

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2006-0756-MLM-E    **TCEQ ID:** RN104807987    **CASE NO.:** 29712  
**RESPONDENT NAME:** RM Walsdorf, 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 checked="" 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 checked="" 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:** LUVA Corporation, 9275 State Highway 48, Brownsville, Cameron County

**TYPE OF OPERATION:** Industrial service company

**SMALL BUSINESS:**     Yes     No

**OTHER SIGNIFICANT MATTERS:** A complaint was received on October 7, 2005, alleging the improper handling of used oil. There is no record of additional pending enforcement actions regarding this facility location.

**INTERESTED PARTIES:** One complaint was received but the Respondent has not expressed the desire to protest this action or speak at Agenda.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on December 11, 2006. No comments were received.

**CONTACTS AND MAILING LIST:**

**SEP Coordinator:** Ms. Melissa Keller, Enforcement Division, MC 219, (512) 239-1768

**TCEQ Enforcement Coordinator:** Mr. Michael Meyer, Enforcement Division, Enforcement Section IV, MC 128, (512) 239-4492; Mr. Steven Lopez, Enforcement Division, Enforcement Section I, MC 219, (512) 239-1896

**TCEQ Field Investigator:** Ms. Monica Galvan, Harlingen Regional Office, MC R-15, (956) 430-6032

**Respondent:** Mr. Robert Walsdorf, Owner/President, RM Walsdorf, Inc., 10155 S H 48, Brownsville, Texas 78521

**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> October 7, 2005</p> <p><b>Date of Investigation Relating to this Case:</b> November 15, 2005</p> <p><b>Date of NOE Relating to this Case:</b> May 17, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine scheduled investigation for compliance with the Industrial Hazardous Waste and Municipal Solid Waste programs. Seven significant program violations were observed.</p> <p><b>WASTE</b></p> <p>1) Failure to prevent the unauthorized disposal of municipal solid waste including lead acid batteries. Specifically, the investigator documented 25 lead acid batteries and approximately eight cubic yards of construction and demolition waste disposed on-site [30 TEX. ADMIN. CODE § 330.15(c) (formerly 30 TEX. ADMIN. CODE § 330.5(c) and § 328.13(a)].</p> <p>2) Failure to prevent the discharge of industrial solid or municipal hazardous waste including lead acid batteries. Specifically, the investigator observed discolored soil on-site, around three plastic containers of hydrochloric acid [30 TEX. ADMIN. CODE § 335.4].</p> <p>3) Failure to conduct a hazardous waste determination. Specifically, the investigator documented no hazardous waste determination had been performed on approximately 25 55-gallon drums of waste which were stored on-site [30 TEX. ADMIN. CODE § 335.62 and 40 CODE OF FEDERAL REGULATIONS § 262.11].</p>	<p><b>Total Assessed:</b> \$15,625</p> <p><b>Total Deferred:</b> \$3,125  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$6,250</p> <p><b>Total Paid to General Revenue:</b> \$6,250</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input 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>Corrective Actions Taken</b></p> <p>1) The Executive Director recognizes that Walsdorf has implemented the following corrective measures at the Facility:</p> <p>a) By March 28, 2006, the used lead acid batteries were removed and taken to an authorized recycling center and the construction/demolition debris had been removed and taken to an authorized landfill for disposal;</p> <p>b) By April 27, 2006, 24 55-gallon containers of used oil and one container of used oil filters had been removed and taken to an authorized facility for disposal; and</p> <p>c) By July 13, 2006, approximately 25 55-gallon containers of contaminated soil had been emptied into a roll-off bin and transported to an authorized site for disposal. The contaminated soil observed in and around the plastic containers of hydrochloric acid and the area of oil stained soil were also removed and transported to an authorized site for disposal.</p> <p><b>Ordering Provisions</b></p> <p>2) The Order will require the Respondent to:</p> <p>a) Immediately upon the effective date of this Agreed Order, cease accepting any additional unauthorized waste at the Facility;</p> <p>b) Immediately upon the effective date of this Agreed Order, begin monitoring for vectors and implementing appropriate vector control measures. A written record of the monitoring activities shall be maintained in a log book which is to be maintained on-site and made available for inspection upon request by TCEQ personnel;</p>

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>4) Failure to conduct monitoring for vectors and appropriate vector control methods at least once every two weeks for tires stored outside. The Facility representative accompanying the investigator during the investigation indicated that there was no monitoring of vectors or vector control measures for approximately 100 tires observed on the property [30 TEX. ADMIN. CODE § 328.56(d)(4)].</p> <p>5) Failure to prevent an unauthorized discharge of used oil to soil and ensure that used oil is stored in a manner that does not endanger the public health or environment. Specifically, used oil was observed in several 55-gallon drums with many of the drums uncovered and filled with water which spilled on the ground. The investigator estimated an area approximately 100 square feet in diameter which exhibited used oil stains [30 TEX. ADMIN. CODE § 324.4(1), TEX. HEALTH AND SAFETY CODE § 371.041, and 40 CODE OF FEDERAL REGULATIONS § 279.22(b)(2) and (d)].</p> <p>6) Failure to label or mark clearly containers storing used oil. Specifically, of the estimated 100 drums on-site, approximately 25 drums contained used oil and were not labeled or marked clearly with the words "Used Oil" [30 TEX. ADMIN. CODE § 324.140 and 40 Code of Federal Regulations § 279.22(c)(1)].</p> <p>7) Failure to securely close a container filled with used oil filters. Specifically, a 55-gallon drum storing used oil filters was uncovered [30 TEX. ADMIN. CODE § 328.23(c)].</p>		<p>c) Within 90 days after the effective date of this Agreed Order, submit an Affected Property Assessment Report, pursuant to 30 TEX. ADMIN. CODE § 350.91, to the Executive Director for approval. If response actions are necessary, comply with all applicable requirements of the Texas Risk Reduction Program found in 30 TEX. ADMIN. CODE ch. 350 which may include: plans, reports, and notices under Subchapter E (30 TEX. ADMIN. CODE §§ 350.92 to 350.96); financial assurance (30 TEX. ADMIN. CODE § 350.33(1)); and Institutional Controls under Subchapter F;</p> <p>d) Respond completely and adequately, as determined by the TCEQ, to all letter requests for information concerning the Affected Property Assessment Report, within 30 days after the date of such letters, or by any other deadline specified in writing; and</p> <p>e) Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. through 2.d.</p>

THE UNIVERSITY OF CHICAGO

NAME	RESIDENCE	ALMA MATER
ALBERT A. ABRAHAMSON	CHICAGO, ILL.	MICHIGAN STATE UNIVERSITY
ALBERT A. ABRAHAMSON	CHICAGO, ILL.	MICHIGAN STATE UNIVERSITY
ALBERT A. ABRAHAMSON	CHICAGO, ILL.	MICHIGAN STATE UNIVERSITY
ALBERT A. ABRAHAMSON	CHICAGO, ILL.	MICHIGAN STATE UNIVERSITY
ALBERT A. ABRAHAMSON	CHICAGO, ILL.	MICHIGAN STATE UNIVERSITY

Attachment A  
Docket Number: 2006-0756-MLM-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** RM Walsdorf, Inc.

**Penalty Amount:** Twelve Thousand Five Hundred Dollars (\$12,500)

**SEP Amount:** Six Thousand Two Hundred Fifty Dollars (\$6,250)

**Type of SEP:** Pre-approved

**Third-Party Recipient:** Audubon Society-Restoration and Revegetation of Green and Three Islands

**Location of SEP:** Cameron County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used for restoration and revegetation of Green and Three Islands. This long-term island habitat restoration and revegetation project aims to improve nesting conditions for colonial waterbirds on these four islands by planting appropriate plants, thus further reducing damage due to erosion. The lower Laguna Madre bay system, made up of a number of islands, has significant erosion damage in size, configuration, and vegetation, making it much less suitable for nesting colonial waterbirds. Twenty-two species of colonial waterbirds, including the brown pelican, reddish egret, tricolored heron, roseate spoonbill, and white ibis will benefit directly from these restoration projects. SEP monies will be used to purchase native plant materials, equipment used in revegetation, and labor costs.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by restoring and enhancing critical colonial waterbird nesting habitat.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

the following information:

1. Name of the person or organization

2. Address of the person or organization

3. City

4. State

5. Zip code

6. Telephone number

7. Name of the person or organization

8. Address

9. City

10. State

11. Zip code

12. Telephone number

13. Name

14. Address

15. City

16. State

17. Zip code

18. Telephone number

19. Name of the person or organization

20. Address

21. City

22. State

23. Zip code

24. Telephone number

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Audubon Society-Texas  
Attn: Sharon Jenkins  
427 Sterzing Street, Suite 109  
Austin, Texas 78704

**3. Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC-219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

**5. Publicity**

Dear Sir,

I am writing to you regarding the matter of the late Mr. John Doe, who passed away on the 15th day of the month of January, 1998.

Yours faithfully,  
[Signature]

Very truly yours,  
[Signature]

I am writing to you regarding the matter of the late Mr. John Doe, who passed away on the 15th day of the month of January, 1998.

Yours faithfully,  
[Signature]

Very truly yours,  
[Signature]

I am writing to you regarding the matter of the late Mr. John Doe, who passed away on the 15th day of the month of January, 1998.

Yours faithfully,  
[Signature]

I am writing to you regarding the matter of the late Mr. John Doe, who passed away on the 15th day of the month of January, 1998.

Very truly yours,  
[Signature]

statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential 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 final part of the document provides a summary of the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data collection and analysis processes remain effective and relevant over time.



**Penalty Calculation Worksheet (PCW)**

Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	22-May-2006	Screening	07-Jun-2006	EPA Due	
	PCW	03-Aug-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	RM Walsdorf, Inc.
Reg. Ent. Ref. No.	RN104807987
Facility/Site Region	15-Harlingen
Major/Minor Source	Minor Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	29712	No. of Violations	3
Docket No.	2006-0756-MLM-E	Order Type	1660
Media Program(s)	Used Oil	Enf. Coordinator	Michael Meyer
Multi-Media	IHW and MSW	EC's Team	Enforcement Team 8
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$2,500

**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** No 0% Enhancement Subtotal 4

Notes

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

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	X	(mark with a small x)

Notes

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

Total EB Amounts	\$748	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$10,675	

**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 indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

**PAYABLE PENALTY**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Used Oil  
**Enf. Coordinator** Michael Meyer

**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%
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)** 0%

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

No

**Adjustment Percentage (Subtotal 3)** 0%

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

N/A

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

There are no previous NOVs or orders within the previous five years.

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

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Used Oil  
**Enf. Coordinator** Michael Meyer  
**Violation Number** 1  
**Primary Rule Cite(s)** 30 Tex. Admin. Code § 324.4(1)  
**Secondary Rule Cite(s)** Tex. Health and Safety Code § 371.041 and 40 Code of Federal Regulations § 279.22(b)(2) and (d)  
**Violation Description** Failure to prevent an unauthorized discharge of used oil to soil and ensure that used oil is stored in a manner that does not endanger the public health or environment, as documented during an investigation conducted on November 15, 2005. Specifically, used oil was observed in several 55 gallon drums with many of the drums uncovered and filled with water which spilled used oil onto the ground. The investigator estimated an area approximately 100 square feet in diameter exhibited used oil stains.

**Base Penalty** \$2,500

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual			X	Percent 10%
	Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent

**Matrix Notes** Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels protective of human health or environmental receptors.

**Adjustment** -\$2,250

**Base Penalty Subtotal** \$250

**Violation Events**

Number of Violation Events 3

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

**Violation Base Penalty** \$750

Three quarterly events are recommended from the 11/15/2005 investigation date to the 06/07/2006 screening date.

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$727

**Violation Final Penalty Total** \$750

**This violation Final Assessed Penalty (adjusted for limits)** \$750

### Economic Benefit Worksheet

Respondent RM Walsdorf, Inc.  
 Case ID No. 29712  
 Reg. Ent. Reference No. RN104807987  
 Media [Statute] Used Oil  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

**Item**                      **Item**                      **Date**                      **Final**                      **Yrs**                      **Interest**  
**Description**              **Cost**                      **Required**                      **Date**                                           **Saved**

No commas or \$

**Delayed Costs**

	Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$10,000	15-Nov-2005	30-Apr-2007	1.5	\$727	n/a	\$727
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost of used oil disposal and an Affected Property Assessment Report. The Date Required is the 11/15/2005 investigation and the Final Date is the projected date of compliance.

**Avoided Costs**

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

	Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 **\$10,000**

**TOTAL** **\$727**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Used Oil  
**Enf. Coordinator** Michael Meyer  
**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 type="text"/>
	single event	<input checked="" type="checkbox"/>

**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 **RM Walsdorf, Inc.**  
 Case ID No. **29712**  
 Reg. Ent. Reference No. **RN104807987**  
 Media [Statute] **Used Oil**  
 Violation No. **2**

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	One-time Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$500	15-Nov-2005	27-Apr-2006	0.4	\$1	\$15	\$16
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: Estimated cost to label the 25 drums storing used oil. The Date Required is the 11/15/2005 investigation date and the Final Date is the date that all containers storing used oil were removed from the site.

Item Description	Yrs	Interest Saved	One-time Costs	EB Amount
<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 **\$500** **TOTAL \$16**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Used Oil  
**Enf. Coordinator** Michael Meyer  
**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" value="25%"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

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 type="text"/>
	single event	<input checked="" type="checkbox"/>

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 RM Walsdorf, Inc.  
 Case ID No. 29712  
 Reg. Ent. Reference No. RN104807987  
 Media [Statute] Used Oil  
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$175	15-Nov-2005	27-Apr-2006	0.4	\$0	\$5	\$5
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: Estimated cost to securely close the container filled with used oil filters. The Date Required is the 11/15/2005 investigation and the Final Date is the date that all used oil filters were removed from the site.

Item Description	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Avoided Costs</b>				
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 **\$175** TOTAL **\$5**



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	<b>Assigned</b>	22-May-2006	<b>Screening</b>	07-Jun-2006	<b>EPA Due</b>	14-Apr-2006
	<b>PCW</b>	05-Sep-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	RM Walsdorf, Inc.
<b>Reg. Ent. Ref. No.</b>	RN104807987
<b>Facility/Site Region</b>	15-Harlingen
<b>Major/Minor Source</b>	Minor Source

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	29712	<b>No. of Violations</b>	4
<b>Docket No.</b>	2006-0756-MLM-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Municipal Solid Waste	<b>Enf. Coordinator</b>	Michael Meyer
<b>Multi-Media</b>	IHW and MSW	<b>EC's Team</b>	Enforcement Team 8
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$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**  **Subtotals 2, 3, & 7**

Notes

**Culpability**   **Subtotal 4**

Notes

**Good Faith Effort to Comply**  **Subtotal 5**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	(mark with a small x)

Notes

**Economic Benefit**  **Subtotal 6**

Total EB Amounts	<input type="text" value="\$286"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$6,800"/>	

**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**  **Adjustment**

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

Notes

**PAYABLE PENALTY**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Municipal Solid Waste  
**Enf. Coordinator** Michael Meyer

**Compliance History Worksheet**

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

Component	Number of	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action ( <i>number of NOV's meeting criteria</i> )	0	0%
	Other written NOV's	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)**

N/A

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes** There are no previous NOV's or orders within the previous five years.

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

<b>Screening Date</b> 07-Jun-2006	<b>Docket No.</b> 2006-0756-MLM-E	<b>PCW</b>
<b>Respondent</b> RM Walsdorf, Inc.		<small>Policy Revision 2 (September 2002)</small>
<b>Case ID No.</b> 29712		<small>PCW Revision May 19, 2005</small>
<b>Reg. Ent. Reference No.</b> RN104807987		
<b>Media [Statute]</b> Municipal Solid Waste		
<b>Enf. Coordinator</b> Michael Meyer		
<b>Violation Number</b> <input type="text" value="1"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code §§ 330.15(c) [formerly 30 Tex. Admin. Code § 330.5(c)] and 328.13(a)"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failure to prevent the unauthorized disposal of municipal hazardous waste including lead acid batteries, as documented during an investigation conducted on November 15, 2005. Specifically, the investigator documented 25 lead-acid batteries and eight cubic yards of construction and demolition waste disposed on-site."/>	
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>

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

		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<b>X</b>	<b>Percent</b> <input type="text" value="10%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>

Matrix Notes

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

		daily	<input type="text"/>
		monthly	<input type="text"/>
<small>mark only one</small>		quarterly	<b>X</b>
<small>use a small x</small>		semiannual	<input type="text"/>
		annual	<input type="text"/>
		single event	<input type="text"/>

**Violation Base Penalty**

**Economic Benefit (EB) for this violation**

**Estimated EB Amount**

**Statutory Limit Test**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

### Economic Benefit Worksheet

Respondent RM Walsdorf, Inc.  
 Case ID No. 29712  
 Reg. Ent. Reference No. RN104807987  
 Media [Statute] Municipal Solid Waste  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	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	\$200	15-Nov-2005	28-Mar-2006	0.4	\$4	n/a	\$4
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost of removing and disposing of 25 lead acid batteries and eight cubic yards of waste at \$13 per cubic yard. The Date Required is the 11/15/2005 investigation date and the Final Date is the date of compliance.

Item Description	Yrs	Interest Saved	Onetime Costs	EB Amount
<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 **\$200**

**TOTAL \$4**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**  
**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*  
**Case ID No.** 29712 *PCW Revision May 19, 2005*  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Municipal Solid Waste  
**Enf. Coordinator** Michael Meyer  
**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 checked="" type="checkbox"/>	<b>Percent</b> <input type="text" value="10%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

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

**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** RM Walsdorf, Inc.  
**Case ID No.** 29712  
**Reg. Ent. Reference No.** RN104807987  
**Media [Statute]** Municipal Solid Waste  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Economic Benefit (EB)	
						Onetime Costs	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	\$1,500	15-Nov-2005	30-Apr-2007	1.5	\$109	n/a	\$109
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs** Estimated cost for removing the contaminated soil and transporting it to an authorized facility for disposal. The Date Required is the 11/15/2005 investigation date and the Final Date is the projected 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 **\$1,500** **TOTAL \$109**

<b>Screening Date</b> 07-Jun-2006	<b>Docket No.</b> 2006-0756-MLM-E	<b>PCW</b>
<b>Respondent</b> RM Walsdorf, Inc.	<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 29712	<i>PCW Revision May 19, 2005</i>	
<b>Reg. Ent. Reference No.</b> RN104807987		
<b>Media [Statute]</b> Municipal Solid Waste		
<b>Enf. Coordinator</b> Michael Meyer		
<b>Violation Number</b> <input type="text" value="3"/>		
<b>Primary Rule Cite(s)</b>	<input type="text" value="30 Tex. Admin. Code § 335.62 and 40 Code of Federal Regulations § 262.11"/>	
<b>Secondary Rule Cite(s)</b>	<input type="text"/>	
<b>Violation Description</b>	<input type="text" value="Failure to conduct a hazardous waste determination, as documented during an investigation conducted on November 15, 2005. The investigator documented that no hazardous waste determination had been performed on approximately 25 drums of waste being stored on-site."/>	
<b>Base Penalty</b>	<input type="text" value="\$10,000"/>	

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

		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="25%"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>
Matrix Notes	<input type="text" value="Human health or the environment will or could be exposed to significant amounts of pollutants which would or could exceed levels that are protective of human health or environmental receptors as a result of the violation."/>				

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

**Violation Base Penalty**

One single event for the one waste stream.

**Economic Benefit (EB) for this violation**

Estimated EB Amount

**Statutory Limit Test**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

### Economic Benefit Worksheet

Respondent RM Walsdorf, Inc.  
 Case ID No. 29712  
 Reg. Ent. Reference No. RN104807987  
 Media [Statute] Municipal Solid Waste  
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	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	\$5,000	15-Nov-2005	13-Jul-2006	0.7	\$164	n/a	\$164
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost for conducting hazardous waste determinations on the 25 drums of waste. The Date Required is the 11/15/2005 investigation date and the Final Date is the date the waste determination was made and the waste transported off-site for disposal.

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]				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 **\$5,000** TOTAL **\$164**

**Screening Date** 07-Jun-2006 **Docket No.** 2006-0756-MLM-E **PCW**

**Respondent** RM Walsdorf, Inc. *Policy Revision 2 (September 2002)*

**Case ID No.** 29712 *PCW Revision May 19, 2005*

**Reg. Ent. Reference No.** RN104807987

**Media [Statute]** Municipal Solid Waste

**Enf. Coordinator** Michael Meyer

**Violation Number**

**Primary Rule Cite(s)**

**Secondary Rule Cite(s)**

**Violation Description**  
 Failure to conduct monitoring for vectors and appropriate vector control methods at least once every two weeks for tires stored outside, as documented during an investigation conducted on November 15, 2005. The Facility representative accompanying the investigator during the investigation indicated that there was no monitoring of vectors or vector control measures for approximately 100 tires observed on the property.

**Base Penalty**

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

**Harm**

Release	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>

**Percent**

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Percent**

Matrix Notes

Human health and the environment will or could be exposed to insignificant amounts of pollutants which do not exceed levels protective of human health or environmental receptors.

**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 type="text"/>
single event	<input checked="" type="checkbox"/>

**Violation Base Penalty**

A single event is recommended.

**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 RM Walsdorf, Inc.  
 Case ID No. 29712  
 Reg. Ent. Reference No. RN104807987  
 Media [Statute] Municipal Solid Waste  
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	One/Time Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$100	15-Nov-2005	31-Jan-2007	1.2	\$0	\$8	\$8
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: Estimated cost to monitor for vector and appropriate vector control methods. The Date Required is the 11/15/2005 investigation date and the Final Date is the estimated date of compliance.

Item Description	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)	Yrs	Interest Saved	One/Time Costs	EB Amount
<b>Avoided Costs</b>					
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 **\$100** TOTAL **\$8**

## Compliance History

Customer/Respondent/Owner-Operator:	CN602963340 RM Walsdorf, Inc.	Classification:	Rating:
Regulated Entity:	RN104807987 LUVA CORPORATION	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	MUNICIPAL SOLID WASTE PROCESSING PERMIT		HAU0103
Location:	9275 STATE HIGHWAY 48, BROWNSVILLE, TX, 78521	Rating Date: September 01 05	Repeat Violator: NO
TCEQ Region:	REGION 15 - HARLINGEN		
Date Compliance History Prepared:	July 21, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	July 21, 2001 to July 21, 2006		

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

Name: Michael Meyer Phone: (512) 239-4492

### 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?   | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)?  | <u>N/A</u> |
| 5. When did the change(s) in ownership occur?  | <u>N/A</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
  - 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.)  
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

THE UNIVERSITY OF CHICAGO

PH.D. THESIS

IN THE FIELD OF

PHYSICS

BY

DR. J. J. THOMAS

CHICAGO, ILLINOIS

1954

PH.D. THESIS

IN THE FIELD OF

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CHICAGO, ILLINOIS

1954

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
RM WALSDORF, INC.  
RN104807987**

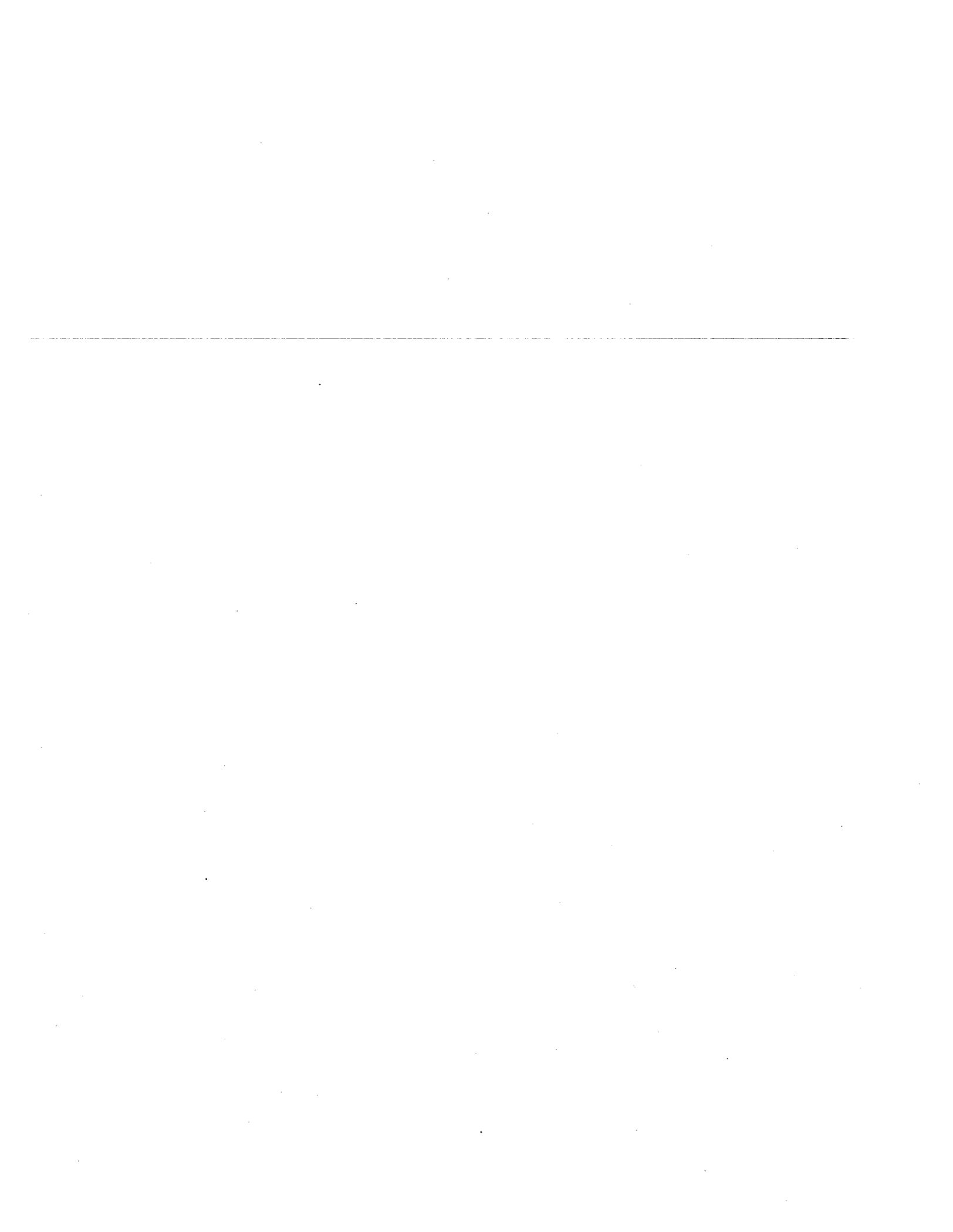
**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2006-0756-MLM-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 RM Walsdorf, Inc. ("Walsdorf") under the authority of TEX. HEALTH & SAFETY CODE chs. 361 and 371 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Walsdorf appear before the Commission and together stipulate that:

1. Walsdorf formerly operated an industrial service company located at 9275 State Highway 48 in Brownsville, Cameron County, Texas (the "Facility").
2. The Facility involves or involved the management of industrial and municipal solid waste and used oil as defined in Tex. Health & Safety Code chs. 361 and 371.
3. The Commission and Walsdorf agree that the Commission has jurisdiction to enter this Agreed Order, and that Walsdorf is subject to the Commission's jurisdiction.
4. Walsdorf received notice of the violations alleged in Section II ("Allegations") on or about May 22, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Walsdorf of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Fifteen Thousand Six Hundred Twenty-Five Dollars (\$15,625) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Walsdorf has paid Six Thousand Two Hundred Fifty Dollars (\$6,250) of the administrative penalty and Three Thousand One Hundred Twenty-Five Dollars (\$3,125) is deferred contingent upon Walsdorf'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 Walsdorf fails to timely and satisfactorily comply with all requirements of this Agreed



Order, the Executive Director may require Walsdorf to pay all or part of the deferred penalty. Six Thousand Two Hundred Fifty Dollars (\$6,250) shall be conditionally offset by Walsdorf's completion of a Supplemental Environmental Project.

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 Walsdorf 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 Walsdorf has implemented the following corrective measures at the Facility:
  - a. By March 28, 2006, the used lead acid batteries were removed and taken to an authorized recycling center and the construction/demolition debris had been removed and taken to an authorized landfill for disposal;
  - b. By April 27, 2006, 24 55-gallon containers of used oil and one container of used oil filters had been removed and taken to an authorized facility for disposal; and
  - c. By July 13, 2006, approximately 25 55-gallon containers of contaminated soil had been emptied into a roll-off bin and transported to an authorized site for disposal. The contaminated soil observed in and around the plastic containers of hydrochloric acid and the area of oil stained soil were also removed and transported to an authorized site for disposal.
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 Walsdorf have 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 the previous operator of the Facility Walsdorf is alleged to have:

1. Failed to prevent the unauthorized disposal of municipal solid waste including lead acid batteries, in violation of 30 TEX. ADMIN. CODE §§ 330.15(c)[formerly 30 TEX. ADMIN. CODE § 330.5(c)] and 328.13(a), as documented during an investigation conducted on November 15, 2005. Specifically,

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- the investigator documented 25 lead acid batteries and approximately eight cubic yards of construction and demolition waste disposed on-site.
2. Failed to prevent the discharge of industrial solid or municipal hazardous waste including lead acid batteries, in violation of 30 TEX. ADMIN. CODE § 335.4, as documented during an investigation conducted on November 15, 2005. Specifically, the investigator observed discolored soil on-site, around three plastic containers of hydrochloric acid.
  3. Failed to conduct a hazardous waste determination, in violation of 30 TEX. ADMIN. CODE § 335.62 and 40 CODE OF FEDERAL REGULATIONS § 262.11, as documented during an investigation conducted on November 15, 2005. Specifically, the investigator documented no hazardous waste determination had been performed on approximately 25 55-gallon drums of waste which were stored on-site.
  4. Failed to conduct monitoring for vectors and appropriate vector control methods at least once every two weeks for tires stored outside, in violation of 30 TEX. ADMIN. CODE § 328.56(d)(4), as documented during an investigation conducted on November 15, 2005. The Facility representative accompanying the investigator during the investigation indicated that there was no monitoring of vectors or vector control measures for approximately 100 tires observed on the property.
  5. Failed to prevent an unauthorized discharge of used oil to soil and ensure that used oil is stored in a manner that does not endanger the public health or environment, in violation of 30 TEX. ADMIN. CODE § 324.4(1), TEX. HEALTH & SAFETY CODE § 371.041 and 40 CODE OF FEDERAL REGULATIONS § 279.22(b)(2) and (d), as documented during an investigation conducted on November 15, 2005. Specifically, used oil was observed in several 55-gallon drums with many of the drums uncovered and filled with water which spilled onto the ground. The investigator estimated an area approximately 100 square feet in diameter which exhibited used oil stains.
  6. Failed to label or mark clearly containers storing used oil, in violation of 30 TEX. ADMIN. CODE § 324.1 and 40 CODE OF FEDERAL REGULATIONS § 279.22(c)(1) as documented during an investigation conducted on November 15, 2005. Specifically, of the estimated 100 drums on-site, approximately 25 drums contained used oil and were not labeled or marked clearly with the words "Used Oil".
  7. Failed to securely close a container filled with used oil filters, in violation of 30 TEX. ADMIN. CODE § 328.23(c) as documented during an investigation conducted on November 15, 2005. Specifically, a 55-gallon drum storing used oil filters was uncovered.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Walsdorf pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Walsdorf's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section

The first part of the document discusses the importance of maintaining accurate records of all transactions.

It is essential to ensure that all data is entered correctly and that the system is regularly updated.

The second part of the document outlines the various methods used to collect and analyze data.

These methods include surveys, interviews, and focus groups, each with its own strengths and weaknesses.

The third part of the document provides a detailed overview of the data analysis process, from data cleaning to final reporting.

It is important to note that the results of the analysis should be interpreted with care and in the context of the research objectives.

The final part of the document concludes with a summary of the key findings and recommendations for future research.

Overall, this document provides a comprehensive guide to the research process, from data collection to analysis and reporting.

The information presented here is intended to serve as a reference for researchers and students alike.

For more information, please contact the author at the address provided below.

The author would like to thank the following individuals for their assistance and support during the course of this research.

Finally, it is hoped that this document will be a useful resource for anyone interested in the field of research.

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: RM Walsdorf, Inc., Docket No. 2006-0756-MLM-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. Walsdorf shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with Texas Water Code § 7.067. As set forth in Section I Paragraph 6 Jurisdiction and Stipulations above, Six Thousand Two Hundred Fifty Dollars (\$6,250) of the assessed penalty shall be offset with the condition that Walsdorf implement the SEP defined in Attachment A, incorporated herein by reference. Walsdorf's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that Walsdorf shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Agreed Order, cease accepting any additional unauthorized waste at the Facility;
  - b. Immediately upon the effective date of this Agreed Order, begin monitoring for vectors and implementing appropriate vector control measures, in accordance with 30 TEX. ADMIN. CODE § 328.56(d). A written record of the monitoring activities shall be maintained in a log book which is to be maintained on-site and made available for inspection upon request by TCEQ personnel;
  - c. Within 90 days after the effective date of this Agreed Order, submit an **Affected Property Assessment Report**, pursuant to 30 TEX. ADMIN. CODE § 350.91, to the Executive Director for approval. If response actions are necessary, comply with all applicable requirements of the Texas Risk Reduction Program found in 30 TEX. ADMIN. CODE ch. 350 which may include: plans, reports, and notices under Subchapter E (30 TEX. ADMIN. CODE §§ 350.92 to 350.96); financial assurance (30 TEX. ADMIN. CODE § 350.33(1)); and Institutional Controls under Subchapter F;
  - d. Respond completely and adequately, as determined by the TCEQ, to all letter requests for information concerning the **Affected Property Assessment Report**, within 30 days after the date of such letters, or by any other deadline specified in writing; and
  - e. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation, including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a. through d.



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 this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, 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 149  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Waste Section Manager  
Harlingen Regional Office  
Texas Commission on Environmental Quality  
1804 West Jefferson Avenue  
Harlingen Texas 78550-5247

4. The provisions of this Agreed Order shall apply to and be binding upon Walsdorf. Walsdorf 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.
5. If Walsdorf 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, Walsdorf's failure to comply is not a violation of this Agreed Order. Walsdorf shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Walsdorf shall notify the Executive Director within seven days after Walsdorf becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. 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 Walsdorf shall be made in writing to the Executive Director. Extensions are not effective until Walsdorf receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

1. The first part of the document is a list of the names of the members of the committee.

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RM Walsdorf, Inc.

DOCKET NO. 2006-0756-MLM-E

Page 6

7. This Agreed Order, issued by the Commission, shall not be admissible against Walsdorf 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.
8. 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.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Walsdorf, or three days after the date on which the Commission mails notice of the Order to Walsdorf, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The first part of the document discusses the importance of maintaining accurate records. It emphasizes that proper record-keeping is essential for ensuring the integrity and reliability of the data collected. This section also outlines the various methods used to collect and analyze the data, highlighting the challenges faced during the process.

The second part of the document provides a detailed description of the experimental setup. It includes information about the equipment used, the procedures followed, and the conditions under which the data was collected. This section is crucial for understanding the context and limitations of the study.

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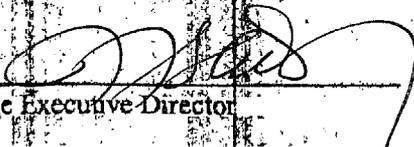
The final part of the document presents the results of the study. It includes a summary of the findings, a discussion of the implications, and conclusions drawn from the data. The authors also acknowledge the limitations of the study and suggest areas for future research.

RM Walsdorf, Inc.  
DOCKET NO. 2006-0756 MLM-E  
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### SIGNATURE PAGE

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



4/12/07

For the Executive Director

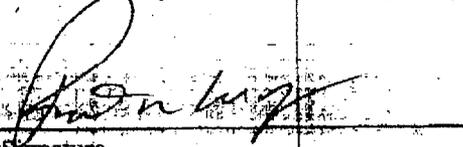
Date

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.



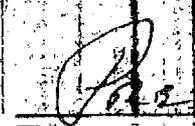
Signature

3-13-07

Date

Robert M. Walsdorf

Name (Printed or typed)  
Authorized Representative of  
RM Walsdorf, 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.

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The following information is for your information only. It is not intended to be used as a substitute for professional advice. The information is provided for your information only and is not intended to be used as a substitute for professional advice. The information is provided for your information only and is not intended to be used as a substitute for professional advice.

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Attachment A

Docket Number: 2006-0756-MLM-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** RM Walsdorf, Inc.  
**Penalty Amount:** Twelve Thousand Five Hundred Dollars (\$12,500)  
**SEP Amount:** Six Thousand Two Hundred Fifty Dollars (\$6,250)  
**Type of SEP:** Pre-approved  
**Third-Party Recipient:** Audubon Society-Restoration and Revegetation of Green and Three Islands  
**Location of SEP:** Cameron County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used for restoration and revegetation of Green and Three Islands. This long-term island habitat restoration and revegetation project aims to improve nesting conditions for colonial waterbirds on these four islands by planting appropriate plants, thus further reducing damage due to erosion. The lower Laguna Madre bay system, made up of a number of islands, has significant erosion damage in size, configuration, and vegetation, making it much less suitable for nesting colonial waterbirds. Twenty-two species of colonial waterbirds, including the brown pelican, reddish egret, tricolored heron, roseate spoonbill, and white ibis will benefit directly from these restoration projects. SEP monies will be used to purchase native plant materials, equipment used in revegetation, and labor costs.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by restoring and enhancing critical colonial waterbird nesting habitat.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

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**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Audubon Society-Texas  
Attn: Sharon Jenkins  
427 Sterzing Street, Suite 109  
Austin, Texas 78704

**3. Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

**5. Publicity**

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statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud.

The second part of the document outlines the specific procedures for recording transactions. It details the steps involved in the accounting cycle, from identifying the transaction to posting it to the appropriate ledger account.

The final part of the document discusses the importance of reconciling accounts. It explains how regular reconciliations help to ensure that the books are balanced and that any discrepancies are identified and corrected promptly.