

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1949-MSW-E **TCEQ ID:** RN104997101 **CASE NO.:** 31660
RESPONDENT NAME: GWG Wood Group, Inc.

ORDER TYPE:

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:

<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input checked="" type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATER QUALITY		

SITE WHERE VIOLATION(S) OCCURRED: GWG Wood Group, 2797 Miller Ferry Road, Ferris, Dallas County

TYPE OF OPERATION: Wood recycling

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 than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on March 19, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Clinton Sims, Enforcement Division, Enforcement Section IV, MC 128, (512) 239-6933; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

Central Office Investigator: Ms. Teresa Nemec, Financial Administration Division, Revenue Section, MC 184, (512) 239-0325

Respondent: Mr. Kirk Grady, President, GWG Wood Group, Inc., 2201 Long Prairie Road, Flower Mound, Texas 75022

Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 23, 2006</p> <p>Date of NOE Relating to this Case: October 27, 2006 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>WASTE</p> <p>Failed to demonstrate acceptable financial assurance for closure of a municipal solid waste recycling facility [30 TEX. ADMIN. CODE § 328.5(d)].</p>	<p>Total Assessed: \$1,000</p> <p>Total Deferred: \$200 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$800</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Immediately upon the effective date of this Agreed Order, cease accepting municipal solid waste at the Facility until acceptable financial assurance for the closure of the Facility is obtained; and</p> <p>b. Within 15 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including receipts and/or other records to demonstrate that financial assurance which complies with 30 TEX. ADMIN. CODE Ch. 37 has been obtained for the Facility.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	30-Oct-2006	Screening	03-Nov-2006	EPA Due	
	PCW	01-Nov-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	GWG Wood Group, Inc.
Reg. Ent. Ref. No.	RN104997101
Facility/Site Region	4-Dallas/Fort Worth <
Major/Minor Source	Minor Source <

CASE INFORMATION			
Enf./Case ID No.	31660	No. of Violations	1
Docket No.	2006-1949-MSW-E	Order Type	1660 <
Media Program(s)	Municipal Solid Waste <	Enf. Coordinator	Clinton Sims
Multi-Media		EC's Team	Enforcement Team 8 <
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **0% Enhancement** **Subtotals 2, 3, & 7**

Notes

Culpability < **0% Enhancement** **Subtotal 4**

Notes

Good Faith Effort to Comply **0% Reduction** **Subtotal 5**

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes

Economic Benefit **0% Enhancement*** **Subtotal 6**

Total EB Amounts	\$3,465	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$3,300	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL **20% Reduction** **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Screening Date 03-Nov-2006 **Docket No.** 2006-1949-MSW-E **PCW**
Respondent GWG Wood Group, Inc. *Policy Revision 2 (September 2002)*
Case ID No. 31660 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN104997101
Media [Statute] Municipal Solid Waste
Enf. Coordinator Clinton Sims

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> **Repeat Violator (Subtotal 3)**

No <

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes The respondent has no record of any previous NOVs or Orders at this site in the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 03-Nov-2006 **Docket No.** 2006-1949-MSW-E **PCW**
Respondent GWG Wood Group, Inc. *Policy Revision 2 (September 2002)*
Case ID No. 31660 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN104997101
Media [Statute] Municipal Solid Waste
Enf. Coordinator Clinton Sims
Violation Number
Primary Rule Cite(s)
Secondary Rule Cite(s)
Violation Description
Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment
Base Penalty Subtotal

Violation Events

Number of Violation Events
mark only one use a small x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input checked="" type="checkbox"/>
single event	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent GWG Wood Group, Inc.
 Case ID No. 31660
 Reg. Ent. Reference No. RN104997101
 Media [Statute] Municipal Solid Waste
 Violation No. 1

Percent Interest 5.0
 Years of Depreciation 15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]	\$3,300	14-Oct-2005	14-Oct-2006	1.0	\$165	\$3,300	\$3,465
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated cost to provide financial assurance for one year prior to the date the financial assurance was due (10/14/2006).

Approx. Cost of Compliance **\$3,300**

TOTAL \$3,465

Compliance History

Customer/Respondent/Owner-Operator: CN603061953 GWG Wood Group, Inc. Classification: AVERAGE BY Rating: 3.01
DEFAULT
Regulated Entity: RN104997101 GWG WOOD GROUP Classification: AVERAGE BY Site Rating: 3.01
DEFAULT
ID Number(s): MUNICIPAL SOLID WASTE NON ID NUMBER 100141
PERMITTED
Location: 2797 MILLER FERRY RD, FERRIS, TX, 75125 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 04 - DFW METROPLEX
Date Compliance History Prepared: October 31, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: October 31, 2001 to October 31, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Clinton Sims Phone: 5122396933

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? 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 judgements, and consent decrees of the state of Texas and the federal government.
N/A
 - B. Any criminal convictions of the state of Texas and the federal government.
N/A
 - C. Chronic excessive emissions events.
N/A
 - D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 10/27/2006 (517074)
N/A
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
 - F. Environmental audits.
N/A
 - G. Type of environmental management systems (EMSs).
N/A
 - H. Voluntary on-site compliance assessment dates.
N/A
 - I. Participation in a voluntary pollution reduction program.
N/A
 - J. Early compliance.
N/A
- Sites Outside of Texas
N/A

Dear Sir,

I am writing to you regarding the matter of the...

The details of the matter are as follows...

I am sure that you will find this information...

Yours faithfully,

[Signature]

[Name]

[Address]

[Contact Information]

[Closing Remarks]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
GWG WOOD GROUP, INC.
RN104997101**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1949-MSW-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 GWG Wood Group, Inc. ("GWG Wood") under the authority of the TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and GWG Wood appear before the Commission and together stipulate that:

1. GWG Wood owns and operates a wood recycling facility at 2797 Miller Ferry Road in Ferris, Dallas County, Texas (the "Facility").
2. The Facility involves or involved the management of municipal solid waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. The Commission and GWG Wood agree that the Commission has jurisdiction to enter this Agreed Order, and that GWG Wood is subject to the Commission's jurisdiction.
4. GWG Wood received notice of the violations alleged in Section II ("Allegations") on or about November 1, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by GWG Wood of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of One Thousand Dollars (\$1,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). GWG Wood has paid Eight Hundred Dollars (\$800) of the administrative penalty and Two Hundred Dollars (\$200) is deferred contingent upon GWG Wood's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If GWG Wood fails to timely and satisfactorily comply with all requirements of this



Agreed Order, the Executive Director may require GWG Wood 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 GWG Wood have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. 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 GWG Wood has not complied with one or more of the terms or conditions in this Agreed Order.
10. 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.
11. 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 Facility, GWG Wood is alleged to have failed to demonstrate acceptable financial assurance for closure of a municipal solid waste recycling facility, in violation of 30 TEX. ADMIN. CODE § 328.5(d), as documented during a record review investigation conducted on October 23, 2006.

III. DENIALS

GWG Wood generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that GWG Wood pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and GWG Wood'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: GWG Wood Group, Inc., Docket No. 2006-1949-MSW-E " to:

1. The first part of the document is a letter from the author to the editor, dated 10/10/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author is Dr. J. H. [Name], 1234 [Address], [City], [State]. The letter discusses the author's interest in the journal and the possibility of contributing to it.

2. The second part of the document is a letter from the editor to the author, dated 10/15/1954. The letter is addressed to Dr. J. H. [Name], 1234 [Address], [City], [State]. The editor expresses interest in the author's work and suggests that the author submit a paper for consideration.

3. The third part of the document is a letter from the author to the editor, dated 10/20/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author responds to the editor's letter and expresses interest in the journal and the possibility of contributing to it.

4. The fourth part of the document is a letter from the editor to the author, dated 10/25/1954. The letter is addressed to Dr. J. H. [Name], 1234 [Address], [City], [State]. The editor expresses interest in the author's work and suggests that the author submit a paper for consideration.

5. The fifth part of the document is a letter from the author to the editor, dated 10/30/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author responds to the editor's letter and expresses interest in the journal and the possibility of contributing to it.

6. The sixth part of the document is a letter from the editor to the author, dated 11/5/1954. The letter is addressed to Dr. J. H. [Name], 1234 [Address], [City], [State]. The editor expresses interest in the author's work and suggests that the author submit a paper for consideration.

7. The seventh part of the document is a letter from the author to the editor, dated 11/10/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author responds to the editor's letter and expresses interest in the journal and the possibility of contributing to it.

8. The eighth part of the document is a letter from the editor to the author, dated 11/15/1954. The letter is addressed to Dr. J. H. [Name], 1234 [Address], [City], [State]. The editor expresses interest in the author's work and suggests that the author submit a paper for consideration.

9. The ninth part of the document is a letter from the author to the editor, dated 11/20/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author responds to the editor's letter and expresses interest in the journal and the possibility of contributing to it.

10. The tenth part of the document is a letter from the editor to the author, dated 11/25/1954. The letter is addressed to Dr. J. H. [Name], 1234 [Address], [City], [State]. The editor expresses interest in the author's work and suggests that the author submit a paper for consideration.

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. It is further ordered that GWG Wood shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, cease accepting municipal solid waste at the Facility until acceptable financial assurance for the closure of the Facility is obtained, in accordance with 30 TEX. ADMIN. CODE § 328.5(d); and
 - b. Within 15 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including receipts and/or other records to demonstrate that financial assurance which complies with 30 TEX. ADMIN. CODE Ch. 37 has been obtained for the Facility.

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted 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:

Rob Norris
Financial Administration Division, MC184
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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3. The provisions of this Agreed Order shall apply to and be binding upon GWG Wood. GWG Wood is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If GWG Wood fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, GWG Wood's failure to comply is not a violation of this Agreed Order. GWG Wood shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. GWG Wood shall notify the Executive Director within seven days after GWG Wood becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by GWG Wood shall be made in writing to the Executive Director. Extensions are not effective until GWG Wood receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against GWG Wood in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to GWG Wood, or three days after the date on which the Commission mails notice of the Order to GWG Wood, 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

3/27/07

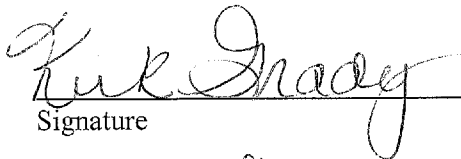
Date

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.

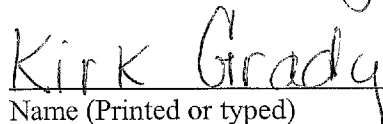
In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

12-14-06

Date



Name (Printed or typed)

Authorized Representative of
GWG Wood Group, Inc.



Title

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.

Faint header text at the top of the page, possibly containing a date or reference number.

Second line of faint header text.

Third line of faint header text.

[Handwritten signature]

[Handwritten signature]

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Second line of the main body of faint text.

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Fourth line of the main body of faint text.

Fifth line of the main body of faint text.

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Seventh line of the main body of faint text.