

EXECUTIVE SUMMARY - ENFORCEMENT MATTER **Page 1 of 2**
DOCKET NO.: 2006-2244-AIR-E TCEQ ID: RN102612520 CASE NO.: 32039
RESPONDENT NAME: MAXIM FARM EGG CO., INC.

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: 580 Maxim Drive, Boling, Wharton County

TYPE OF OPERATION: Egg production plant

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 January 4, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Mr. Shawn Slack, Litigation Division, MC 175, (512) 239-0063
 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873

TCEQ Enforcement Coordinator: Mr. Bryan Elliott, Air Enforcement Section, MC 149, (512) 239-6162

TCEQ Regional Contact: Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-3637

Respondent: Mr. Vincent J. Reina, CEO, Maxim Farm Egg Co. Inc., Route 1, Box 31, Boling, Texas 77420

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

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p>___ Complaint <u>X</u> Routine ___ Enforcement Follow-up ___ Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: August 28, 2006</p> <p>Date of NOE Relating to this Case: December 7, 2006</p> <p>Background Facts: An EDPRP was filed in this matter on May 29, 2007. No answer was filed in this matter and the ED began the process of pursuing a Default Order. Thereafter, the Respondent agreed to a settlement. A signed Agreed Order was received on or about October 12, 2007.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p>AIR:</p> <p>Failed to obtain authorization for a poultry incinerator [30 TEX. ADMIN. CODE § 116.110(a)(1) and TEX. HEALTH & SAFETY CODE §§ 382.085(b) and 382.0518(a)].</p>	<p>Total Assessed: \$4,160</p> <p>Total Deferred: \$0</p> <p>Total Paid to General Revenue: \$4,160</p> <p>The Respondent has paid the assessed penalty in full.</p> <p>Site Compliance History Classification ___ High <u>X</u> Average ___ Poor</p> <p>Person Compliance History Classification ___ High <u>X</u> Average ___ Poor</p> <p>Major Source: ___ Yes <u>X</u> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Technical Requirement(s)</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> 1. Within 30 days, either meet the conditions of the PBR for the incinerator, or submit an administratively complete permit application. 2. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests, or by any other deadline specified in writing. 3. Within 180 days submit written certification and detailed supporting documentation, including photographs, receipts, and /or other records, to demonstrate compliance with the ordering provisions.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

DATES	Assigned	11-Dec-2006	Screening	20-Dec-2006	EPA Due	
	PCW	29-Mar-2007				

RESPONDENT/FACILITY INFORMATION

Respondent	Maxim Farm Egg Co., Inc.		
Reg. Ent. Ref. No.	RN102612520		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	32039	No. of Violations	1	
Docket No.	2006-2244-AIR-E	Order Type	1660	
Media Program(s)	Air Quality	Enf. Coordinator	Bryan Elliott	
Multi-Media		EC's Team	EnforcementTeam 5	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$4,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 4% Enhancement **Subtotals 2, 3, & 7** \$160

Notes The penalty was enhanced due to 2 previous NOV's for dissimilar violations.

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

Notes Respondent does not meet the culpability criteria.

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

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria.

0% Enhancement*

Subtotal 6 \$0

Total EB Amounts	\$61
Approx. Cost of Compliance	\$1,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$4,160

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 \$4,160

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$4,160

DEFERRAL 0% Reduction **Adjustment** \$0

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

Notes

Deferral not offered for non-expedited settlement. Respondent failed to settle in a timely manner.

PAYABLE PENALTY \$4,160

Screening Date 20-Dec-2006

Docket No. 2006-2244-AIR-E

PCW

Respondent Maxim Farm Egg Co., Inc.

Policy Revision 2 (September 2002)

Case ID No. 32039

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102612520

Media [Statute] Air Quality

Enf. Coordinator Bryan Elliott

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)	0	0%
	Other written NOVs	2	4%
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)	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%
Please Enter Yes or No			
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) 4%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced due to 2 previous NOVs for dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 4%

Screening Date 20-Dec-2006

Docket No. 2006-2244-AIR-E

PCW

Respondent Maxim Farm Egg Co., Inc.

Policy Revision 2 (September 2002)

Case ID No. 32039

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102612520

Media [Statute] Air Quality

Enf. Coordinator Bryan Elliott

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.110(a)(1) and Tex. Health & Safety Code §§ 382.085(b) and 382.0518(a)

Violation Description

Failed to obtain authorization for the poultry incinerator. Specifically, as documented during an investigation conducted on August 28, 2006, due to the volume of material incinerated, the Permit By Rule ("PBR") covering the incinerator could not be met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 4

114

Number of violation days

mark only one
with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$4,000

Four monthly events are recommended from investigation (August 28, 2006) to screening (December 20, 2006).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$61

Violation Final Penalty Total \$4,160

This violation Final Assessed Penalty (adjusted for limits) \$4,160

Economic Benefit Worksheet

Respondent: Maxim Farm Egg Co., Inc.

Case ID No. 32039

Reg. Ent. Reference No. RN102612520

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
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	\$1,500	28-Aug-2006	20-Jun-2007	0.8	\$61	n/a	\$61
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prepare and submit a permit request. Date Required is the date of investigation and Final Date is the prospective date of compliance.

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

\$1,500

TOTAL

\$61

Compliance History

Customer/Respondent/Owner-Operator: CN601103948 Maxim Farm Egg Co., Inc. Classification: AVERAGE Rating: 3.00
 Regulated Entity: RN102612520 MAXIM FARMS Classification: AVERAGE Site Rating: 3.00

ID Number(s): AIR NEW SOURCE PERMITS PERMIT 9245
 AIR NEW SOURCE PERMITS PERMIT 18380
 AIR NEW SOURCE PERMITS PERMIT 21120
 AIR NEW SOURCE PERMITS PERMIT 45939
 AIR NEW SOURCE PERMITS PERMIT 48881
 AIR NEW SOURCE PERMITS PERMIT 48880
 AIR NEW SOURCE PERMITS ACCOUNT NUMBER WF00410

Location: 580 MAXIM DR, BOLING, TX, 77420 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: December 19, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 19, 2001 to December 19, 2006

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

Name: Bryan Elliott Phone: 239-6162

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 07/02/2002 (111752)

2 04/08/2002 (111751)

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

Date: 09/18/2006 (497728)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Description: Failure to utilize effective methods to prevent an odor nuisance.

Date: 08/29/2006 (467131)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Description: RE Failed to control odor.

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
MAXIM FARM EGG CO. INC.;
RN102612520

§
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§
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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-2244-AIR-E I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Maxim Farm Egg Co., Inc. ("Maxim") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Maxim, appear before the Commission and together stipulate that:

1. Maxim owns and operates an egg production plant located at 580 Maxim Drive, Wharton County, Texas (the "Plant").
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ Rules.
3. The Commission and Maxim agree that the Commission has jurisdiction to enter this Agreed Order, and that Maxim is subject to the Commission's jurisdiction.
4. Maxim received notice of the violations alleged in Section II ("Allegations") on or about December 12, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Maxim of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of four thousand one hundred and sixty dollars (\$4,160.00) is assessed by the Commission in settlement of the violations alleged in Section

II ("Allegations"). Maxim has paid four thousand one hundred and sixty dollars (\$4,160.00) of the administrative 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 Maxim have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Maxim has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

1. Maxim is alleged to have violated 30 TEX. ADMIN. CODE §116.110(a)(1) and TEX. HEALTH & SAFETY CODE §§ 382.085(b) and 382.0518(a) by failing to obtain authorization for a poultry incinerator, as documented on August 28, 2006. Specifically, due to the volume of material incinerated, the Permit By Rule ("PBR") covering the incinerator could not be met.

III. DENIALS

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

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Maxim pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Maxim'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

considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Maxim Farm Egg Co., Inc., Docket No. 2006-2244-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. Maxim shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order, Maxim shall either meet the conditions of the PBR for the incinerator, or submit an administratively complete permit application in accordance with 30 TEX. ADMIN. CODE § 116.110 to:

Air Permits Division, MC 162
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- b. Maxim shall respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests, or by any other deadline specified in writing; and
- c. Within 180 days after the effective date of this Agreed Order, Maxim shall submit written certification and detailed supporting documentation, including photographs, receipts, and /or other records, to demonstrate compliance with ordering provision Nos. 2.a. and 2.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

Maxim shall submit the written certification and copies of documentation necessary to demonstrate compliance with these Ordering Provisions 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 Permits Division, MC 162
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon Maxim. Maxim 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 Maxim 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, Maxim's failure to comply is not a violation of this Agreed Order. Maxim shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Maxim shall notify the Executive Director within seven days after Maxim 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 Maxim shall be made in writing to the Executive Director. Extensions are not effective until Maxim 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 Maxim 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) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Maxim, or three days after the date on which the Commission mails notice of the Order to Maxim, 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

[Signature]

For the Executive Director

12/2/07

Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that 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 Maxim's failure to comply with the Ordering Provisions, if any, in this order and/or Maxim's failure to timely pay the penalty amount, may result in:

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

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

V. J. Reina

Signature

10-12-07

Date

VINCENT J. REINA

Name (Printed or typed)

Authorized representative of
Maxim Farm Egg Co., Inc.

CEO

Title