

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2006-1747-MSW-E **TCEQ ID:** RN100842251 **CASE NO.:** 31305  
**RESPONDENT NAME:** Juan Martin Villarreal dba El Chore Pit, Inc

**ORDER TYPE:**

<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" 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:** El Chore Pit, Inc, located on the east side of Western Road, approximately three-quarters of a mile north of intersection of Mile 3 Road and Western Road, Mission, Hidalgo County

**TYPE OF OPERATION:** Unauthorized municipal solid waste disposal site

**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 26, 2007. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None

**TCEQ Enforcement Coordinator:** Mr. Sandy VanCleave, Enforcement Division, Enforcement Section I, MC 219, (512) 239-2670; Mr. Steven Lopez, Enforcement Division, Enforcement Section I, (512) 239-1896

**TCEQ Field Investigator:** Ms. Carolyn Wood, Harlingen Regional Office, MC R-15, (956) 425-6010

**Respondent:** Mr. Juan Martin Villarreal, Owner, El Chore Pit, Inc, 913 South Mayberry Blvd., No. 1, Alton, Texas 78573-6957

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

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b> <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p><b>Date of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> July 14, 2006</p> <p><b>Date of NOE Relating to this Case:</b> August 15, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine scheduled investigation for compliance with the municipal solid waste program. One significant program violation was observed.</p> <p><b>WASTE</b></p> <p>Failure to prevent the disposal of municipal solid waste (MSW) at an unauthorized site [30 TEX. ADMIN. CODE § 330.15(a)].</p>	<p><b>Total Assessed:</b> \$6,500</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$200 (remaining \$6,300 due in 35 monthly payments of \$180 each)</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Order Justification:</b> This is a Findings Order because the Respondent received two NOV's and one Agreed Order for the same violation within the past five years.</p>	<p><b>Ordering Provisions</b></p> <p>The order will require the Respondent to:</p> <p>a) Immediately upon the effective date of this Agreed Order, cease accepting any additional waste at the Site without proper authorization;</p> <p>b) Within 15 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a.;</p> <p>c) Within 60 days after the effective date of this Agreed Order, ensure that all solid waste disposed of at the Site if removed and disposed of at a permitted MSW landfill; and</p> <p>d) Within 75 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision c.</p>



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	22-Aug-2006	Screening	05-Sep-2006	EPA Due	
	PCW	12-Oct-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Juan Martin Villarreal dba El Chore Pit, Inc
Reg. Ent. Ref. No.	RN100842251
Facility/Site Region	15-Harlingen
Major/Minor Source	Minor Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	31305	No. of Violations	1
Docket No.	2006-1747-MSW-E	Order Type	Findings
Media Program(s)	Municipal Solid Waste	Enf. Coordinator	Sandy VanCleave
Multi-Media		EC's Team	Order Compliance Team
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** 30% Enhancement Subtotals 2, 3, & 7

Notes

**Culpability** No 0% Enhancement Subtotal 4

Notes

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

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)
Notes	<input type="text" value="The Respondent is not yet in compliance."/>	

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

Total EB Amounts	<input type="text" value="\$227"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$4,000"/>	

**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** 0% Reduction Adjustment

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

Notes

**PAYABLE PENALTY**

Screening Date 05-Sep-2006

Docket No. 2006-1747-MSW-E

PCW

Respondent Juan Martin Villarreal dba EI Chore Pit, Inc

Policy Revision 2 (September 2002)

Case ID No. 31305

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN100842251

Media [Statute] Municipal Solid Waste

Enf. Coordinator Sandy VanCleave

## Compliance History Worksheet

## &gt;&gt; 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> )	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	1	20%
	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%
Other	<i>Please Enter Yes or No</i>		
	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) 30%

## &gt;&gt; Repeat Violator (Subtotal 3)

No 

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer 

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance History Notes

The Respondent received two NOVs for the same violation and one agreed final enforcement order containing a denial of liability for the same violation.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 30%

**Screening Date** 05-Sep-2006

**Docket No.** 2006-1747-MSW-E

**PCW**

**Respondent** Juan Martin Villarreal dba El Chore Pit, Inc

*Policy Revision 2 (September 2002)*

**Case ID No.** 31305

*PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN100842251

**Media [Statute]** Municipal Solid Waste

**Enf. Coordinator** Sandy VanCleave

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**  
 Failed to prevent the disposal of municipal solid waste at an unauthorized disposal site. Specifically, during the investigation, it was documented that waste was being processed and disposed of at the site. The volume of waste disposed at the site approximated the equivalent of ten, forty cubic yard containers and consists of brush, plastic sheeting, plastic piping, metal, rebar and construction and demolition debris.

**Base Penalty**

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

		Harm		
Release		Major	Moderate	Minor
OR	Actual		X	
	Potential			

**Percent**

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

**Percent**

**Matrix Notes**

Human health and the environment has been exposed to significant amounts of pollutants which did not exceed levels that are protective of human health.

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	daily	
	monthly	X
	quarterly	
	semiannual	
	annual	
	single event	

**Violation Base Penalty**

Two monthly events are recommended based on documentation of the violation during the July 14, 2006 investigation to the September 5, 2006 screening date.

**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** Juan Martin Villarreal dba EI Chore Pit, Inc  
**Case ID No.** 31305  
**Reg. Ent. Reference No.** RN100842251  
**Media [Statute]** Municipal Solid Waste  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Economic Benefit	
						Onetime Costs	EB Amount
<b>Delayed Costs</b>							
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	\$4,000	14-Jul-2006	01-Sep-2007	1.1	\$227	n/a	\$227
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to dispose of all waste at a permitted municipal solid waste landfill (calculated 400 cubic yards x \$10 per cubic yard). Date required is investigation date. Final date is estimated date of compliance.

<b>Avoided Costs</b>							
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]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$4,000** **TOTAL \$227**

## Compliance History

Customer/Respondent/Owner-Operator:	CN602421380 VILLARREAL, JUAN MARTIN	Classification: AVERAGE	Rating: 4.63
Regulated Entity:	RN100842251 EL CHORE PIT INC	Classification: AVERAGE	Site Rating: 6.25
ID Number(s):	AIR NEW SOURCE PERMITS MUNICIPAL SOLID WASTE DISPOSAL	ACCOUNT NUMBER PERMIT	HN0449J 455150069
Location:	Located on the East Side of Western Rd., approximately three-quarters of a mile north of the intersection of Mile 3 Rd and Western Rd in Mission.		
TCEQ Region:	REGION 15 - HARLINGEN		
Date Compliance History Prepared:	October 12, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	October 12, 2001 to October 12, 2006		

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Sandy VanCleave Phone: (512) 239-2670

### 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?    | Yes                            |
| 3. If Yes, who is the current owner?   | <u>Villarreal, Juan Martin</u> |
| 4. If Yes, who was/were the prior owner(s)?  | <u>El Chore Pit, Inc.</u>      |
| 5. When did the change(s) in ownership occur?  | <u>02/29/2004</u>              |

### 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 Effective Date: 08/29/2003 ADMINORDER 2003-0164-MSW-E  
 Classification: Moderate  
 Citation: 30 TAC Chapter 330, SubChapter A 330.5(a)[G]  
 Description: Failure to prevent the disposal of municipal solid waste at an unauthorized disposal site.

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 | 08/24/2002 | (7067)            |
| 2 | 10/03/2002 | (12941)           |
| 3 | 11/08/2002 | (IE0018849001001) |
| 4 | 12/21/2002 | (17810)           |
| 5 | 02/10/2004 | (261334)          |
| 6 | 02/10/2004 | (262570)          |
| 7 | 05/20/2004 | (272947)          |
| 8 | 10/11/2006 | (487679)          |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/26/2002 (7067)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 330, SubChapter A 330.5[G]  
 Description: Failure to prevent the disposal of municipal solid waste at an unauthorized disposal site.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 324, SubChapter A 324.6  
 Rqmt Prov: OP 40 CFR 279.22(c)(1)  
 Description: Failure to clearly mark or label used oil storage containers with the words "Used Oil."

Date: 02/11/2004 (261334)  
 Self Report? NO Classification: Minor  
 Rqmt Prov: ORDER 30 TAC 330.5

Description: Failure to prevent the disposal of municipal solid waste at an unauthorized disposal site.

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

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



<b>IN THE MATTER OF AN</b>	§	<b>BEFORE THE</b>
<b>ENFORCEMENT ACTION</b>	§	
<b>CONCERNING</b>	§	
<b>JUAN MARTIN VILLARREAL DBA</b>	§	<b>TEXAS COMMISSION ON</b>
<b>EL CHORE PIT, INC</b>	§	
<b>RN100842251</b>	§	<b>ENVIRONMENTAL QUALITY</b>

## **AGREED ORDER DOCKET NO. 2006-1747-MSW-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Juan Martin Villarreal dba El Chore Pit, Inc ("Mr. Villarreal") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Mr. Villarreal presented this agreement to the Commission.

Mr. Villarreal understands that he has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Mr. Villarreal agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon Mr. Villarreal.

The Commission makes the following Findings of Fact and Conclusions of Law:

### **I. FINDINGS OF FACT**

1. Mr. Villarreal owns and operates an unauthorized municipal solid waste disposal site located on the east side of Western Road, approximately three-quarters of a mile north of the intersection of Mile 3 Road and Western Road in Mission, Hidalgo County, Texas (the "Site").
2. The Facility involves or involved the management of municipal solid waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.



3. During an investigation on July 14, 2006, TCEQ staff documented that Mr. Villarreal did not prevent the disposal of municipal solid waste at an unauthorized disposal site. Specifically, during the investigation, it was documented that waste was being processed and disposed of at the site. The volume of waste disposed at the site approximated the equivalent of ten, forty cubic yard containers and consists of brush, plastic sheeting, plastic piping, metal, rebar, and construction and demolition debris.
4. Mr. Villarreal received notice of the violations on August 20, 2006.

## II. CONCLUSIONS OF LAW

1. Mr. Villarreal is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 361 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Mr. Villarreal failed to prevent the disposal of municipal solid waste at an unauthorized site, in violation of 30 TEX. ADMIN. CODE § 330.15(a).
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Mr. Villarreal for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Six Thousand Five Hundred Dollars (\$6,500) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Mr. Villarreal has paid Two Hundred Dollars (\$200) of the administrative penalty. The remaining amount of Six Thousand Three Hundred Dollars (\$6,300) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Eighty Dollars (\$180) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Mr. Villarreal fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Mr. Villarreal to meet the payment schedule of this Agreed Order constitutes the failure by Mr. Villarreal to timely and satisfactorily comply with all the terms of this Agreed Order.

## III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS  
that:

1. Mr. Villarreal is assessed an administrative penalty in the amount of Six Thousand Five Hundred Dollars (\$6,500), as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state

...the ... of ...

statutes. The payment of this administrative penalty and Mr. Villarreal's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Juan Martin Villarreal dba El Chore Pit, Inc, Docket No. 2006-1747-MSW-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. Mr. Villarreal shall undertake the following technical requirements:

- a. Immediately upon the effective date of this Agreed Order, cease accepting any additional waste at the Site without proper authorization;
- b. Within 15 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a as described in Ordering Provision 2.d;
- c. Within 60 days after the effective date of this Agreed Order, ensure that all solid waste disposed of at the Site is removed and disposed of at a permitted municipal solid waste landfill; and
- d. Within 75 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.c as described below:

The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, 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."

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

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making and strategic planning.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and integration. It provides strategies to overcome these challenges and ensure that the organization's data is reliable and secure.

5. The fifth part of the document discusses the importance of data governance and compliance. It emphasizes that organizations must adhere to relevant laws and regulations to protect their data and maintain trust with their stakeholders.

6. The sixth part of the document explores the future of data management and analysis. It discusses emerging trends such as artificial intelligence, big data, and cloud computing, and how they will impact the way organizations manage and use their data.

7. The seventh part of the document provides a summary of the key points discussed throughout the document. It reiterates the importance of data management and analysis in driving organizational success and growth.

8. The eighth part of the document includes a list of references and resources for further reading. It provides a comprehensive list of books, articles, and websites that offer additional insights into data management and analysis.

9. The final part of the document is a conclusion that summarizes the main findings and recommendations. It emphasizes that effective data management and analysis are essential for organizations to thrive in a competitive and data-driven environment.

with a copy to:

Manager, Waste Section  
Harlingen Regional Office  
Texas Commission on Environmental Quality  
1804 W. Jefferson Ave.  
Harlingen, Texas 78573-6957

3. The provisions of this Agreed Order shall apply to and be binding upon Mr. Villarreal. Mr. Villarreal is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Site operations referenced in this Agreed Order.
4. If Mr. Villarreal 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, Mr. Villarreal's failure to comply is not a violation of this Agreed Order. Mr. Villarreal has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Mr. Villarreal shall notify the Executive Director within seven days after Mr. Villarreal 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 Mr. Villarreal shall be made in writing to the Executive Director. Extensions are not effective until Mr. Villarreal receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Mr. Villarreal if the Executive Director determines that Mr. Villarreal has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.
8. This Agreed Order, issued by the Commission, shall not be admissible against Mr. Villarreal 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.
9. 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.

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
PHYSICAL CHEMISTRY  
LABORATORY

Faint, illegible text, likely bleed-through from the reverse side of the page. The text appears to be a list of references or a detailed report, but the characters are too light and blurry to transcribe accurately. Some words like "University of Chicago" and "Department of Chemistry" are faintly visible at the top.

Juan Martin Villarreal dba El Chore Pit, Inc  
DOCKET NO. 2006-1747-MSW-E  
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10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.



**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

\_\_\_\_\_  
For the Executive Director

4/12/07  
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Juan Martin Villarreal dba El Chore Pit, Inc. I am authorized to agree to the attached Agreed Order on behalf of Juan Martin Villarreal dba El Chore Pit, Inc, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Juan Martin Villarreal dba El Chore Pit, Inc waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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.

Juan Martin Villarreal  
Signature  
Juan Martin Villarreal  
Name (printed or typed)  
Authorized Representative  
Juan Martin Villarreal dba El Chore Pit, Inc

Jan/23/2007  
Date  
owner  
Title

