

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2008-0145-AIR-E **TCEQ ID:** RN100222413 **CASE NO.:** 35280
RESPONDENT NAME: Sid Richardson Carbon, Ltd.

ORDER TYPE:		
<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	
CASE TYPE:		
<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

SITE WHERE VIOLATION(S) OCCURRED: Sid Richardson Carbon Borger Plant, 9455 Farm-to-Market Road 1559, Borger, Hutchinson County

TYPE OF OPERATION: Carbon black manufacturing operation

SMALL BUSINESS: Yes No

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

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on August 4, 2008. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Jorge Ibarra, P.E., Enforcement Division, Enforcement Team 3, R-04, (817) 588-5890; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171

Respondent: Mr. Long Nguyen, EHS Manager, Sid Richardson Carbon, Ltd., 201 Main Street, Suite 3000, Fort Worth, Texas 76102

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 2008 SEP 22 AM 11:56
 CHIEF CLERKS OFFICE

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 3, 2007</p> <p>Date of NOV/NOE Relating to this Case: January 17, 2008 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System [emission point number ("EPN") 117] on December 20, 2006 [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].</p> <p>2) Failure to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System (EPN 117) on February 18, 2007 [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].</p> <p>3) Failure to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 1 Flare System (EPN 113) on March 17, 2007 [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].</p> <p>4) Failure to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 3 Flare System (EPN 116) on March 24, 2007 [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].</p> <p>5) Failure to report all instances of deviations. Specifically, failure to report</p>	<p>Total Assessed: \$24,072</p> <p>Total Deferred: \$4,814 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$19,258</p> <p>Site Compliance History Classification <input checked="" type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>1) The Executive Director recognizes that the Respondent tested No. 3 Flare on October 4, 2006.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to:</p> <p>a. Immediately after the effective date of this Agreed Order, begin reporting all instances of deviations, in accordance with 30 TEX. ADMIN. CODE § 122.145;</p> <p>b. Within 30 days after the effective date of this Agreed Order, develop and begin implementing improved operating practices to ensure that the pilot lights on the flares are lit at all times when emissions are vented to them, in accordance with Permit No. 1867A, Special Condition No. 12B;</p> <p>c. Within 30 days after the effective date of this Agreed Order, develop and implement measures to improve design, operations, and/or maintenance practices to prevent the reoccurrence of unauthorized emissions events that occurred on December 20, 2006, February 18, 2007, and March 17 and March 24, 2007; and</p> <p>d. Within 45 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 Provisions 2.a. through 2.c.</p>

<p>the 108 non-reportable emissions events on the semiannual deviation report for the period covering September 19, 2006 to March 19, 2007 [30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6) Failure to test No. 3 Flare within 180 days. Specifically, testing was due by August 12, 2006 [40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.7(a)(2), 30 TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>7) Failure to properly operate the flare by not having the pilot light lit at all times when emissions were vented. Specifically, during the non-reportable emissions events that occurred on November 3, 2006, November 15, 2006 and November 16, 2006 the flare either failed to light or was slow to light [30 TEX. ADMIN. CODE §§ 116.115(c) and 101.20(2), Permit No. 1867A, Special Condition No. 12B, 40 CFR § 63.11(b)(3), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): AIR HW0017R



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

DATES	Assigned	22-Jan-2008	Screening	23-Jan-2008	EPA Due	13-Oct-2008
	PCW	17-Apr-2008				

RESPONDENT/FACILITY INFORMATION			
Respondent	Sid Richardson Carbon, Ltd.		
Reg. Ent. Ref. No.	RN100222413		
Facility/Site Region	1-Amarillo	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35280	No. of Violations	5
Docket No.	2008-0145-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Jorge Ibarra, P.E.
Multi-Media		EC's Team	Enforcement Team 3
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Reduction **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 x)

Notes

Total EB Amounts **Subtotal 6**
Approx. Cost of Compliance ***Capped at the Total EB \$ Amount**

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL 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 23-Jan-2008

Docket No. 2008-0145-AIR-E

PCW

Respondent Sid Richardson Carbon, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 35280

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

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	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (number of judgements 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)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
<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)

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

Adjustment Percentage (Subtotal 3)

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

Adjustment Percentage (Subtotal 7)

>> **Compliance History Summary**

Compliance History Notes

The Respondent was issued one NOV with the same/similar type of violations, and submitted one Notice of Intent and one Disclosure of Violations.

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

Screening Date 23-Jan-2008 **Docket No.** 2008-0145-AIR-E **PCW**

Respondent Sid Richardson Carbon, Ltd. *Policy Revision 2 (September 2002)*

Case ID No. 35280 *PCW Revision November 6, 2007*

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)

Violation Description
 Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System [emission point number ("EPN ") 117] and Unit No. 3 Flare System (EPN 116). Since these emissions could have been foreseen and avoided by good design, operation and maintenance practices to minimize emissions, the Respondent failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222(b). Emission limits were exceeded as specified in the attached table.

Base Penalty

>> Environmental, Property and Human Health Matrix

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	x	<input type="text"/>	Percent <input type="text" value="50%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

		Major	Moderate	Minor	
Falsification		<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>

Matrix Notes
 Human health or the environment has been exposed to significant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

Two monthly events are recommended for the emissions events which occurred on February 18, 2007 and March 24, 2007.

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 Sid Richardson Carbon, Ltd.
Case ID No. 35280
Reg. Ent. Reference No. RN100222413
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$10,000	20-Dec-2006	15-Oct-2008	1.8	\$911	n/a	\$911

Notes for DELAYED costs Estimated cost to develop and implement measures to improve design, operations, and/or maintenance practices to prevent the reoccurrence of emissions events. Date Required is the date of the first emissions event, Final Date is the expected compliance date.

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 **TOTAL**

Screening Date 23-Jan-2008

Docket No. 2008-0145-AIR-E

PCW

Respondent Sid Richardson Carbon, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 35280

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)

Violation Description

Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System (EPN 117) and Unit No. 1 Flare System (EPN 113). Since these emissions could have been foreseen and avoided by good design, operation and maintenance practices to minimize emissions, the Respondent failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222(b). Emission limits were exceeded as specified in the attached table.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

>> Programmatic Matrix

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

Percent

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="text" value="x"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two quarterly events are recommended for the emissions events which occurred on December 20, 2006 and March 17, 2007.

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 Sid Richardson Carbon, Ltd.
Case ID No. 35280
Reg. Ent. Reference No. RN100222413
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Item Description No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

See violation No. 1.

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 \$0

TOTAL \$0

Screening Date 23-Jan-2008
Respondent Sid Richardson Carbon, Ltd.
Case ID No. 35280

Docket No. 2008-0145-AIR-E

PCW

*Policy Revision 2 (September 2002)
 PCW Revision November 6, 2007*

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number

Rule Cite(s)

30 Tex. Admin. Code § 122.145(2)(A) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to report all instances of deviations. Specifically, failure to report the 108 non-reportable emissions events on the semiannual deviation report for the period covering September 19, 2006 to March 19, 2007.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

OR

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1%"/>

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an 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 type="text" value="x"/>

Violation Base Penalty

One 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 Sid Richardson Carbon, Ltd.
Case ID No. 35280
Reg. Ent. Reference No. RN100222413
Media Air
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
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$200	18-Apr-2007	1-Sep-2008	1.4	\$14	n/a	\$14

Notes for DELAYED costs

Estimated cost to properly report all instances of deviations. Date Required is the first date of non-compliance, Final Date is the expected compliance date.

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

\$200

TOTAL

\$14

Screening Date 23-Jan-2008

Docket No. 2008-0145-AIR-E

PCW

Respondent Sid Richardson Carbon, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 35280

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number

Rule Cite(s)
40 Code of Federal Regulations ("CFR") § 63.7(a)(2), 30 Tex Admin. Code § 101.20(2) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to test No. 3 Flare within 180 days. Specifically, testing was due by August 12, 2006.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Matrix Notes Failure to conduct testing of the flare could result in the release of insignificant amounts of pollutants which would not exceed levels that are protective of human health or the environment.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an 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 is recommended based on the due date of August 12, 2006 to compliance date of October 4, 2006.

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 Sid Richardson Carbon, Ltd.
Case ID No. 35280
Reg. Ent. Reference No. RN100222413
Media Air
Violation No. 4

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	12-Aug-2006	4-Oct-2006	0.1	\$4	n/a	\$4

Notes for DELAYED costs Estimated cost to conduct testing of the flare. Date Required is the first date of non-compliance, Final Date is the compliance date.

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 \$500

TOTAL \$4

Screening Date 23-Jan-2008

Docket No. 2008-0145-AIR-E

PCW

Respondent Sid Richardson Carbon, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 35280

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100222413

Media [Statute] Air

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2) and 116.115(c), Permit No. 1867A, Special Condition No. 12B, 40 CFR § 63.11(b)(3) and (5), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to properly operate the flare by not having the pilot light lit at all times when emissions were vented and to have a pilot light present at all times. Specifically, during the non-reportable emissions events that occurred on November 3, 2006, November 15, 2006 and November 16, 2006 the flare either failed to light or was slow to light.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to operate the flare with flame present at all times resulted in the release of insignificant amounts of pollutants which did not exceed levels that are protective of human health or the environment.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 3

3 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$7,500

Three single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$747

Violation Final Penalty Total \$7,650

This violation Final Assessed Penalty (adjusted for limits) \$7,650

Economic Benefit Worksheet

Respondent Sid Richardson Carbon, Ltd.
Case ID No. 35280
Reg. Ent. Reference No. RN100222413
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$8,000	3-Nov-2006	15-Sep-2008	1.9	\$747	n/a	\$747

Notes for DELAYED costs

Estimated cost to operate the flare with flame present at all times. Date Required is the first date of non-compliance, Final Date is the expected compliance date.

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

\$8,000

TOTAL

\$747

Compliance History

Customer/Respondent/Owner-Operator: CN600131171 Sid Richardson Carbon, Ltd. Classification: AVERAGE Rating: 1.22
 Regulated Entity: RN100222413 SID RICHARDSON CARBON Classification: HIGH Site Rating: 0.00
 BORGER PLANT

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HW0017R
	AIR OPERATING PERMITS	PERMIT	1414
	AIR OPERATING PERMITS	PERMIT	1867A
	WASTEWATER	PERMIT	WQ0000810000
	WASTEWATER	PERMIT	WQ0000812000
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HW0017R
	AIR NEW SOURCE PERMITS	PERMIT	1867A
	AIR NEW SOURCE PERMITS	AFS NUM	4823300002
	AIR NEW SOURCE PERMITS	PERMIT	1869A
	AIR NEW SOURCE PERMITS	PERMIT	45755
	AIR NEW SOURCE PERMITS	PERMIT	23162
	AIR NEW SOURCE PERMITS	PERMIT	1868A
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX1032
	AIR NEW SOURCE PERMITS	REGISTRATION	77184
	STORMWATER	PERMIT	TXR05P757
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	37420

Location: 9455 FM 1559, BORGER, TX, 79007 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 01 - AMARILLO

Date Compliance History Prepared: February 25, 2008

Agency Decision Requiring Compliance: Enforcement

Compliance Period: February 25, 2003 to February 25, 2008

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

Name: Jorge Ibarra, P.E. Phone: (817) 588-5890

Site Compliance History Components

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

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
 - 1 06/11/2003 (34175)
 - 2 12/30/2003 (258489)
 - 3 01/06/2004 (258741)
 - 4 05/10/2004 (265194)
 - 5 06/24/2004 (276907)
 - 6 08/12/2004 (288668)
 - 7 02/12/2005 (348861)
 - 8 02/14/2005 (348870)
 - 9 04/06/2005 (376150)
 - 10 04/27/2005 (377572)
 - 11 05/13/2005 (378976)

12 06/03/2005 (394283)
 13 07/19/2005 (400839)
 14 01/05/2006 (451327)
 15 01/26/2006 (451877)
 16 02/17/2006 (439415)
 17 02/13/2007 (341998)
 18 04/19/2007 (555357)
 19 04/19/2007 (555814)
 20 06/11/2007 (561965)
 21 06/11/2007 (561951)
 22 06/11/2007 (561934)
 23 06/11/2007 (561982)
 24 08/17/2007 (562551)
 25 10/05/2007 (595503)
 26 10/19/2007 (598345)
 27 12/18/2007 (598646)
 28 12/20/2007 (600789)
 29 12/20/2007 (598396)
 30 01/17/2008 (571688)

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

Date 06/23/2004 (276907)
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 Description: Failure to properly document deviations on their Semi-Annual Deviation Report.

F. Environmental audits.

Notice of Intent Date: 1/23/2003 (33153)
 Disclosure Date: 06/20/2003
 Viol. Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: Their permit does not expressly authorize off-site sale of wastewater
 Viol. Classification: Moderate
 Rqmt Prov: PERMIT IV

Description: The facility conducted monthly monitoring of COD instead of BOD as required by the amended permit.
 Viol. Classification: Moderate
 Rqmt Prov: PERMIT IV

Description: One of the wastewaters generated at the facility differs from the wastewaters authorized under TPDES Permit No. 00812
 Viol. Classification: Moderate
 Rqmt Prov: PERMIT TXR05P757

Description: The facility has not conducted quarterly visual stormwater sampling as required by the TCEQ General Stormwater Permit
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: The emissions inventory did not include several emissions sources and associated emission rates

G. Type of environmental management systems (EMS).

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



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 SEP 22 AM 11:56

CHIEF CLERKS OFFICE

IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SID RICHARDSON CARBON, LTD.
RN100222413

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-0145-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 Sid Richardson Carbon, Ltd. ("the Respondent") 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 the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a carbon black manufacturing operation at 9455 Farm-to-Market Road 1559 in Borger, Hutchinson 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 the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about January 22, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twenty-Four Thousand Seventy-Two Dollars (\$24,072) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Nineteen Thousand Two Hundred Fifty-Eight Dollars (\$19,258) of the administrative penalty and Four Thousand Eight Hundred Fourteen Dollars (\$4,814) is deferred contingent upon the Respondent's timely and satisfactory compliance with all



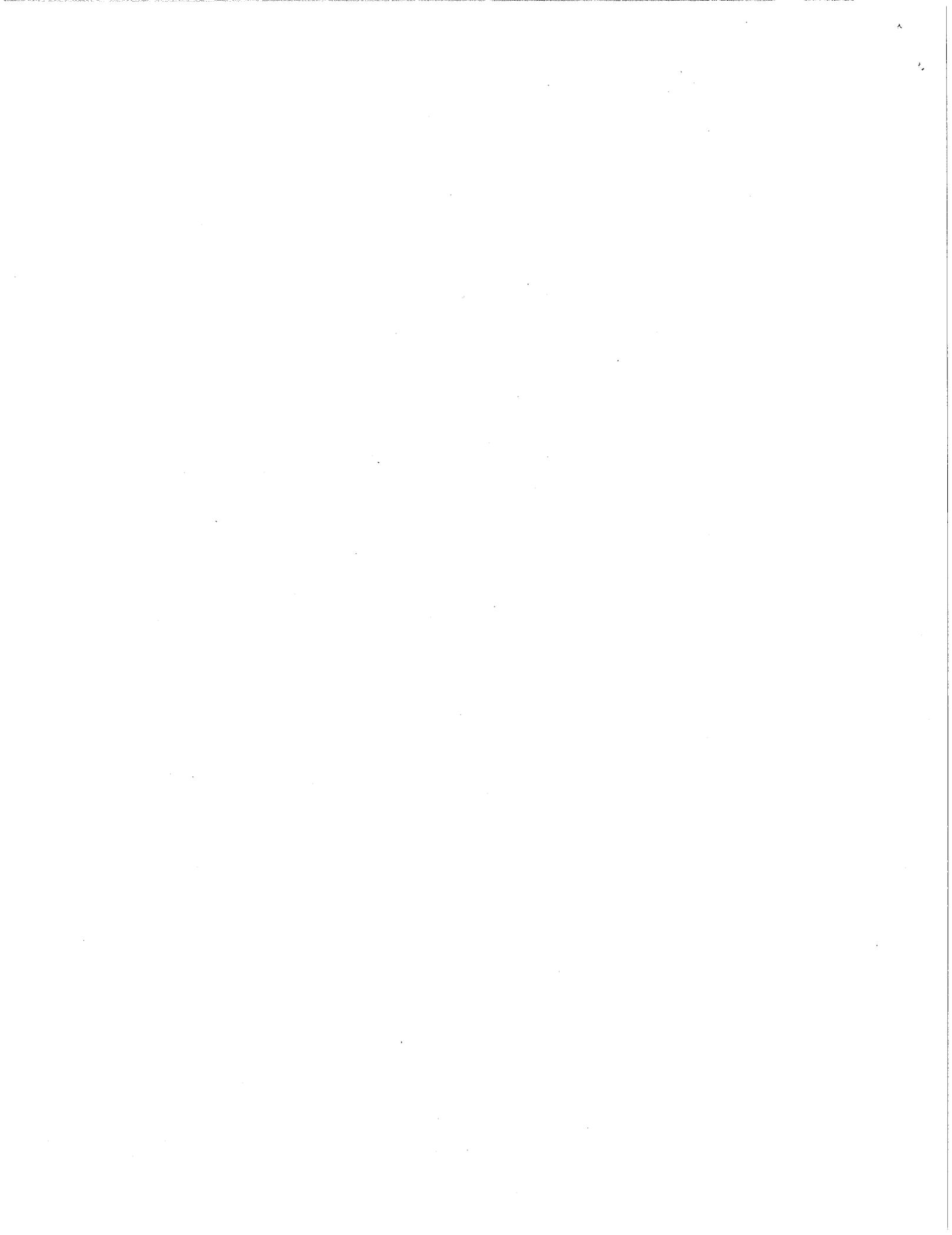
the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of 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 the Respondent 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 the Respondent tested No. 3 Flare on October 4, 2006.
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 the Respondent 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, the Respondent is alleged to have:

1. Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System [emission point number ("EPN") 117] on December 20, 2006, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on October 3, 2007, as specified in the table below.
2. Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 4 Flare System (EPN 117) on February 18, 2007, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on October 3, 2007, as specified in the table below.
3. Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 1 Flare System (EPN 113) on March 17, 2007, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on October 3, 2007, as specified in the table below.
4. Failed to prevent the release of unauthorized air contaminants into the atmosphere from Unit No. 3 Flare System (EPN 116) on March 24, 2007, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on October 3, 2007, as specified in the table below.



EMISSIONS PARAMETER												
	Acetylene	Carbon Monoxide	Hydrogen Sulfide	Nitrogen Oxides	Particulate Matter	Carbon Disulfide	Carbonal Sulfite	Sulfur Dioxide	Volatile Organic Compound	Incident No.	Emission Period	Date
EPN	lbs	lbs	lbs	lbs	lbs	lbs	lbs	lbs	lbs	No.	hrs/min	00/00/00
117	301	7,470	131.1	1.53	5.5					85203	0:45	12/20/06
117		2,377	77.7	190	234.2	77.7	25.9	15,216.7		87370	19:08	02/18/07
113		1,884.50	48.9	120.65	185.2	48.9	16.3	9,572.5	75.7	88444	14:36	03/17/07
116	547.8	13,595	238.1	8.64	9.9					88755	1:12	03/24/07

5. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 3, 2007. Specifically, failure to report the 108 non-reportable emissions events on the semiannual deviation report for the period covering September 19, 2006 to March 19, 2007.
6. Failed to test No. 3 Flare within 180 days, in violation of 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.7(a)(2), 30 TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 3, 2007. Specifically, testing was due by August 12, 2006.
7. Failed to properly operate the flare by not having the pilot light lit at all times when emissions were vented, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 101.20(2), Permit No. 1867A, Special Condition No. 12B, 40 CFR § 63.11(b)(3), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 3, 2007. Specifically, during the non-reportable emissions events that occurred on November 3, 2006, November 15, 2006 and November 16, 2006 the flare either failed to light or was slow to light.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Sid Richardson Carbon, Ltd., Docket No. 2008-0145-AIR-E" to:

Financial Administration Division, Revenues Section

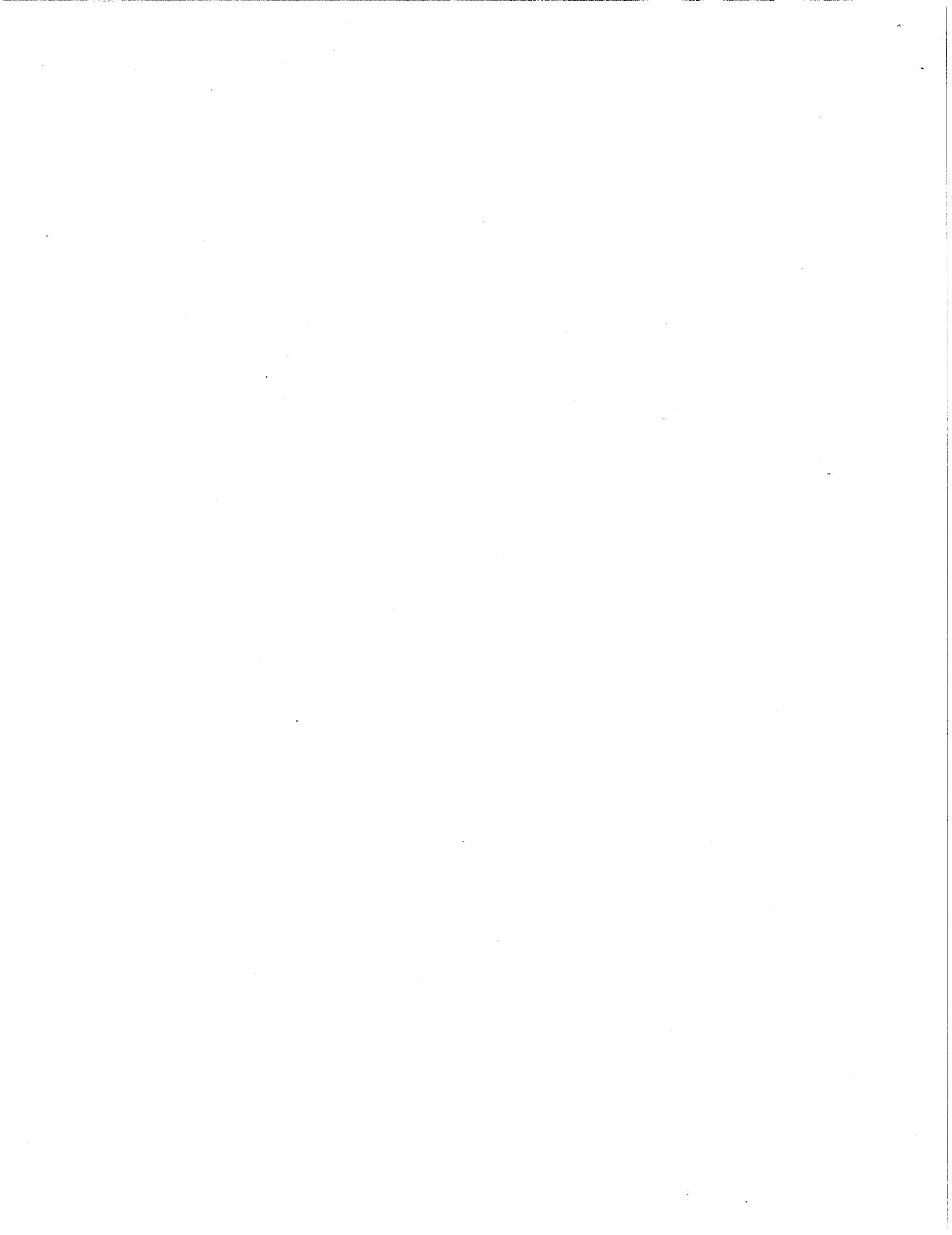
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:
- a. Immediately after the effective date of this Agreed Order, begin reporting all instances of deviations, in accordance with 30 TEX. ADMIN. CODE § 122.145;
 - b. Within 30 days after the effective date of this Agreed Order, develop and begin implementing improved operating practices to ensure that the pilot lights on the flares are lit at all times when emissions are vented to them, in accordance with Permit No. 1867A, Special Condition No. 12B;
 - c. Within 30 days after the effective date of this Agreed Order, develop and implement measures to improve design, operations, and/or maintenance practices to prevent the reoccurrence of unauthorized emissions events that occurred on December 20, 2006, February 18, 2007, and March 17 and March 24, 2007; and
 - d. Within 45 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. 2.a. through 2.c. 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 submitted 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:

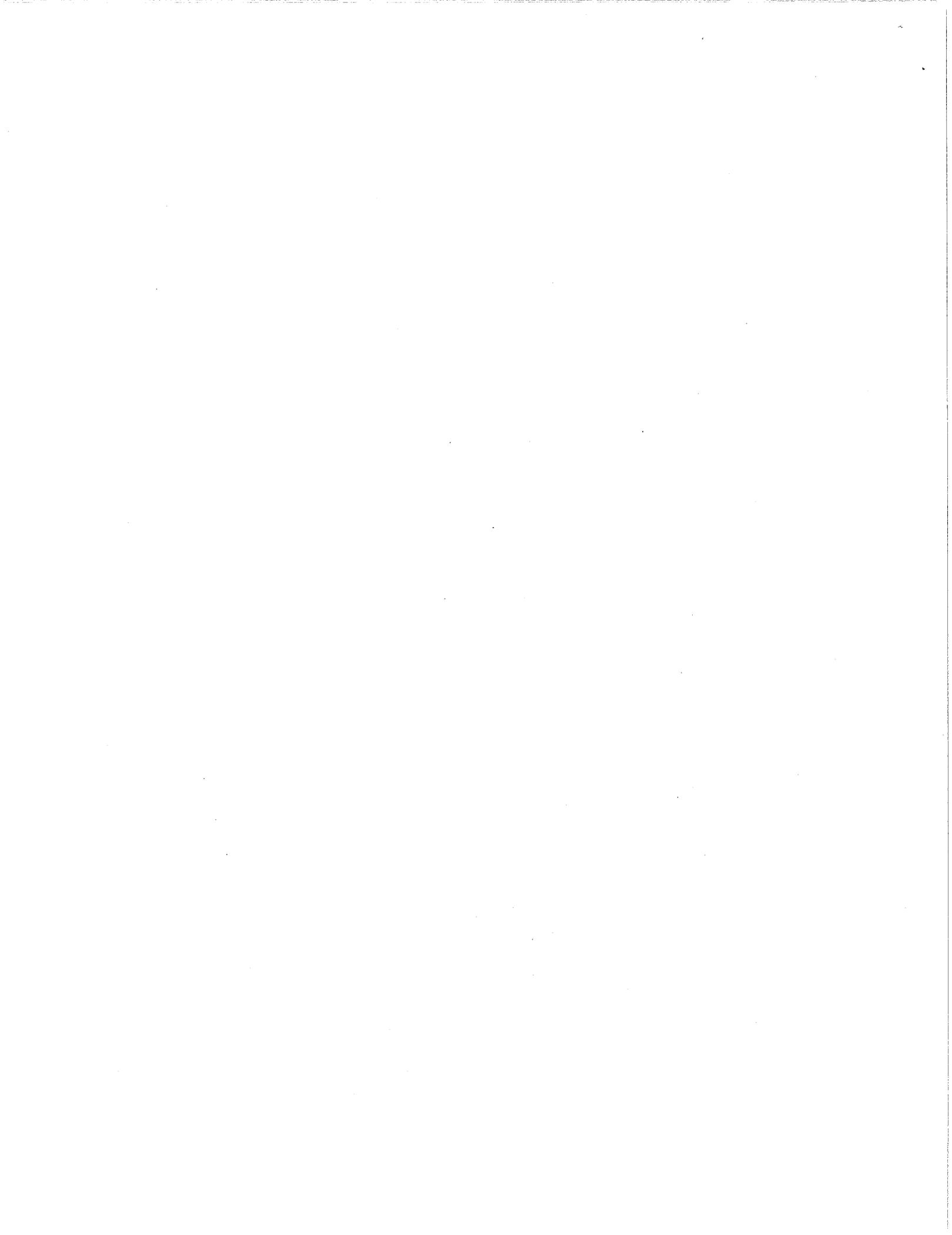
Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087



with a copy to:

Air Section Manager
Amarillo Regional Office
Texas Commission on Environmental Quality
3918 Canyon Drive
Amarillo, Texas 79109-4933

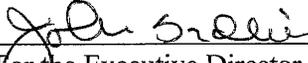
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any 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, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/12/2008
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 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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



Signature

5/13/08
Date

LONG B. NGUYEN

Name (Printed or typed)
Authorized Representative of
Sid Richardson Carbon, Ltd.

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.

