Ordere\ApgletonDonburyHospitalDistrict MedicalConter\angletonDE\/ any

| | ate 01-Aug-2005 Docket No. 2005-1775-AIR-E | Screening I |
|-------------------|---|--|
| (September 2002 | ent Angleton Danbury Hospital District dba Angleton Danbury Medical Center ision 2 | - |
| ision May 19, 200 | | |
| | | g. Ent. Reference |
| | te] Air Quality | - |
| | tor Suzanne Walrath | - |
| | ber 4 | Violation Nu |
| | e(s) 30 Tex. Admin. Code § 113.2078(a) and (b) | Primary Rule C |
| | e(s) Tex. Health and Safety Code § 382.085(b) | Secondary Rule C |
| | ion Failed to provide detailed operating procedures, and failed to verify training of operators. | Violation Descri |
| \$10,00 | Base Penalty | |
| | Property and Human Health Matrix | Environmenta |
| | Harm ase Maior Moderate Minor | |
| | ase Major Moderate Minor | Re |
| | ential Percent | Pr |
| | | · · · · · · · · · · · · · · · · · · · |
| | Aatrix | Programmatic |
| | | Falsi |
| | x Percent 10% | |
| | | r i |
| | 100% of the rule requirement was not met. | Matrix Notes |
| | | L |
| | Adjustment -\$9,000 | · · · · · · · · · · · · · · · |
| \$1,00 | Basa Banally Subtatal | |
| | Base Penalty Subtotal | |
| φ1,00 | | |
| φ1,00 | R | Violation Ever |
| \$1,00 | S | Violation Ever |
| φ1,0C | s iolation Events 1 | |
| φ1,06 | | |
| φ ι, υε | iolation Events 1 | |
| | iolation Events 1 | Number of |
| | iolation Events 1 daily monthiy quarterly Violation Base Penalty | Number of mark o |
| | iolation Events 1 daily monthly quarterly Violation Base Penalty | Number of |
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| | iolation Events 1 daily daily monthly guarterly semiannual annual single event X | Number of mark o use a |
| | iolation Events 1 daily monthiy quarterly semiannual annual | Number of mark o use a |
| | iolation Events 1 daily monthiy guarterly semiannual annual single event x single event is recommended based upon an investigation conducted | Number of mark o use a |
| \$1,00 | iolation Events 1 daily monthly guarterly semiannual annual single event x single event is recommended based upon an investigation conducted on 5/3/05. | Number of mark o use a Economic Ber |

| | EC | onomic B | enefit Wor | kshee | t | | |
|------------------------------|--|---|---|--|--|-----------------------|--|
| Respondent A | Angleton Danb | ury Hospital D | istrict dba Angle | ton Dank | oury Medical (| Center | |
| Case ID No. 2 | | × 1 | | • | · | ant et al per Al | |
| Reg. Ent. Reference No. F | | | | | r | | + |
| Media [Statute] A | | | | 1 - | | Percent | Years of |
| Violation No. 4 | | | | | i i sa kata kata kata kata kata kata kata k | | Depreciatio |
| | | 이 같은 것이 있다. 이 같은 것은 것이 같이 같이 같이 같이 없다. | - <u>1994 - 1</u> 99 | 금안 한 문제에서 가지 않는 것 | 방송한 111 원이다. 1997년 - 1997년 1997년 1997년 - 1997년 1 | 5.0 | 1 |
| | Item | فيهدارك أذكاب والمعار المرار | Final | Yrs | Interest | Onetime Second | |
| Item Description | Cost | | odina rDate a⇔,yori | | Saved | Costsi 🖓 | |
| Description | lo commas or \$ | | a harden and a second second | an a | | مهاله والمتحد والمتحد | |
| Delayed Costs | WODDON'S . WE | 5,200000396 <u>7</u> 3 | 2007-15469 (3546.) | an orașas | er of beiled in p | Abbahalan takat kut | ine. No |
| Equipment | | والمحمد برزيم وتركر | r io – | 0.0 | \$0 | \$0 | \$ |
| Bulldings | <u></u> | | | 0.0 | \$0 | \$0 | \$ |
| Other (as needed) | st i | 1 | 2 The Second S Second Second S Second Second S Second Second Sec Second Second Seco | 0.0 | \$0 | \$0 | \$ |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | Ş |
| Land | | , 5. j.S. | la satari u | 0.0 | \$0 | n/a 📊 | \$ |
| Record Keeping System | | | | 0,0 | \$0 | n/a | \$ |
| Training/Sampling | | | ie wie | 0,0 | \$0 | n/a | \$ |
| Remediation/Disposal | | | | 0.0 | <u>\$0</u> | n/a | \$ |
| Permit Costs | (n) - | - 1. 3 ⁶ . | <u> </u> | 0.0 | <u>\$0</u> | n/a | \$ |
| Other (as needed) | | | | 0.0 | \$0 | n/a | \$ |
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| Avoided Costs | ANNL | | d costs before ent | | | | |
| Disposal | | | | 0.0 | \$0 | \$0 | \$ |
| Personnel | | | | 0.0 | \$0 | \$0 | \$ |
| nspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | |
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| Financial Assurance [2] | | | 1 | 0.0 | \$0 | \$0 | \$ |
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| Other (as needed) | | 15-Oct-2002 | 26-Oct-2005 | 3.0 | \$75 | \$500 | \$ <u>5</u> 7 |
| | | | providing detaile | | | | |
| Notes for AVOIDED costs | operators, sta | | date the informa | | | | id ending on |
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| | | | | | i.e. itu (1912 - 1920 - 19 20) | na aliya yana ana a | New Jacobian () () () () () () () () () (|
| 15 | \$500 | | | | | TOTAL | \$57 |

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| | Page 11 of 12 02/27/06 H:\Agreed Orders\AngletonDanburyHospitalDistrict-MedicalCenter\angletonRE |
|---|---|
| PCW | Screening Date 01-Aug-2005 Docket No. 2005-1775-AIR-E |
| (September 2002) ision May 19, 2005 | Respondent Angleton Danbury Hospital District dba Angleton Danbury Medical Center ision 2 (S Case ID No. 26385 Ent. Reference No. RN100895648 |
| t transmission of the second se | Media [Statute] Air Quality |
| | Enf. Coordinator Suzanne Walrath |
| | Violation Number 5 |
| : | Primary Rule Cite(s) 30 Tex. Admin. Code § 113.2079(a) |
| | Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b) |
| | Violation Description Failed to submit a notice of intention to comply, petition for extension, or a notice of intent to shut down the incinerator as required. |
| \$10,000 | Base Penalty |
| | Environmental, Property and Human Health Matrix Harm |
| | Release Major Moderate Minor |
| | Actual Potential Potential Potential |
| | Programmatic Matrix Falsification Major Moderate Minor |
| | Percent 10% |
| | Matrix Notes 100% of the rule requirement was not met. |
| | Adjustment -\$9,000 |
| \$1,000 | Base Penalty Subtotal |
| | Violation Events |
| | Number of Violation Events 1 |
| | daily |
| \$1,000 | merk only one quarterly Violation Base Penalty Violation Base Penalty |
| | annual single event X |
| | One single event is recommended based upon an investigation conducted |
| | on 5/3/05. |
| | Economic Benefit (EB) for this violation Statutory Limit Test |
| | |
| \$1,300 | Estimated EB Amount \$300 Violation Final Penalty Total |

| Respondent | | | | | eet anbury Medical | | tana∑sin Na strativi |
|---|---|--|---------------------------------------|----------|---|--|---|
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| Media [Statute] | Air Quality | | | | denga sa dibi la | Percent | Years of |
| Violation No. | 5 | | Interest Depreciatio | | | | |
| | | | 이 같은 것 같아요. | 12 79761 | isy or each | 5.0 | 15 |
| | ltem | Date | Final | Yrs | Interest | OnetIme | olV EB |
| ltem | Cost | Required | Date | | Saved | Costs | Amount |
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| Delayed Costs | nalita na mainai | 1.14.06580.1.2. | ilianitic. relies | ista ded | dile in to directly | | |
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| Record Keeping System | | 263 125 | 91 11 18 L | 0.0 | \$ 0 | n/a | <u>\$(</u> |
| Training/Sampling | | | | 0.0 | <u>\$0</u> | n/a | <u>\$(</u> |
| Remediation/Disposal | | | . 175. | 0.0 | \$0 | n/a | <u>\$</u> (|
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| canor (us noodeu) | | | | I | on, starting with | | |
| Notes for AVOIDED costs | | (60 days from | publication in t | he Tex | as Register dat compliance was | ed 11/30/01), a | |
| Approx. Cost of Compliance | \$250 | | | | ŧ | TOTAL[| \$30 |
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Compliance History

| Customer/Respondent/Owner-Operator: | CN600569289 | Angleton Danbury Hospital District | Classification: | HIGH | Rating: | 0.00 |
|---|--|---------------------------------------|--------------------------|----------|------------------|------------------|
| Regulated Entity: | RN100895648 | ANGLETON DANBURY MEDICAL CENTER | Classification: | HIGH | Site Rating: | 0.00 |
| ID Number(s): | AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS | | PERMIT Account Number | | | 13932 BL0123F |
| Location: | 132 HOSPITAL DRIVE | | Rating Date: | 9/1/2005 | Repeat Violator: | NO |
| TCEQ Region: | REGION 12 - HOUSTON | | | , | | |
| Date Compliance History Prepared: | October 24, 2005 | | | - | | |
| Agency Decision Requiring Compliance History: | Enforcement | | | | | |
| Compliance Period: | October 24, 2000 to Octob | er 24, 2005 | | | | |
| TCEQ Staff Member to Contact for Additional Info | ormation Regarding this Com | pliance History | | | | |
| Name: Suzanne Walra | ith | Phone: | (512) 239-2134 | | | |
| | Site Compl | iance History Components | | | | |
| 1. Has the site been in existence and/or operation | for the full five year complia | nce period? | Yes | | | |
| 2. Has there been a (known) change in ownership | No | | | | | |
| 3. If Yes, who is the current owner? | | | N/A | | | |
| 4. if Yes, who was/were the prior owner(s)? | | | N/A | | | |
| 5. When did the change(s) in ownership occur? | | | N/A | | | |
| Components (Multimedia) for the Site : A. Final Enforcement Orders, court judger N/A | nents, and consent decrees o | of the state of Texas and the fe | deral government. | | | |
| Any criminal convictions of the state of N/A | Texas and the federal govern | ment. | • | | ς. | |
| C. Chronic excessive emissions events. | | | | | | |
| D. The approval dates of investigations. (C 1 07/01/2002 (67400) | CCEDS Inv. Track. No.) | | | | | |
| E. Written notices of violations (NOV). (CO N/A | CEDS Inv. Track. No.) | | | | | |
| F. Environmental audits. | | | | • | | |
| G. Type of environmental management sy N/A | stems (EMSs). | | | | | |
| H. Voluntary on-site compliance assessme | ent dates. | | | | | |
| N/A | | | | | | |
| I. Participation in a voluntary pollution rec | duction program. | | | | | |
| N/A | | | | | | |
| J. Early compliance. | | | • | | | |
| N/A Sites Outside of Toylog | | | | | | |
| Sites Outside of Texas N/A | | | | | ٠ | |

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING ANGLETON DANBURY HOSPITAL DISTRICT DBA ANGLETON DANBURY MEDICAL CENTER RN100895648 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2005-1775-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Angleton Danbury Hospital District dba Angleton Danbury Medical Center ("Angleton Danbury") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Angleton Danbury, appear before the Commission and together stipulate that:

- 1. Angleton Danbury owns and operates a hospital at 132 Hospital Drive in Angleton, Brazoria County, Texas (the "Hospital").
- 2. The Hospital consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
- 3. The Commission and Angleton Danbury agree that the Commission has jurisdiction to enter this Agreed Order, and that Angleton Danbury is subject to the Commission's jurisdiction.
- 4. Angleton Danbury received notice of the violations alleged in Section II ("Allegations") on or about July 27, 2005.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Angleton Danbury of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Ten Thousand Four Hundred Dollars (\$10,400) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Angleton Danbury has paid Eight Thousand Three Hundred Twenty Dollars (\$8,320) of the administrative penalty and Two Thousand Eighty Dollars (\$2,080) is deferred contingent upon Angleton Danbury's timely and satisfactory compliance with all the terms of this Agreed Order. The

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deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Angleton Danbury fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Angleton Danbury to pay all or part of the deferred penalty.

- 7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Angleton Danbury have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that Angleton Danbury has implemented the following corrective measures at the Hospital:
 - a. On September 5, 2005, Angleton Danbury contracted with a licensed waste management service to transport all medical waste to a licensed disposal facility in Galveston where it is incinerated, steam sterilized, or shredded, and taken to a landfill; and
 - b. On September 16, 2005, Angleton Danbury's medical waste incinerator ceased operations. Additionally, the incinerator has been removed from the premises.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Angleton Danbury has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Hospital, Angleton Danbury is alleged to have:

- 1. Failed to submit a Federal Operating Permit Application on or before September 15, 2000, in violation of 30 TEX. ADMIN. CODE §§ 113.2072(b)(3), 113.2079(c), and 122.130(b)(2), and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during an inspection conducted on May 3, 2005.
- 2. Failed to install monitoring equipment, failed to conduct initial performance testing, and failed to maintain adequate records for the hospital/medical/infectious waste incinerator unit, in violation of

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30 TEX. ADMIN. CODE § 113.2075(a)(1), 113.2076(a)(1), and 113.2076(c), and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during an inspection conducted on May 3, 2005.

3. Failed to prepare a Waste Management Plan, in violation of 30 TEX. ADMIN. CODE § 113.2077, and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during an inspection conducted on May 3, 2005.

4. Failed to provide detailed operating procedures, and failed to verify training of operators, in violation of 30 TEX. ADMIN. CODE § 113.2078(a), and (b) and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during an inspection conducted on May 3, 2005.

 Failed to submit a notice of intention to comply, petition for extension, or a notice of intent to shut down the incinerator as required, in violation of 30 TEX. ADMIN. CODE § 113.2079(a), and TEX. HEALTH AND SAFETY CODE § 382.085(b), as documented during an inspection conducted on May 3, 2005.

III. DENIALS

Angleton Danbury generally denies each allegation in Section II ("Allegations").

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IV. ORDERING PROVISIONS

It is, therefore, ordered by the TCEQ that Angleton Danbury pay an administrative penalty as set forth in Section I, Paragraph 6 above. The imposition of this administrative penalty and Angleton Danbury's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Angleton Danbury Hospital District dba Angleton Danbury Medical Center, Docket No. 2005-1775-AIR-E" to:

> Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon Angleton Danbury. Angleton Danbury is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Hospital operations referenced in this Agreed Order
- 3. This Agreed Order, issued by the Commission, shall not be admissible against Angleton Danbury in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this

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Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Angleton Danbury, or three days after the date on which the Commission mails notice of the Order to Angleton Danbury, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

6):11:am

1/24/86

Name (Printed or typed) Title Authorized Representative of Angleton Danbury Hospital District dba Angleton Danbury Medical Center

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order. 이 같은 사람이 있다. 영화 문 것이 있는 것 같아요.

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