

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-1216-AIR-E **TCEQ ID:** RN100851211 **CASE NO.:** 34324
RESPONDENT NAME: Republic Plastics, 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
<p>SITE WHERE VIOLATION(S) OCCURRED: Republic Plastics Seguin Foam Plant, 355 Schumann Road, McQueeney, Guadalupe County</p> <p>TYPE OF OPERATION: Polystyrene foam manufacturing</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 12, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Jose Colon, Vice President of Operations, Republic Plastics, Ltd., 355 Schumann Road, McQueeney, Texas 78123-3260 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 9, 2007</p> <p>Date of NOV/NOE Relating to this Case: July 24, 2007 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>AIR</p> <p>Failed to submit the Title V Annual Compliance Certification within 30 days after the end of the January 24, 2006 to January 23, 2007 certification period. Specifically, the report was due February 22, 2007, but has not yet been submitted [30 TEX. ADMIN. CODE §§122.146(1) and 122.143(4), Federal Operating Permit No. O-02680, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$2,600</p> <p>Total Deferred: \$520 <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: \$2,080</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" 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>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Submit the Title V annual compliance certification for the January 24, 2006 to January 23, 2007 certification period;</p> <p>ii. Implement measures designed to ensure that Title V annual compliance certifications are submitted within the required time frame; and</p> <p>b. 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 a.i. and a.ii.</p>

Additional ID No(s): GL0145C



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

DATES	Assigned	23-Jul-2007
	PCW	27-Jul-2007
	Screening	26-Jul-2007
	EPA Due	19-Apr-2008

RESPONDENT/FACILITY INFORMATION	
Respondent	Republic Plastics, Ltd.
Reg. Ent. Ref. No.	RN100851211
Facility/Site Region	13-San Antonio
Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	34324	No. of Violations	1	
Docket No.	2007-1216-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Trina Grieco	
Multi-Media		EC's Team	Enforcement Team 5	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section				
TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,500		
ADJUSTMENTS (+/-) TO SUBTOTAL 1				
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>				
Compliance History	4% Enhancement	Subtotals 2, 3, & 7	\$100	
Notes	Penalty enhancement due to two previous NOV's issued for non-similar violations.			
Culpability	No	0% Enhancement	Subtotal 4	\$0
Notes	The 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	\$26		
	Approx. Cost of Compliance	\$500		
	<small>*Capped at the Total EB \$ Amount</small>			
SUM OF SUBTOTALS 1-7	Final Subtotal	\$2,600		
OTHER FACTORS AS JUSTICE MAY REQUIRE		Adjustment	\$0	
<small>Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)</small>				
Notes				
	Final Penalty Amount	\$2,600		
STATUTORY LIMIT ADJUSTMENT		Final Assessed Penalty	\$2,600	
DEFERRAL	20% Reduction	Adjustment	-\$520	
<small>Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)</small>				
Notes	Deferral offered for expedited settlement.			
PAYABLE PENALTY		\$2,080		

Screening Date 26-Jul-2007

Docket No. 2007-1216-AIR-E

PCW

Respondent Republic Plastics, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 34324

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN100851211

Media [Statute] Air

Enf. Coordinator Trina Grieco

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%
<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) 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

Penalty enhancement due to two previous NOVs issued for non-similar violations.

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

Screening Date 26-Jul-2007	Docket No. 2007-1216-AIR-E	PCW		
Respondent Republic Plastics, Ltd.	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 34324	<i>PCW Revision June 26, 2007</i>			
Reg. Ent. Reference No. RN100851211				
Media [Statute] Air				
Enf. Coordinator Trina Grieco				
Violation Number <input type="text" value="1"/>				
Rule Cite(s)	30 Tex. Admin. Code §§122.146(1) and 122.143(4), Federal Operating Permit No. O-02680, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to submit the Title V Annual Compliance Certification within 30 days after the end of the January 24, 2006 to January 23, 2007 certification period. Specifically, the report was due February 22, 2007, but has not yet been submitted.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	x	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="25%"/>	
Matrix Notes	100% of the rule requirement was not met.			
		Adjustment	<input type="text" value="\$7,500"/>	
		<input type="text" value="\$2,500"/>		
Violation Events				
Number of Violation Events		<input type="text" value="1"/>	Number of violation days	
		<input type="text" value="154"/>		
<i>mark only one with an x</i>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$2,500"/>	
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	x		
One single event is recommended.				
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount		<input type="text" value="\$26"/>	Violation Final Penalty Total <input type="text" value="\$2,600"/>	
			This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,600"/>	

Economic Benefit Worksheet

Respondent Republic Plastics, Ltd.
Case ID No. 34324
Reg. Ent. Reference No. RN100851211
Media Air
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				0.0	\$0	n/a	\$0
Other (as needed)	\$500	22-Feb-2007	1-Mar-2008	1.0	\$26	n/a	\$26

Notes for DELAYED costs
 Estimated cost to prepare and submit the annual compliance certification and to implement measures designed to ensure annual compliance certifications are submitted within the required timeframes. Date required is the date the certification was due. Final date is the date corrective actions are projected to be completed.

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	\$26
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Compliance History

Customer/Respondent/Owner-Operator:	CN600528772 Republic Plastics, Ltd.	Classification: AVERAGE	Rating: 0.29
Regulated Entity:	RN100851211 REPUBLIC PLASTICS SEGUIN FOAM PLANT	Classification: AVERAGE	Site Rating: 0.29
ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT	40212
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	GL0145C
	AIR NEW SOURCE PERMITS	AFS NUM	4818700056
	AIR OPERATING PERMITS	ACCOUNT NUMBER	GL0145C
	AIR OPERATING PERMITS	PERMIT	2680
Location:	355 SCHUMANN RD, MC QUEENEY, TX, 78123		Rating Date: 9/1/2006 Repeat Violator: NO
TCEQ Region:	REGION 13 - SAN ANTONIO		
Date Compliance History Prepared:	July 23, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	July 23, 2002 to July 23, 2007		

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

Name: Trina Grieco Phone: (210) 403-4006

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	10/28/2002	(13733)
2	04/07/2004	(36546)
3	04/01/2005	(374602)
4	02/17/2006	(455837)
5	03/20/2006	(459712)
6	06/15/2006	(482746)
7	07/19/2007	(568023)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	02/21/2006	(455837)	Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)					
Description:	Failing to comply with all Special Conditions of a Permit.					
Date:	02/23/2006	(459712)	Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)					
Description:	Failing to comply with all Special Conditions of a Permit.					
- 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
REPUBLIC PLASTICS, LTD.
RN100851211

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-1216-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 Republic Plastics, Ltd. ("Republic Plastics") 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 Republic Plastics appear before the Commission and together stipulate that:

1. Republic Plastics owns and operates a polystyrene foam manufacturing plant at 355 Schumann Road in McQueeney, Guadalupe 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 Republic Plastics agree that the Commission has jurisdiction to enter this Agreed Order, and that Republic Plastics is subject to the Commission's jurisdiction.
4. Republic Plastics received notice of the violations alleged in Section II ("Allegations") on or about July 29, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Republic Plastics of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Six Hundred Dollars (\$2,600) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Republic Plastics has paid Two Thousand Eighty Dollars (\$2,080) of the administrative penalty and Five Hundred Twenty Dollars (\$520) is deferred contingent upon Republic Plastics' 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 Republic Plastics fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Republic Plastics 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 Republic Plastics 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 Republic Plastics 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

As owner and operator of the Plant, Republic Plastics is alleged to have failed to submit the Title V Annual Compliance Certification within 30 days after the end of the January 24, 2006 to January 23, 2007 certification period, in violation of 30 TEX. ADMIN. CODE §§122.146(1) and 122.143(4), Federal Operating Permit No. O-02680, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on July 9, 2007. Specifically, the report was due February 22, 2007, but has not yet been submitted.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Republic Plastics pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Republic Plastics' 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: Republic Plastics, Ltd., Docket No. 2007-1216-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 Republic Plastics shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order:
 - i. Submit the Title V Annual Compliance Certification for the January 24, 2006 to January 23, 2007 certification period;
 - ii. Implement measures designed to ensure that Title V Annual Compliance Certifications are submitted within the required time frame; and
- b. 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.i. and 2.a.ii. 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."

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:

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Air Section, Manager
San Antonio Regional Office
Texas Commission on Environmental Quality
14250 Judson Road
San Antonio, Texas 78233-4480

3. The provisions of this Agreed Order shall apply to and be binding upon Republic Plastics. Republic Plastics 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 Republic Plastics 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, Republic Plastics' failure to comply is not a violation of this Agreed Order. Republic Plastics shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Republic Plastics shall notify the Executive Director within seven days after Republic Plastics 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 Republic Plastics shall be made in writing to the Executive Director. Extensions are not effective until Republic Plastics 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 Republic Plastics 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 Republic Plastics, or three days after the date on which the Commission mails notice of the Order to Republic Plastics, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

THE
MAGAZINE
OF THE
ROYAL SOCIETY

Published by the Royal Society, 1, Whitehall Court, London, S.W.1

Subscription prices for 1954: Single copies 6s. 6d. (including postage); 6 issues (12 months) 35s. 0d. (including postage); 12 issues (24 months) 65s. 0d. (including postage). Single copies of the 1954 issue are available at 6s. 6d. (including postage). The 1954 issue is available at 6s. 6d. (including postage). The 1954 issue is available at 6s. 6d. (including postage).

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

12/03/2007
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

9/11/07
Date

JOSE COLON

Name (Printed or typed)
Authorized Representative of
Republic Plastics, Ltd.

Coo

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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