

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2006-2103-AIR-E TCEQ ID: RN102590700 CASE NO.: 31883**  
**RESPONDENT NAME: Western Extrusions Corporation**

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Western Extrusions, 1735 Sandy Lake Road, Carrollton, Dallas County</p> <p><b>TYPE OF OPERATION:</b> Aluminum extrusion paint line</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 30, 2007. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  TCEQ Attorney/SEP Coordinator: None  TCEQ Enforcement Coordinator: Ms. Nadia Hameed, Enforcement Division, Enforcement Section III, MC R-12, (713) 767-3629; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896  Respondent: Mr. Vincent R. Snee, Environmental, Health &amp; Safety Manager, Western Extrusions Corporation, P.O. Box 810219, Dallas, Texas 75381-0219  Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

**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(s) of Complaints Relating to this Case:</b>                      None</p> <p><b>Date of Investigation Relating to this Case:</b>                      October 12, 2006</p> <p><b>Date of NOE Relating to this Case:</b> November 30, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation. One violation was documented.</p> <p><b>AIR</b></p> <p>Failed to submit a timely application to renew Federal Operating Permit No. O-01411, and continued the operations at the Plant after the expiration of the permit on June 12, 2006 [30 TEX. ADMIN. CODE §§ 122.121, 122.133(4), 122.241(b) and TEXAS HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$17,850</p> <p><b>Total Deferred:</b> \$3,570  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$14,280</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that on December 21, 2006, Western Extrusions obtained a new Federal Operating Permit No. O-02900 authorizing operations at the Plant.</p>



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 17, 2006

TCEQ

<b>DATES</b>	<b>Assigned</b>	4-Dec-2006	<b>Screening</b>	6-Dec-2006	<b>EPA Due</b>	27-Aug-2007
	<b>PCW</b>	9-Jan-2007				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Western Extrusions Corporation
<b>Reg. Ent. Ref. No.</b>	RN102590700
<b>Facility/Site Region</b>	4-Dallas/Fort Worth
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	31883	<b>No. of Violations</b>	1
<b>Docket No.</b>	2006-2103-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air Quality	<b>Enf. Coordinator</b>	Nadia Hameed
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 6
<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* **\$15,000**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** 29% Enhancement *Subtotals 2, 3, & 7* **\$4,350**

**Notes** Penalty enhancement due to one same or similar NOV, two unrelated NOVs and one Agreed Order with denial of liability.

**Culpability** No 0% Enhancement *Subtotal 4* **\$0**

**Notes** Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply** 10% Reduction *Subtotal 5* **\$1,500**

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

**Notes** Respondent achieved compliance on December 21, 2006.

**Total EB Amounts** \$210 **0% Enhancement\*** *Subtotal 6* **\$0**

**Approx. Cost of Compliance** \$8,000 *\*Capped at the Total EB \$ Amount*

**SUM OF SUBTOTALS 1-7** *Final Subtotal* **\$17,850**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** *Adjustment* **\$0**

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

**Notes**

*Final Penalty Amount* **\$17,850**

**STATUTORY LIMIT ADJUSTMENT** *Final Assessed Penalty* **\$17,850**

**DEFERRAL** 20% Reduction *Adjustment* **-\$3,570**

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

**Notes**

Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$14,280**

Screening Date: 6-Dec-2006

Docket No. 2006-2103-AIR-E

PCW

Respondent: Western Extrusions Corporation

Policy Revision 2 (September 2002)

Case ID No: 31883

PCW Revision November 17, 2006

Reg. Ent. Reference No: RN102590700

Media [Statute]: Air Quality

Enf. Coordinator: Nadia Hameed

### 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 (number of NOVs meeting criteria)	1	5%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (number of judgments or consent decrees meeting criteria)	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 (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
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%

Please Enter Yes or No

Adjustment Percentage (Subtotal 2) 29%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History: Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History: Summary

Compliance History Notes

Penalty enhancement due to one same or similar NOV, two unrelated NOVs and one Agreed Order with denial of liability

Total Adjustment Percentage (Subtotals 2, 3, & 7) 29%

Screening Date 6-Dec-2006

Docket No. 2006-2103-AIR-E

PCW

Respondent Western Extrusions Corporation

Policy Revision 2 (September 2002)

Case ID No. 31883

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN102590700

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.121, 122.133(4), 122.241(b) and Texas Health & Safety Code § 382.085(b)

Violation Description Failed to submit a timely application to renew Federal Operating Permit No. O-01411, and continued the operations at the Plant after the expiration of the permit on June 12, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			25%

Matrix Notes

100 percent of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 6

193 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$15,000

Six monthly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$210

Violation Final Penalty Total \$17,850

This violation Final Assessed Penalty (adjusted for limits) \$17,850

## Economic Benefit Worksheet

**Respondent:** Western Extrusions Corporation  
**Case ID No.:** 31883  
**Reg. Ent. Reference No.:** RN102590700  
**Media:** Air Quality  
**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
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No commas or \$

### Delayed Costs

Item Description	Item 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				0.0	\$0	n/a	\$0
Permit Costs	\$8,000	12-Jun-2006	21-Dec-2006	0.5	\$210	n/a	\$210
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Cost is estimated based on the administrative costs and labor associated with the permit application. Date required is the expiration date of the permit and final date is the date the permit was reissued.

### Avoided Costs

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

Item Description	Item 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

\$8,000

TOTAL

\$210

# Compliance History

Customer/Respondent/Owner-Operator: CN600255293 Western Extrusions Corporation Classification: AVERAGE Rating: 11.66  
 Regulated Entity: RN102590700 WESTERN EXTRUSIONS Classification: AVERAGE Site Rating: 5.82

ID Number(s): INDUSTRIAL AND HAZARDOUS WASTE GENERATION EPA ID TXD099929988  
 INDUSTRIAL AND HAZARDOUS WASTE GENERATION SOLID WASTE REGISTRATION # (SWR) 33884  
 AIR NEW SOURCE PERMITS PERMIT 9296  
 AIR NEW SOURCE PERMITS ACCOUNT NUMBER DB1172K  
 AIR NEW SOURCE PERMITS AFS NUM 0236  
 AIR NEW SOURCE PERMITS PERMIT 56774  
 AIR OPERATING PERMITS PERMIT 1411  
 AIR OPERATING PERMITS ACCOUNT NUMBER DB1172K  
 AIR OPERATING PERMITS PERMIT 2900  
 STORMWATER PERMIT TXR05N888

Location: 1735 SANDY LAKE RD, CARROLLTON, TX, 75006 Rating Date: September 01 06 Repeat Violator: NC

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: December 04, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 03, 2001 to December 04, 2006

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

Name: NHameed Phone: 713-767-3629

## Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

### Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 02/05/2006 ADMINORDER 2005-1697-AIR-E  
 Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)  
 30 TAC Chapter 122, SubChapter B 122.146(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to timely submit the annual Permit Compliance Certification for the period of February 28, 2004 through February 27, 2005, in violation of 30 Tex. Admin. Code § 122.146(1) and (2) and Tex. Health & Safety Code § 382.085(b), this includes the violation from tracking no. 215047.

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 05/16/2003 (37914)

N/A

2 08/16/2004 (286177)

3 08/19/2005 (401765)

4 05/06/2003 (31194)

5 02/05/2002 (99581)

6 08/26/2003 (147494)

7 11/28/2006 (517279)

8 08/23/2006 (489206)  
9 11/10/2003 (252170)  
10 02/07/2003 (20429)

11 08/29/2002 (8253)  
12 03/05/2003 (26717)

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

Date: 12/16/2002 (20429)

Self Report? NO

Classification: Moderate

Rqmt Prov: OP IA

Description: Failure to conduct a quarterly inspection during the third quarter.

Self Report? NO

Classification: Moderate

Rqmt Prov: OP IA

Description: Failure to conduct quarterly visual monitoring during the first, second, and third quarters of 2002.

Date: 08/30/2002 (8253)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.213(d)

Description: failure to submit an administrative permit revisions, requirement of 30 TAC 122.213.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)

Description: failure to submit the annual permit compliance certification in a timely manner

Date: 02/05/2003 (20429)

Self Report? NO

Classification: Moderate

Rqmt Prov: OP IA

Description: Failure to investigate for non-storm water discharges.

Self Report? NO

Classification: Major

Rqmt Prov: OP IA

Description: Failure to obtain authorization to discharge process water.

Self Report? NO

Classification: Minor

Rqmt Prov: OP IA

Description: Failure to identify potential spill areas in the SWPPP.

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



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
WESTERN EXTRUSIONS  
CORPORATION  
RN102590700

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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2006-2103-AIR-E**

**I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Western Extrusions Corporation ("Western Extrusions") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Western Extrusions appear before the Commission and together stipulate that:

1. Western Extrusions owns and operates an aluminum extrusion paint line at 1735 Sandy Lake Road in Carrollton, Dallas County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Western Extrusions agree that the Commission has jurisdiction to enter this Agreed Order, and that Western Extrusions is subject to the Commission's jurisdiction.
4. Western Extrusions received notice of the violations alleged in Section II ("Allegations") on or about December 5, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Western Extrusions of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Seventeen Thousand Eight Hundred Fifty Dollars (\$17,850) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Western Extrusions has paid Fourteen Thousand Two Hundred Eighty Dollars



- (\$14,280) of the administrative penalty and Three Thousand Five Hundred Seventy Dollars (\$3,570) is deferred contingent upon Western Extrusions' 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 Western Extrusions fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Western Extrusions to pay all or part of the deferred penalty.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
  8. The Executive Director of the TCEQ and Western Extrusions 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 on December 21, 2006, Western Extrusions obtained a new Federal Operating Permit No. O-02900 authorizing operations at the Plant.
  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 Western Extrusions has not complied with one or more of the terms or conditions in this Agreed Order.
  11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
  12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, Western Extrusions is alleged to have failed to submit a timely application to renew Federal Operating Permit No. O-01411, and continued the operations at the Plant after the expiration of the permit on June 12, 2006, in violation of 30 TEX. ADMIN. CODE §§ 122.121, 122.133(4), 122.241(b) and TEXAS HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 12, 2006.

## III. DENIALS

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

## IV. ORDERING PROVISIONS

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1. It is, therefore, ordered by the TCEQ that Western Extrusions pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Western Extrusions' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Western Extrusions Corporation, Docket No. 2006-2103-AIR-E" to:

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

2. The provisions of this Agreed Order shall apply to and be binding upon Western Extrusions. Western Extrusions is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Western Extrusions 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.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Western Extrusions, or three days after the date on which the Commission mails notice of the Order to Western Extrusions, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

5/25/07  
\_\_\_\_\_  
Date

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

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

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

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

  
\_\_\_\_\_  
Signature

2/16/07  
\_\_\_\_\_  
Date

Vincent A Sree  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Western Extrusions Corporation

EHS Manager  
\_\_\_\_\_  
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.

10/10/2019

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